

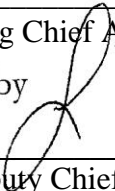
**Item No. 11.1.2**  
**Halifax Regional Council**  
**March 8, 2011**

**TO:** Mayor Kelly and Members of Halifax Regional Council

Original Signed by 

**SUBMITTED BY:**

Wayne Anstey, Acting Chief Administrative Officer

Original Signed by 

Mike Labrecque, Deputy Chief Administrative Officer

**DATE:** February 11, 2011

**SUBJECT:** **Case 16570: Regulating Quonset Huts in Residential areas -  
Cole Harbour/Westphal**

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**ORIGIN**

Harbour East Community Council (HECC) passed the following motion on July 8, 2010:

*Moved by Councillor Nicoll, seconded by Councillor Smith that Harbour East Community Council request that staff open a case to consider amendments to the Cole Harbour/Westphal Municipal Planning Strategy and Land Use By-law in order to regulate the external appearance of quonset huts.*

**RECOMMENDATION**

It is recommended that Halifax Regional Council:

1. Initiate the process to consider amending the Cole Harbour/Westphal Municipal Planning Strategy and Land Use By-law in order regulate the external appearance of detached quonset huts as well as quonset huts that are attached to a main building, within residential zones serviced with municipal sewer or water; and
2. Direct staff to follow the public participation program approved by Council in February 1997.

## **BACKGROUND**

### Overview

HECC has directed staff to open a case to consider establishing design requirements or restrictions for quonset huts. The request responds to concerns regarding the construction of a large quonset hut that was attached to the main building on a property in a residential area of Westphal. Section 235 (5) (i) of the *HRM Charter* enables HRM to regulate the external appearance of structures in cases where a municipal planning strategy (MPS) provides for such regulation. The Cole Harbour/Westphal MPS does not contain such a policy and, as a result, any process that seeks to regulate the appearance of quonset huts requires amendments to both the MPS and the Land Use By-law (LUB).

### Quonset Huts

The term quonset hut refers to a type of prefabricated structure most commonly comprised of corrugated metal formed in a semicircular and arching shape. A quonset hut may be a temporary or permanent structure and may be constructed as a detached accessory building or as an addition to a main building such as a house.

### Land Use Regulations

All forms of accessory structures or main buildings, including quonset huts, must conform with the requirements of the applicable land use by-law, which typically include height, size and yard setbacks. In most cases, accessory structures are not permitted in the front yard of a main building and the maximum height and size are less than that permitted for the main building. These requirements are intended to ensure that the scale, use and form of accessory buildings remain secondary and supportive of the primary use of the property as a residence.

An addition to a main building, such as an attached garage or storage area, may also serve the same function as a detached accessory building. However, provided that an attached addition meets the corresponding structural requirements set out in the National Building Code in order to render it a portion of the main building, it is not subject to the same requirements as detached accessory buildings. In these cases, the garage or addition is regulated according to all applicable land use by-law requirements for the dwelling, including more generous height, size and lot coverage provisions.

## **DISCUSSION**

Generally, MPS amendments are considered when factors related to MPS policies have changed in a manner that was not anticipated. In this case, staff are of the opinion that the MPS did not intend to allow, or anticipate the potential of, development of large prefabricated quonset huts as accessory buildings within residential areas. In this case, the MPS and LUB do not address or regulate this form of development which, at least in certain cases, is not consistent with the intent of the MPS for the built form of residential areas within the plan area.

It should be noted that any new policy or by-law provisions related to quonset huts would not impact any such structure which is legally in existence. Quonset huts which are considered to

form part of a main dwelling under the National Building Code would not be impacted by any new regulations established for accessory structures only. Therefore, this planning process should also consider regulating the appearance of quonset huts that are attached to a main building.

### **Conclusion**

Residential zones in the Cole Harbour/Westphal plan area are primarily comprised of residential neighbourhoods and subdivisions that are either serviced with both municipal sewer and water or with municipal water only. Neither the prefabricated and corrugated materials, or the semi-circular shapes, utilized in most quonset huts are consistent with these residential areas which range from more dense mixed residential environments to low density suburban subdivisions. Staff anticipate that the planning process would consider regulations related to factors such as external materials and some degree of height uniformity across the width of a structure. Staff recommend that Council initiate the process to consider amending the Cole Harbour/Westphal MPS and LUB to regulate the external appearance of quonset huts within residential zones serviced with municipal sewer or water.

### **BUDGET IMPLICATIONS**

The costs to process this planning application can be accommodated within the proposed 2010/11 operating budget for C310 Planning & Applications.

### **FINANCIAL MANAGEMENT POLICIES/BUSINESS PLAN**

This report complies with the Municipality's Multi-Year Financial Strategy, the approved Operating, Project and Reserve budgets, policies and procedures regarding withdrawals from the utilization of Project and Operating reserves, as well as any relevant legislation.

### **COMMUNITY ENGAGEMENT**

Amendments to the Cole Harbour/Westphal MPS and LUB involve community engagement and the engagement process will be consistent with the intent of the HRM Community Engagement Strategy, the Halifax Regional Municipality Charter, and the Public Participation Program attached to this report.

The proposed level of community engagement is consultation, achieved through a public information meeting early in the review process, an online web survey, as well as a public hearing before Regional Council can consider approval of any MPS amendments.

The proposed amendment process will potentially impact the following property owners and residents within residential zones in Cole Harbour/Westphal.

### ALTERNATIVES

1. Council may choose to initiate the process to consider amending the MPS and LUB in order to establish regulations for quonset hut structures that are constructed as accessory buildings or attached to a dwelling within residential zones. This is the staff recommendation for reasons set out in this report.
2. Council may choose to initiate the process to consider amending the MPS and LUB in order to establish regulations for detached quonset huts only.
3. Council may choose not to initiate the MPS amendment process. Council is under no obligation to initiate a process to amend an MPS or to adopt requested amendments.

### ATTACHMENTS

None.

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A copy of this report can be obtained online at <http://www.halifax.ca/council/agendasc/agenda.html> then choose the appropriate meeting date, or by contacting the Office of the Municipal Clerk at 490-4210, or Fax 490-4208.

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