

## **Secondary Suites FAQs (Frequently Asked Questions)**

### **1. When will the new Zoning Bylaw changes that increase the opportunity for secondary and Garage Suites take effect?**

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. What is a secondary suite?**

A Secondary Suite is a self-contained dwelling located within a single detached house and has separate cooking, sleeping and bathing facilities. A Secondary Suite also has a separate entrance from the single detached house, either from a common indoor landing or directly from the exterior of the house. Secondary Suites include the conversion of basement space to a dwelling, or the addition of new floor space to an existing single detached house. Secondary Suites do not include housing that was initially designed for two or more dwellings such as Duplex Housing, Semi-detached Housing, Apartment Housing, or Boarding and Lodging Housing.

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

### **4. 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.

## 5. Where are **Secondary Suites** allowed within the new regulations in the Zoning Bylaw?

Secondary suites are allowed only within single detached dwellings under certain conditions.

The Zoning Bylaw allows Secondary Suites as a permitted use within most residential zones in the City. The Phase 1 amendments, however, include locational restrictions within zones that predominate within single detached neighbourhoods in established, mature neighbourhoods.

### Mature Areas - RF1, RF2 and RF3

Secondary Suites are Permitted in the RF1, RF2, and RF3 Zones where the side or rear lot line abuts an Industrial, Commercial, Row Housing, or Apartment Zone, or is not separated from it by a public roadway more than 10.0 m wide. New changes also allow Secondary Suites as Permitted uses on corner lots and lots fronting onto service roads in these Zones.

Secondary Suites are Discretionary in the RF3 Zone in cases where they are not Permitted.

### Newer Neighbourhoods - 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:

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](http://www.edmonton.ca/secondariesuites)), for further details.

## 6. Where are Garage Suites allowed within the new regulations in the Zoning Bylaw?

Garage Suites were only allowed within specialty Terwillegar Towne and Griesbach specialty zones before the amendments that provide the opportunity within most residential zones, on A Discretionary basis and under certain conditions.

The Zoning Bylaw allows Garage Suites as a discretionary use within most residential zones in the City, except the (GLG) Griesbach Low Density Residential with Garage Suite Zone, where Garage Suites are a Permitted Use.

### Mature Areas - RF1, RF2 and RF3 Zones

Garage Suites are Discretionary in the RF1, RF2, and RF3 Zones where the side or rear lot line abuts an Industrial, Commercial, Row Housing, or Apartment Zone, or is not separated from it by a public roadway more than 10.0 m wide. Garage Suites are also Discretionary on corner lots and lots fronting onto service roads in these Zones.

### Other Zones:

Garage Suites are Permitted in the GLG 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.

In addition, there are other regulations pertaining to secondary and Garage Suites, including, but not limited to, parking requirements (minimum of one additional parking spot in addition to principal dwelling, may be in tandem), minimum and maximum suite sizes, access requirements, and window/privacy considerations for Garage Suites.

Other Restrictions: See note under Section 5 for Secondary Suites, re: prohibition of Garage Suites within the “Edmonton-Strathcona County Joint Planning Study Area Secondary and Garage Suites Overlay”.

## 7. 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.

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

### Minimum Site (Lot) Size:

Secondary Suite - Minimum Site (Lot) size required to accommodate a Secondary Suite is 360 m<sup>2</sup>, except in the case of the RR (Rural Residential) Zone the minimum lot size is 1 ha.

### Suite Size:

Garage Suite - The minimum lot size for a single detached house to have a Garage Suite is 460m<sup>2</sup> except in the case of the GLG Zone the minimum lot size is 370m<sup>2</sup>; the TSLR Zone the minimum lot size is 412m<sup>2</sup>; and the RR Zone the minimum is 1ha.

Minimum Area of a Secondary Suite or Garage Suite is 30 m<sup>2</sup>.

Basement Suite: Secondary Suite below first storey must be not more than the total Floor Area of the first storey of the building containing the Principal Dwelling.

Above grade: Secondary Suites developed completely or partially above grade (first storey or higher) cannot exceed 40% of the total Floor Area of the building containing the Principal Dwelling, or 70 m<sup>2</sup>, whichever is the lesser.

The maximum area of a Garage Suite is 60 m<sup>2</sup>.

The maximum height of a garage containing a Garage Suite is 6m or the height of the single detached house which ever is less, except in the case of the GLG, TSDR and TSLR Zones, where the maximum height is 7.5 m.

### Parking:

A Secondary or Garage Suite requires a minimum of one additional on-site parking space (1 space per 2 bedrooms) in addition to the requirements for the principal single detached dwelling. This means that a minimum of three on-site parking spaces must be provided. Parking spaces may be in tandem.

### 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](http://www.edmonton.ca/secondariesuites), which includes a summary table of the regulations, as well as the complete Bylaw for more details.

## **9. What do the proposed changes to the Zoning Bylaw not do?**

Changes to the Zoning Bylaw will not automatically make existing suites legal. Secondary and Garage suites will still require a development permit as well as a building permit. These 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 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. 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 will be considered for Phase 2, targeted to be subject for consideration at a Public Hearing in November 2008. This may result in increased opportunity for Secondary and/or Garage Suites throughout the RF1 and RF2 Zones.

In Phase 2, first storey Garage Suites and Garden Suites (second dwellings) will also be considered.

## **10. How will recent changes to the Alberta Building Code and anticipated changes to the Alberta Fire Code impact the provision of Secondary Suites?**

The Province of Alberta has recently created new construction and maintenance standards for Secondary Suites (in the form of basement suites) through new Building Code standards adopted in December 2006. For existing Secondary Suites, the Alberta Fire Code will apply. Changes to Fire Code standards are not expected to be implemented until December 2008. Changes to the Alberta Building and Fire Codes are intended to facilitate the development of Secondary Suites while still maintaining an acceptable level of health and safety.

Any changes that are made at the provincial level will provide a potentially greater opportunity for existing and new Secondary Suites to conform to new building and fire standards. However, they will not automatically render any existing or proposed secondary suite legal.

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.

## 11. 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**

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