

To: **Richmond Planning Advisory Committee  
Richmond County Council**

From: **Planning Staff (EDPC)**

Date: **May 6, 2025**

Reference: **Best Practice Review of Accessory Dwelling Unit Regulations in Comparable Jurisdictions to Inform Potential Policy Directions in Richmond County**

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**Recommendation:**

That the Planning Advisory Committee and Council receive this report for information purposes only. The purpose of this best practice review is to examine how other jurisdictions regulate Accessory Dwelling Units (ADUs) in Residential Zones and to inform future discussions in Richmond County. No recommendation is required currently.

**Background:**

Richmond County, like many rural and coastal communities in Nova Scotia, is experiencing a growing need for more flexible and affordable housing options. As the population ages and household sizes change, there is increasing interest in smaller, secondary dwelling units that can accommodate multigenerational living, provide income opportunities for homeowners, or offer housing for caregivers and essential workers. ADUs, including Secondary Suites, Garden Suites, and Garage Suites, have emerged in many municipalities as a low-impact way to increase housing density and support aging in place without significantly altering neighbourhood character. These types of units are already permitted or encouraged in various forms across Nova Scotia, with both urban and rural municipalities adapting their policies to local servicing conditions, housing pressures, and land use patterns. This report explores different accessory dwelling types, assesses their applicability to Richmond County's settlement patterns, including rural areas, hamlets, and serviced centres, and outlines the zoning and implementation approaches used by other municipalities.

**Analysis:**

Like many communities across Nova Scotia, Richmond County is facing increased pressure to provide diverse, affordable housing options that meet the needs of residents across age and income spectrums. While recent engagement has highlighted growing interest in smaller, flexible housing forms, it is important to note that Richmond County has already taken some steps to allow additional dwellings in certain areas.

In 2018, the St. Peters Land Use By-law was amended to permit up to two single-unit dwellings on a property in the Residential Village (R-1) and Residential Rural (R-2) zones, even if the

property could not be subdivided. Prior to this, second dwellings were not permitted. In contrast, the Isle Madame planning area has long allowed two dwellings on a lot, provided the lot meets subdivision requirements. During the 2018 amendment process, the Planning Advisory Committee considered adopting similar subdivision-based conditions in St. Peters but ultimately opted not to include them. Meanwhile, the Central Richmond plan area permitted ADUs as accessory buildings in all zones since it was adopted by Council April **2005** and the most recently adopted Plan Richmond municipal planning strategy and land use by-law permit up to four dwelling units per lot, in alignment with national best practices under the federal Housing Accelerator Fund. The West Richmond plan area due to its primarily Industrial focus is the only area where no ADUs are permitted.

In response to the ongoing housing crisis, both federal and provincial governments have introduced programs and funding streams to support increased residential flexibility and density. The Province of Nova Scotia, for example, has launched the Secondary and Backyard Suite Incentive Program, which provides a conditional forgivable loan of up to 50% of eligible project costs, to a maximum of \$40,000. This initiative is intended to support small-scale infill housing as part of broader efforts to increase supply and housing affordability.

The Province of Nova Scotia, for example, has launched the “Secondary and Backyard Suite Incentive Program”, which offers a conditional forgivable loan covering up to 50% of eligible project costs, to a maximum of \$40,000. This initiative aims to encourage the development of smaller, ADUs that can help meet growing demand for affordable, adaptable housing across the province.

ADUs, such as Secondary Suites, Garden Suites and Garage Suites, are widely recognized as a low-impact form of infill housing that can gently increase density without altering the built character of rural and residential communities. These Units are well-suited for multigenerational households, aging family members, or on-site caregivers and provide a way to offset living expenses. They can also serve as long-term rental units, guest accommodations, or short-term rentals, providing homeowners with a flexible source of additional income

However, these units also present some challenges. In many cases, separate or upgraded utility connections are required which may not be supported by existing infrastructure. In areas serviced by municipal water and sewer, the added demand may exceed existing infrastructure capacity. Garden Suites can alter the lot layout and visual character of a property, affecting sightlines and open space. Parking requirements may be difficult to meet on smaller lots, and their visibility may lead to greater opposition from neighbouring property owners, particularly regarding privacy and compatibility with surrounding land uses. It is also important to note that municipal by-laws typically cannot distinguish between different intended uses once a Garden Suite has been constructed. A unit initially built to accommodate family members or occasional

guests could later be used as a long-term rental or a vacation rental (e.g., Airbnb), whether or not the owner resides on the property.

### **Approaches in Other Municipalities**

As Richmond County considers how best to support further development of ADUs, it is useful to examine how other municipalities across Nova Scotia have approached similar housing challenges. See Appendix “A”. A review of planning frameworks from both rural and urban contexts provides insight into how accessory dwellings can be regulated to balance housing needs with neighbourhood compatibility, infrastructure capacity, and local development goals. The following examples highlight regulatory models adopted by other jurisdictions:

#### **Halifax Regional Municipality**

In 2020, Halifax Regional Municipality (HRM) adopted amendments to its Regional Municipal Planning Strategy and multiple Land Use By-laws to permit ADUs, specifically Secondary Suites and Backyard Suites, as-of-right in most residential zones. These amendments allow Secondary Suites in all zones where single-unit, two-unit, or townhouse dwellings are permitted. Treated as accessory residential uses, these units no longer require a development agreement and are approved through the standard permitting process, subject to applicable building and fire code requirements. Backyard Suites are also permitted as-of-right in several zones, provided the lot meets servicing and dimensional standards outlined in the applicable Land Use By-law. These suites are subject to zoning regulations for accessory buildings, including setbacks, height restrictions, and lot coverage limits. While Backyard Suites may connect to the main dwelling’s water and sewer laterals, Halifax Water reviews each application on a case-by-case basis and may require separate service laterals where site constraints or system limitations exist.

These policy changes followed extensive public consultation and reflect HRM’s commitment to expanding access to affordable and diverse housing forms. By enabling both internal and detached accessory units across a broad range of zones, HRM has provided a practical and scalable approach to meeting changing housing needs while maintaining neighbourhood character.

#### **Community of Inverness**

In the Community of Inverness, located within the Municipality of the County of Inverness, the Land Use By-law permits the establishment of a single accessory dwelling unit, defined as a Secondary Suite, Garden Suite, or Garage Suite, on any lot containing a Single Unit or Semi-Detached Dwelling in the Residential Urban (R-1) Zone.

Secondary Suites are permitted as accessory uses and are regulated based on the existing lot standards for the primary residence. Garden and Garage Suites are permitted and may contain up to two bedrooms and must meet the minimum lot area requirements applicable to the

principal dwelling. Both types must be located behind or beside the main residence and may not be situated closer to the front lot line than the main building. A minimum rear yard setback is required, and side yard setbacks must align with those of the primary dwelling. The maximum permitted floor area for any accessory dwelling is 80 percent of the gross floor area of the main residence, up to a maximum of 90 square metres (968.8 square feet). Garden Suites may reach a height of up to 6.5 metres, while Garage Suites may be constructed up to 9 metres in height. Additional setbacks are required between structures: 2 metres for Garden Suites when adjacent to non-habitable buildings, and 3 metres for Garage Suites when adjacent to any structure. To maintain visual continuity and neighbourhood character, design standards require that exterior materials, cladding colour, roof type, and pitch be consistent with the primary dwelling. Entrances and main windows must face the principal dwelling, flankage yard, or front yard.

These regulations for ADUs were taken from the Town of Antigonish zoning by-law and amended accordingly to better reflect the local context. See Appendix “B”.

### **Zoning and Implementation Options**

There are two primary approaches municipalities may consider when enabling ADUs: as-of-right zoning and regulation through the planning process (e.g., development agreements, rezonings or site plan approvals).

As-of-right zoning permits ADUs, such as Secondary, Garden, or Garage suites, without the need for site-specific Council or staff approval, provided the proposal meets the established requirements of the Land Use By-law. This approach offers greater clarity and predictability for property owners, reduces administrative burden, and encourages housing uptake by lowering cost and time barriers.

Planning process approach, such as requiring a development agreement, rezoning or site plan approval, enables more tailored review on a case-by-case basis. This can be advantageous in areas with sensitive land uses, infrastructure limitations, or unique built form considerations. However, this process introduces additional timelines, costs, and uncertainty for homeowners, which can discourage the creation of legal units or lead to informal development outside of regulatory oversight.

Some municipalities use a blended approach to regulating ADUs. They allow certain types, like secondary suites inside the main home, without special approval as long as they meet standard zoning requirements. But for more complex types-like backyard or garage suites-they may require a case-by-case review. This helps ensure the unit fits the property and surrounding area, especially where lot sizes are small, or services are limited.

### **Policy Considerations**

ADUs offer a flexible housing form that may support aging in place, multigenerational living, and modest rental opportunities across Richmond County's varied landscape. Permitting these units as-of-right has the potential to reduce regulatory barriers and improve housing access in both rural and serviced areas.

Most of Richmond County already permits the development of ADUs through existing planning strategies (see Appendix A). In the Central Richmond Plan Area (adopted by Council in 2005), ADUs within the main building are permitted as-of-right in all zones. Also, a special provision "Accessory Buildings" allows ADUs where a dwelling is a permitted accessory use (subject to the Building Code). All zones allow dwellings as an accessory use. In the Isle Madame Plan Area, ADUs are also permitted as-of-right, but only on lots that potentially meet the subdivision requirements of for a second lot.

### **Conclusion**

This best practice review outlines how jurisdictions across Nova Scotia regulate ADUs, which are increasingly recognized as a way to support aging in place, multigenerational living, and housing flexibility—particularly in rural and mixed-servicing areas.

Richmond County has already taken significant steps to permit ADUs in several plan areas. Council may consider minor refinements to the West Richmond (Point Tupper) and Isle Madame Plan Areas; this report provides context for evaluating the exclusion of ADUs in West Richmond and the possible elimination of the subdivision requirement in Isle Madame.

## Appendix “A” Accessory Dwelling Unit requirements

<b>Plan Area</b>	<b>Use</b>	<b>Zones</b>	<b>Special Provisions</b>
<b>Isle Madame</b>	Two dwellings may be erected on one lot	Village Designation Rural Areas Designation <b>As-of-right</b>	Lot capable of meeting the subdivision requirements of the <i>Subdivision By-law</i>
<b>St. Peters</b>	Single unit dwellings (to a maximum of two)	Residential Village, Rural Residential or Mixed-Use Zone. <b>As-of-right</b>	None
<b>Central Richmond</b>	Accessory Buildings	All zones. <b>As-of-right</b>	Accessory Buildings permitted to be used for human habitation where a dwelling is a permitted accessory use (subject to the Building Code).
<b>West Richmond</b>	Single Unit Dwellings	Residential R-1 Zone	No ADUs permitted
<b>Plan Richmond</b>	Dwelling units	Rural General, Residential Centre, Hamlet Residential <b>As-of-right</b>	Dwelling – up to 4 dwelling units per lot
<b>Inverness, Inverness</b>	Accessory Dwelling Units	Residential Urban (R-1) Zone <b>As-of-right</b>	Accessory (Subordinate) See below
<b>Antigonish Town</b>	Accessory Dwelling Units (Including Basement Apartments)	Residential Neighbourhood-1 (RN-1) and Residential Neighbourhood-2 (RN-2) Zones <b>Site Plan Approval</b>	Accessory (Subordinate) See below
<b>Halifax Regional Municipality</b>	Secondary Suites and Backyard Suites	All Residential Zones <b>As-of-right</b>	Floor area of a backyard suite shall not exceed 90.0 square metres

Appendix “B” Inverness, Inverness County ADU requirements

**Accessory Dwelling Units**

3. Notwithstanding anything else in the By-law, the establishment of one accessory dwelling unit (Secondary Suite, Garden Suite, Garage Suite) to a Single Unit Dwelling, or Semi-Detached Dwelling shall be permitted in the Residential Urban (R-1) Zone subject to the following requirements:

	<b>Garden Suite (R-1 Zone)</b>	<b>Garage Suite (R-1 Zone)</b>
<b>Max. # Bedrooms</b>	2	2
<b>Minimum Lot Area</b>	As per zone requirements for the main building	As per zone requirements for main building
<b>Yard Setbacks</b>	Side Yards: As per zone requirements for main building Rear Yard: 3.05m (10.0ft)	Side Yards: As per zone requirements for main building Rear Yard: 3.05m (10.0ft)
	Garden and Garage Suites must not be built closer to the front lot line than the main building	
<b>Maximum accessory dwelling unit floor area</b>	80% of the gross floor area of the main building up to 90m <sup>2</sup> (968.8sqf)	80% of the gross floor area of the main building up to 90m <sup>2</sup> (968.8sqf)
<b>Maximum building height</b>	Equal to the height of the main building up to 6.5 m	Equal to the height of the main building up to 9 m
<b>Minimum setback from other buildings</b>	2m from not habitable structures on the same lot	
	3m from all other structures	
<b>Design Requirements</b>		
<b>Exterior</b>	Must match the main dwelling in building material type, cladding colour, roof type, and roof pitch.	
<b>Entrance, Main Windows and Entry</b>	Must be oriented toward the main dwelling, flankage yard, or front yard	