

Harvey Rural Community
By-Law No. 2025-02
A By-Law to Amend the Kingsclear Planning Area Rural Plan Regulation – Community Planning Act (06-KNG-041-00)

Pursuant to section 59 of the *Community Planning Act*, the Council of the Harvey Rural Community enacts the following amendments to *Kingsclear Planning Area Rural Plan Regulation – Community Planning Act (06-KNG-041-00)*:

1. The following amendment to the “garden suite” definition in subsection 1.2:
“garden suite” means a one storey, one or two bedroom, self contained dwelling contained on the same lot, but clearly secondary to, an existing main residential use;
2. The following addition to subsection 1.2:
“garage suite” means a one or two bedroom dwelling unit located above a detached garage on the same lot, but clearly secondary to an existing main residential use;
3. The following addition to subsection 1.2:
“secondary suite” means a self-contained dwelling unit with a prescribed floor area located in and secondary to a detached single-family dwelling and where both dwelling units constitute a single real estate entity;
4. The following addition of subsections 3.1(b)(v) and 3.1(b)(vi) to Section 3:
(v) a garage suite, subject to section 4.3;
(vi) a secondary suite, subject to section 4.21;
5. The following addition of subsections 3.2(1)(b)(iii) and 3.2(1)(b)(iv) to Section 3:
(iii) a garage suite, subject to section 4.3;
(iv) a secondary suite, subject to section 4.21;
6. The following amendment to subsection 4.3(1):
Garden Suites and Garage Suites
4.3(1) Where permitted, there can be a maximum of one garden suite or one garage suite on a lot. A garden suite or a garage suite shall:
 - (a) be considered a secondary building and not a second main building;
 - (b) not exceed 4.25 metres in height for a garden suite or 6.2 metres in height for a garage suite;
 - (c) be located on a lot where the main building is a detached single-family dwelling;
 - (d) not exceed 115 square metres of gross floor area;
 - (e) be located a minimum of 6 metres from any other building on the lot;

- (f) be on a lot fully serviced by municipal sanitary sewer or an on-site sewage disposal system approved by the appropriate government department;
- (g) provide adequate parking per section 4.12;
- (h) not be placed, erected, or altered so that it is closer to the front lot line than the required front yard for the main building;
- (i) be located on a lot with at least 4000 square metres.

7. The following addition of subsection 4.21 to Section 4:

Secondary Suites

4.21(1) Where permitted, a secondary suite shall:

- (a) be located in a single-family dwelling;
- (b) be contained within the main building;
- (c) not result in more than two dwelling units contained in any single-family dwelling;
- (d) contain a maximum of 2 bedrooms with the floor area of each bedroom not exceeding 20 square metres;
- (e) be secondary to the main building and not exceed 80% of the gross floor area of the main dwelling or 80 square metres, whichever is less;
- (f) be on a lot fully serviced by municipal sanitary sewer or an on-site sewage disposal system approved by the appropriate government department;
- (g) provide adequate parking per section 4.12;
- (h) provide common driveway access to both the main building and the secondary suite.

This By-Law shall come into effect and be binding on all persons as of and from the date filed at the Registry Office.

First Reading: _____

Second Reading: _____

Third Reading: _____

Richard Corey, Mayor

Shawn Hawley, CAO