

Secondary Suites FAQs (Frequently Asked Questions)

UPDATED: July 4, 2008

1. When were the latest Zoning Bylaw changes (Phase 1) that increase the opportunity for Secondary and Garage Suites effective?

They are effective now. Council adopted Bylaw 14750 on December 12, 2007.

2. Why did Council ask the Administration to draft Zoning Bylaw changes to allow more Secondary and Garage Suites in Edmonton?

Council has asked the Administration to look at Secondary Suites as one way in which the City can increase the supply of affordable housing units. They not only can increase the number of affordable units for tenants, but also can give potential first time home buyers a way to subsidize a mortgage.

3. When will Council be considering further changes to the Zoning Bylaw to increase the opportunity for Secondary and Garage Suites?

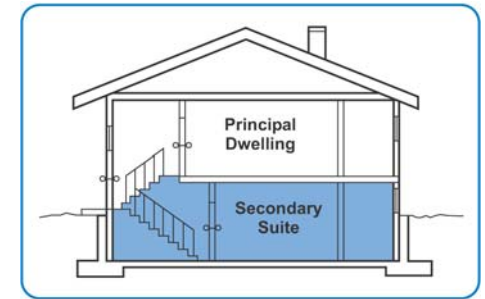
Council will consider Phase 2 amendments that propose increasing the locations where Secondary and Garage Suites are allowed in the Zoning Bylaw at a Public Hearing in November 2008.

4. How can I provide my opinion on the Phase 2 amendments for Secondary and Garage Suites?

The Planning and Development Department held two Open Houses on June 17 and June 19, 5-8 PM Where Phase 2 concepts and options were presented. These are available for viewing on the City's Secondary Suites web site, www.edmonton.ca/secondariesuites. You can also give us your opinion by participating in our web survey on Secondary Suites and Secondary Dwellings, beginning June 12, which is also accessible through the Secondary Suites web site. If you want to complete the Survey, we ask that you do so by **Friday, July 11, 2008**. When the comments received from the two open houses and the Web Survey have been summarized, these will be made available on our web site. This input will be analyzed and considered in the proposed Zoning Bylaw regulations that will be presented to Council in November 2008.

5. What is a Secondary Suite?

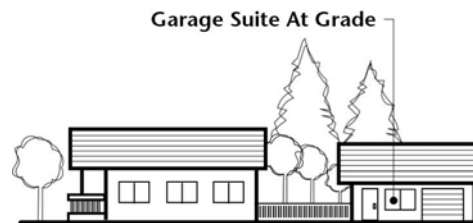
A Secondary Suite is a self-contained dwelling accessory to, and located within, a single detached house. It has separate cooking, sleeping and bathing facilities. It has a separate entrance from the single detached house, either from a common indoor landing or directly from the exterior of the house. It includes the conversion of basement space to a dwelling, or the addition of new floor space to an existing single detached house. It does not include Garage Suites (Above or At-Grade), Garden Suites, Duplex Housing, Semi-detached Housing, Apartment Housing, or Boarding and Lodging Housing.



6. What is a Garage Suite?

A Garage Suite is a self-contained dwelling located above a detached garage which is accessory to a single detached house. It has an entrance either from a common indoor landing or directly from the exterior of the structure that is separate from the vehicle entrance to the rear detached garage.

In the proposed amendments for Phase 2, a Garage Suite may be either a Garage Suite – Above Grade (above a detached Garage) or a Garage Suite – At Grade (a single-storey Suite attached to a detached Garage). At-Grade Garage Suites are not currently allowed in the Zoning Bylaw.



7. What is a Garden Suite?

A Garden Suite is a self-contained single-storey dwelling which is accessory to, but detached from, the principal use which a single detached house. Garden Suites are currently not allowed in the Zoning Bylaw, but are being considered in the Phase 2 Zoning Bylaw amendments.



8. Where are Secondary Suites allowed within the current regulations in the Zoning Bylaw?

A Secondary Suite is allowed only within a single detached dwelling, depending on your property's size, location, and specific zoning.

The Zoning Bylaw allows Secondary Suites as a permitted use within most residential zones in the City. The Phase 1 Zoning Bylaw amendments, however, include locational restrictions within low density residential zones that mostly apply to older neighbourhoods (which also apply to Garage Suites).

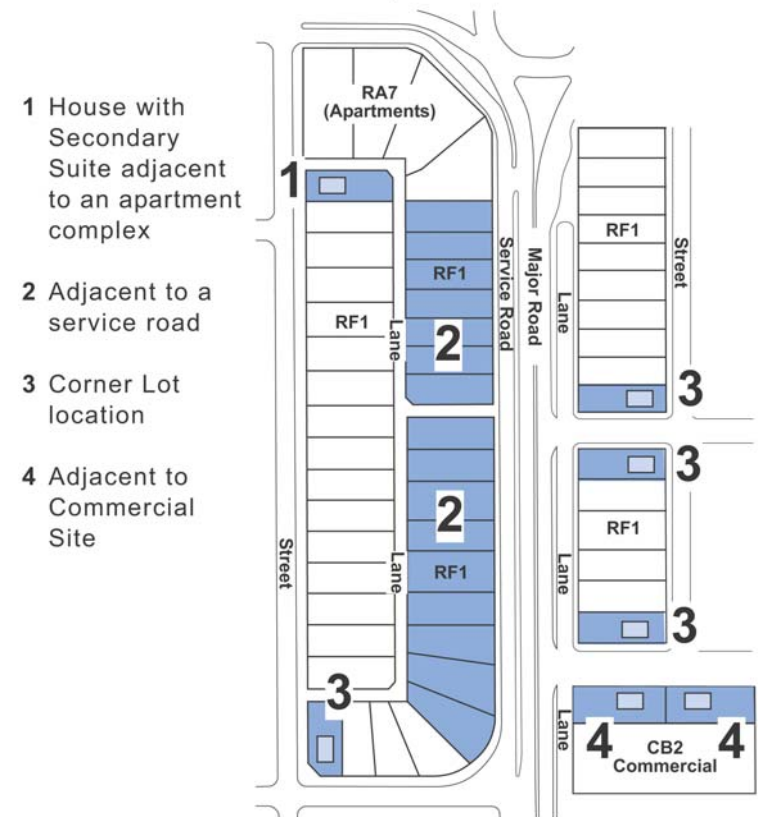
Older Neighbourhoods (typical) RF1, RF2 and RF3 zones

In the RF1, RF2 and RF3 zones, Secondary Suites are a Permitted Use *only* in the following locations:

- on corner lots; or
- on lots fronting onto a service road; or
- on where a side or rear lot line abuts a site in an Industrial, Commercial, Row Housing or Apartment Zone; or
- lots that are separated from a Site in an Industrial, Commercial, Row Housing or Apartment Zone by a public roadway not wider than 10.0m wide (i.e. not wider than a lane).

In the RF3 Zone, you may be able to have a Secondary Suite in other locations, however, it will be a Discretionary Use (see #8 below for an explanation of Permitted and Discretionary uses).

PHASE 1: Existing Opportunity (Permitted) Allowable Locations for Secondary Suites (RF1 and RF2)



Newer Neighbourhoods (typical) - RSL, RPL, RF4 and specialty zones

Secondary Suites are Permitted in the RSL, RPL, RPLt and RF4 zones, as well as the following specialty zones: RF4t, GLD, GLG, TSDR, TSLR zones.

Other Zones:

Secondary Suites are Discretionary in the following medium to high density zones: RF5, RF5g, RF5t, RF6, RA7, RA7g, RA8, and RA9 Zones.

Secondary Suites are Permitted in the RR (Rural Residential) Zone.

Other Restrictions:

Secondary or Garage suites will not be developed in combination with one another nor with Group Homes, Limited Group Homes or Major Home Based Businesses (except in the case of a Bed and Breakfast).

If you have a lot within 1.5 km of the Edmonton- Strathcona County boundary, you will be further restricted, as per Section 822 of the Bylaw, "Edmonton-Strathcona County Joint Planning Study Area Secondary and Garage Suites Overlay". The overlay prohibits increased infill opportunity in close proximity to existing and potential heavy industrial areas. This overlay limits Secondary Suites to the opportunity that was in the Zoning Bylaw prior to the Bylaw 14750 amendments. It also prohibits the opportunity for Garage Suites. These restrictions are subject to review and adjustment pending refinements to the Joint Planning Study Area. See Section 822 of the Zoning Bylaw, which includes a map of the affected area (available on the Secondary Suites web site, www.edmonton.ca/secondariesuites), for further details.

You should always visit our office or call 496-3100 and ask to speak with a Development Technical Advisor before planning your development.

9. Where are Garage Suites allowed within the current regulations in the Zoning Bylaw?

Garage Suites were only allowed within specialty Terwillegar Towne and Griesbach specialty zones before the Zoning Bylaw amendments that provide the opportunity within most residential zones.

The Zoning Bylaw now allows Garage Suites as a discretionary use within most residential zones in the City, only on lots with single detached housing. As with Secondary Suites, in zones typical of older neighbourhoods, locational restrictions apply.

Older Neighbourhoods (typical) - RF1, RF2 and RF3 zones

In the RF1, RF2, and RF3 zones, they are discretionary only in the following locations:

- on corner lots; or
- on lots fronting onto a service road; or
- on lots where a side or rear lot line abuts a site in an Industrial, Commercial, Row Housing or Apartment Zone; or
- on lots that are separated from a Site in an Industrial, Commercial, Row Housing or Apartment Zone by a public roadway not wider than 10.0m wide (i.e. not wider than a lane).

Other Zones:

Garage Suites are permitted in the (GLG) Griesbach Low Density Residential with Garage Suite Zone.

Garage Suites are Discretionary in the RSL, RPL, RPLt, TSDR, TSLR, RF4, RF4t, RF5, RF5g, RF5t, RF6, RA7, RA7g, RA8, RA9 and RR Zones.

Other Restrictions: See note “Other Restrictions” under Section 6 for Secondary Suites.

You should always visit our office or call 496-3100 and ask to speak with a Development Technical Advisor before planning your development.

10. How can I find out what the Zoning of my property is?

Zoning information is provided on the City’s web site at <http://maps.edmonton.ca/>

Once you have entered the site, use the “Locate” tab, then select “Zoning”, then select “Locate Title by Address”.

You can also visit the Planning and Development Department, and speak to a Development Technical Adviser, who can also provide more information about your property including Zoning and requirements for a Development Permit, providing your property is zoned for a Secondary or Garage Suite.

Development Compliance Branch
Planning and Development Department
5th floor, 10250 – 101 Street

Hours: 8 AM – 4:30 PM Monday to Friday.

PHASE 1: Existing Opportunity (Discretionary) Allowable Locations for Garage Suites - Above Grade (RF1, RF2, RF3)



11. What is the difference between a Permitted and Discretionary Use?

Permitted Uses will be approved by the Development Officer, provided that the Use meets all provisions of the Zoning Bylaw. No notification of adjacent landowners is required.

Discretionary Uses are Uses that *may* be approved by the Development Officer. They require notification of adjacent landowners (normally within a 60 m radius of the application) and are subject to appeal by the owner or adjacent landowners. A Permitted Use decision where the Development Officer has allowed a variance to the regulations may also be appealed.

12. What are other Zoning Bylaw requirements for Secondary and Garage Suites?

Regulations for Secondary and Garage Suites¹

	Secondary Suite	Garage Suite
Minimum lot size ²	360m ²	460m ²
Parking Requirements	3 on-site spaces (minimum 1 per 2 bedrooms for suite plus 2 for primary dwelling). Tandem parking is allowed.	3 on-site spaces (minimum 1 per 2 bedrooms for suite plus 2 for primary dwelling). Tandem parking is allowed.
Maximum Suite Size	Basement Suite: not more than the total floor area of the first storey of the building. Partially/entirely above grade: 40% of the total floor area of the building, or 70 m ² , whichever is the lesser.	60 m ²
Maximum Height	N/A	6 m or height of principal dwelling, whichever is less 7.5 m in some specialty zones

¹ See Zoning Bylaw 12800 for complete regulations

² Exceptions apply for some specialty zones

Other requirements:

There are a number of other requirements for Secondary and Garage Suites. These include, but are not limited to, a separate entrance (may be from a common landing), and, in the case of Garage Suites, regulations intended to minimize impacts on neighbouring properties (i.e. to minimize overlook onto abutting properties). See the Secondary Suites web site,

www.edmonton.ca/secondariesuites , which includes a summary table of the regulations, as well as the complete Bylaw for more details, by visiting www.edmonton.ca, then selecting: Zoning Bylaw (left tab).

13. What do the current regulations, and changes being considered to the Zoning Bylaw in Phase 2, not do?

Changes to the Zoning Bylaw that were enacted through Phase 1 (Bylaw 14750) will not automatically make existing suites legal. Secondary and Garage suites will still require a development permit as well as a building permit. Recent changes make it possible for an increased number homeowners with existing suites to apply for development and building permits. The changes also provide increased opportunities for those planning to build new homes to apply for development and building permits for new Garage and Secondary suites.

The Zoning Bylaw amendments do not allow more than one secondary suite in a single detached principal dwelling. Zoning Bylaw changes will not address Building or Fire Code issues.

Phase 1 amendments do not provide the opportunity for Secondary Suites and Garage Suites throughout the entire RF1 and RF2 Zones, as locational restrictions apply.

In the case of the RF3 zone, in most areas the opportunity will remain a Discretionary Use, meaning that applications will still be required to be circulated to neighbors and are subject to appeal.

Further amendments being considered for Phase 2, may result in increased opportunity for Secondary and/or Garage Suites throughout the RF1 and RF2 Zones.

In Phase 2, first storey Garage Suites (Garage Suites - At Grade) and Garden Suites (second dwellings) are also being considered.

14. How will recent changes to the Alberta Building Code and upcoming changes to the Alberta Fire Code impact the provision of Secondary Suites?

The province recently introduced standards specifically for Secondary Suites through changes to the Alberta Building Code (December 2006) and upcoming changes to the Alberta Fire Code (December 31, 2008). These changes balance the goal of affordable construction with acceptable safety standards and reduce the costs of building or renovating a Secondary Suite to comply with the applicable required standards.

The Building Code applies in the following situations:

1. A new dwelling unit with a Secondary Suite included at the time of construction.
2. An existing dwelling unit with an unfinished space being converted to a Secondary Suite.
3. An existing dwelling unit with a finished space being converted to a Secondary Suite.

For questions on Building Code requirements, please call 496-3100 and ask for a Building Technical Advisor,

Existing Secondary Suites are required to comply with Fire Code. If a homeowner has a Secondary Suite that was in existence prior to December 31, 2006, they will be required to upgrade their suite to meet the Alberta Fire Code as of December 31, 2008. Both the Alberta Building Code (for new Secondary Suites) and the Alberta Fire Code (for existing Secondary Suites) prescribe specific requirements for Secondary Suites that include, but are not limited to: room and dwelling unit separations, heating and ventilation systems, minimum bedroom openable window size, separate entrance, habitable room height, and interconnected smoke alarms.

Garage Suites must follow the full Alberta Building Code (as if building a house).

For questions on Fire Code inquiries on existing secondary suites call Fire Prevention at 496-3850.

A homeowner must apply to the City to ensure that their proposal for a suite, existing or new, conforms to the Zoning Bylaw and the Alberta Building Code or Alberta Fire Code.

15. Is financial assistance available for construction of or renovation of Secondary and Garage Suites (Cornerstones Grant Program)?

If you are considering a new Secondary Suite or Garage Suite, or are upgrading an existing Secondary or Garage Suite, you may be eligible for financial assistance through the City of Edmonton's "Cornerstones Plan" for affordable housing administered through the Housing Branch. You must be eligible to meet the current Zoning Bylaw regulations for the Secondary Suite or the Garage Suite (see under Questions 5-13 above) as well as the applicable Alberta Building or Fire Code (see Question 14 above). If you want to find out more about this potential grant, it is recommended visit the Cornerstones web site, at www.edmonton.ca/cornerstones, or call the Housing Branch at 496-6029, prior to applying for City permits.

16. Why are many existing Secondary Suites illegal?

The majority of existing Secondary Suites are illegal for one or more of the following reasons:

- 1) The Zone within which the secondary suite is located does not allow Secondary Suites, or does not allow a secondary suite in the particular location.
- 2) The suite does not meet the requirements of the Alberta Building Code or Fire Code
- 3) The secondary suite does not have a valid development permit and/or building permit.

As a result of the recent amendments to the Zoning Bylaw in December 2007 (Phase 1 of Secondary and Garage Suites), properties that may previously not been eligible for legal Secondary or Garage Suites, may now be eligible. See the information under Questions 10 through 13 for more information.

17. If I have an illegal suite and apply for a grant to upgrade the suite under the Cornerstones Grant Program, will I be fined?

- No. The City is allowing a grace period for those who come forward and make the necessary changes to meet Alberta Building Code and Fire Code, provided that the Secondary Suite is also able to comply with the regulations of the Zoning Bylaw and obtain a valid Development Permit.

18. Will the new suites developed or upgraded under the Cornerstones Grant Program be inspected? What about illegal existing suites?

- Yes. All the new suites will be inspected to make sure they meet building and fire codes. Current suites that have applied for the funding will also be inspected.

19. What if I'm caught with an illegal suite?

- There are penalties for having a suite that does not meet codes.
- Should something happen to your property, such as a fire, and you have an illegal suite that does not meet code, you may not be covered by insurance and could be liable for any injury to residents.

20. Will adding a secondary suite affect my taxes?

- Property assessments are based on market value. By renovating a home to create an additional living unit, the assessment will increase to reflect the increased market value. The amount of the increase will vary depending on the renovation. A change in assessment due to renovations will lead to additional taxes.

- In addition to the market value impact, there is also a change in property class from single family residential to multi-residential. Multi-residential properties are subject to a municipal tax rate that is 15% higher than the municipal rate applied to single family residential properties.
- Revenue from renting out a secondary suite must be declared as income when doing personal income tax. For more information you can contact Revenue Canada.

21. What if I add a secondary suite and sell my house?

- When you earn revenue from your property through a secondary suite, you may be subject to pay capital gains at the time of its sale.

22. What could be some of the advantages for landlords and tenants of more Secondary Suites?

For a list of benefits of Secondary Suites please see attached Table 1

Rental Housing Supply: Compared with other forms of rental housing, Secondary Suites are relatively easy to create, and use existing infrastructure and buildings (in the case of basement suites).

Affordability: Compared with other forms of rental housing, Secondary Suites tend to be more affordable than other types of housing.

Mortgage Helper: Financial institutions recognize income from Secondary Suites when qualifying home buyers for mortgages, provided that the secondary suite is legal, and conforming to municipal bylaws.

In-Law Suites: Secondary suites can assist seniors and empty nesters on fixed incomes to remain in their community, through the provision of supplemental income.

Secondary suites provide a means through which children can provide accommodation and assistance to elderly relatives and also families to provide accommodation to adult children, while still maintaining independence.

*Secondary Suites Table 1 – Tenant, Owner and Community Benefits

Benefits to Tenant	Benefits to Owner	Benefits to Community	Benefits Legalized (to Tenants & Community)
<p>Affordability/Market Impact - Secondary suites increase supply on market and tend to be lower cost than apartments</p> <p>Choice - Offers a choice to live in a low density neighbourhood. Secondary suites are ground-oriented, usually include access to yard.</p> <p>Proximity to Services - Suites in existing neighbourhoods include benefit of having access to existing schools, shopping, recreation, and other services</p>	<p>Mortgage Helper - Offers an option for new home buyers to assist in mortgage payments.</p> <p>Seniors/fixed income groups - Have greater potential to remain in their homes. Seniors may feel more secure and have assistance with property up-keep through tenant agreement.</p> <p>In-Law Suites - Opportunity to provide children or elderly relative with opportunity for independence within same principle dwelling. Alternative to assisted living.</p>	<p>Maintain/Modestly Increase population - Modest population increase in communities that may be subject to population decline due to life cycle changes - Population thresholds can increase viability of commercial and public services</p> <p>Neighbourhood Character - Secondary suites increase rental housing stock without significantly changing form of low density neighbourhoods</p> <p>Promotes Smart Choices - Increase density in existing neighbourhoods, lessening pressure to develop at outer edge of community.</p> <p>Use of Existing Infrastructure - Make use of existing infrastructure (utilities, roads, parks, schools) that may be under-utilized through decline in population</p> <p>Socio-Economic Diversity - Secondary Suites allow citizens from range of economic levels and age groups to live in same neighbourhood</p>	<p>Stability - More reliable and stable rental supply (not subject to risk termination due to enforcement action)</p> <p>Income Stream for Mortgage qualification - Legal Suites are recognized by lenders such that they can assist in qualifying new home owners for mortgages.</p> <p>Increase in Federal Transfer Payments - Tenants will be more easily identified, and can result in higher population counts, thus increasing population-based grants.</p> <p>Infrastructure Planning - Increased certainty on number of dwelling units provides government better opportunity to plan infrastructure requirements</p> <p>Health & Safety - Increasing legal opportunities for secondary suites will provide better opportunity for ensuring minimum health and safety standards are met (Fire and Building Code).</p>

*Adapted from "Secondary Suites: A Tool to Address Calgary's Affordable Housing Needs" United Way, Calgary. Revised March 2007.