

Data and Analysis

Administration analyzed data from the nine months before the July 10, 2017 Zoning Bylaw 12800 amendments came into effect (December, 2016 to August, 2017) and the nine months after (September, 2017 to May, 2018). This analysis considered various indicators that could speak to the impact of the amendments introduced, including the number of applications and the type of variances requested. This allowed Administration to identify what is working well with the regulations and what may be creating challenges.

Development Permits Issued

Class A developments are those that comply with all regulations of Zoning Bylaw 12800 and are for a permitted use. Class B developments either require a variance to the regulations of Zoning Bylaw 12800 or are for a discretionary use. Table 1 below shows the number of Class A and Class B development permits approved in each time period, and the number of development permits refused.

Table 1 - Development Permit Comparisson

APPLICATIONS SUBMITTED, APPROVED AND REFUSED	9 MONTHS PRIOR TO AMENDMENTS December, 2016 to August, 2017	9 MONTHS AFTER AMENDMENTS September, 2017 to May, 2018
Development Applications Submitted	71	46
Development Permits Approved	47	32
Class A Development Permits	2 (4% of approvals)	27 (84% of approvals)
Class B Development Permits	45 (96% of approvals)	5 (16% of approvals)
Development Permits Refused	3	2

In the nine months after the amendments went into effect, there were 46 development applications submitted and 32 development permits approved. This represents a 35 percent decrease in the number submitted and 32 percent drop

in the number of approved applications compared to the the nine months before the amendments went into effect.

The proportion of Class A development permits issued has risen significantly, from four percent to 84 percent. Analysis suggests that making garden suites a permitted use accounted for roughly half of this change, as previously even garden suites that had no variances were issued as Class B due to garden suites being a discretionary use. The remaining increase in Class A development relates to fewer variances being granted, as outlined below.

Variances

In the nine months before the amendments came into effect (December, 2016 to August, 2017), 24 out of 47 approved development permits (51%) had variances. The top variances granted during this time period are shown below in Table 2.

Table 2 - Variances Granted Nine Months Prior to 2017 Amendments

REGULATION	NUMBER OF VARIANCES GRANTED
Maximum Accessory Building Site Coverage	6
Minimum Site Area	4
Location Criteria	3
Minimum Distance to House	3
Maximum Platform Structure Projection	2
Grade Calculation Method	2
Maximum Dwelling Floor Area	2
Minimum Side Setback	2
Vehicular Access	2
Minimum Parking Spaces	2
Garden Suite Contained in Rear 12.8 m of Site	2

In the nine months after the amendments came into effect (September, 2017 to May, 2018), 5 out of 32 approved development permits (16%) had variances. The top variances granted during this time period are shown below in Table 3.

Table 3 - Variances Nine Months After 2017 Amendments

REGULATION	NUMBER OF VARIANCES GRANTED
Maximum Total Floor Area	2
Maximum Dwelling Floor Area	2
Minimum Distance to House	1
Vehicular Access	1
Maximum Parking Area Coverage	1
Minimum Site Area	1
Minimum Side Setback	1

The analysis shows that a lower proportion of applications have been granted with variances since the new regulations were introduced. The analysis also highlights floor area restrictions as challenges for applicants.

Development Permits Issued by Neighbourhood Classification

Administration analyzed approved development permits by neighbourhood classification over the same two time periods. The results are shown below in Table 4.

Table 4 - Permits by Neighbourhood Classification

NEIGHBOURHOOD CLASSIFICATION	9 MONTHS PRIOR TO 2017 AMENDMENTS	9 MONTHS AFTER 2017 AMENDMENTS
Mature	36 (77%)	30 (94%)
Established	1 (2%)	0
Developing	10 (21%)	2 (6%)

Despite removal of location restrictions in developing neighbourhoods, the proportion of development permits approved in these areas has dropped since

the amendments came into effect. This may be a result of the newly introduced limit on total building floor area of 120 square metres. Applicant feedback suggests that this limit has reduced the number of parking spaces that can be provided inside the building.

Application Deficiencies

Administration examined all 46 applications submitted in the nine months after the amendments came into effect to determine which regulations these applications did not comply with at the time of initial submission. This was done by examining the development authorities' initial reviews and changes that they requested the applicants make. The top deficiencies at the time of application submission are shown in Table 5 below.

Table 5 - Application Deficiencies

REGULATION	NUMBER OF DEFICIENCIES
Maximum Total Floor Area	17
Maximum Second Storey Floor Area	17
Facade Articulation	15
Covered Entrance Feature Requirement	12
Maximum Height	11
Exterior Lighting Requirement	10
Minimum Side Setback	9
Maximum Dwelling Floor Area	8
Window Placement	8
Minimum Distance to House	5

This data shows that applicants struggled with all three of the regulations that restrict floor area. The maximum height continued to be difficult for applicants to meet at the time of initial submission, and a large proportion of initially submitted plans did not incorporate the newly required design elements such as facade articulation, the provision of a covered entrance feature, and exterior lighting.

Interior Layout

Administration examined floor plans for garden suites with development permits approved in the the nine months before and after the amendments came into effect to analyze the effects of the new regulations on the layout of buildings. Digital copies of drawings were unavailable for 3 applications approved between December, 2016 and August, 2017, and are not included in the results below.

Second Storey Floor Area

Second storey floor area for garden suites was analyzed and the results are shown below in Table 6.

Table 6 - Second Storey Floor Area

SECOND STOREY FLOOR AREA	9 MONTHS PRIOR TO 2017 AMENDMENTS	9 MONTHS AFTER 2017 AMENDMENTS
50 square metres or less	16 (34%)	31 (97%)
50 to 60 square metres	30 (64%)	1 (3%)
Greater than 60 square metres	1 (2%)	0

In the nine months prior to the amendments, 66 percent of garden suites approved had second storeys larger than the new limit of 50 square metres.

Living space

The new regulations increased the allowable total living space in a garden suite from 60 square metres to 75 square metres. In the nine months after the amendments went into effect, 31 percent of applicants took advantage of this opportunity, as shown in Table 7 below. This shows that the amendments have created opportunities for larger living spaces overall.

Table 7 - Total Living Space After Amendments

TOTAL LIVING SPACE AFTER 2017 AMENDMENTS	
50 square metres or less	12 (38%)
50 to 60 square metres	10 (31%)
Greater than 60 square metres	10 (31%)

Total Floor Area

The total floor area for garden suites was analyzed to assess the impact of the new regulations on opportunities for larger buildings. The results are shown below in Table 8.

Table 8 - Total Floor Area Comparison

TOTAL FLOOR AREA	9 MONTHS PRIOR TO 2017 AMENDMENTS	9 MONTHS AFTER 2017 AMENDMENTS
120 square metres or less	28 (60%)	30 (94%)
120 to 130 square metres	9 (19%)	1 (3%)
130 to 140 square metres	6 (13%)	0
Greater than 140 square metres	4 (9%)	1 (3%)

Prior to the 2017 amendments, the maximum size of a garden suite was regulated through site coverage and living space maximums only. The 2017 amendments introduced a maximum total floor area cap of 120 square metres.

In the nine months before the new regulations went into effect, 40 percent of garden suites approved exceeded 120 total square metres, and 79 percent were 130 square meters or less. Two permits have been approved for garden suites larger than 120 square meters since the amendments came into effect.

Twenty three of the 32 garden suites (72 percent) approved since the 2017 amendments have been located on properties where a larger garden suite could have been built under the previous regulations. This shows that the maximum floor area of 120 square metres has resulted in limited opportunities for larger buildings on larger lots, even in cases where site coverage is less than the maximum allowed.

Floor Area Configuration

The amendments enabled living space to be shared between the first and second storeys, where previously living space was to be contained on one storey. Table 9 below shows a comparison of floor area configuration and the provision of living space at grade, on the second storey, or split between the two.

Table 9 - Floor Area Configuration

CONFIGURATION	9 MONTHS PRIOR TO 2017 AMENDMENTS	9 MONTHS AFTER 2017 AMENDMENTS
Two-storey, all living space above	41 (93%)	23 (71%)
Single Storey	3 (7%)	1 (3%)
Split	0	8 (25%)

**Split does not include suites with only a mechanical or storage room on main floor*

The analysis shows that a quarter of applications have made use of the new regulations which allow living space to be shared between the first and second storeys.

Number of Bedrooms

Prior to the passage of the July 10, 2017 amendments, Administration heard concerns from stakeholders that the new regulations would impact the ability to develop two-bedroom garden suites. A comparison of the number of bedrooms provided before and after the amendments is shown below in Table 10.

Table 10 - Number of Bedrooms Comparison

NUMBER OF BEDROOMS	9 MONTHS PRIOR TO 2017 AMENDMENTS	9 MONTHS AFTER 2017 AMENDMENTS
Studio	5 (11%)	6 (19%)
1 Bedroom	28 (64%)	18 (56%)
2 Bedroom	11 (25%)	8 (25%)

The amendments do not appear to have had an effect on the proportion of garden suites with two bedrooms.

Indoor Parking Spaces

A comparison of the number of indoor parking spaces provided in garden suites is shown below in Table 11.

Table 11 - Indoor Parking Space Comparison

NUMBER OF SPACES	9 MONTHS PRIOR TO 2017 AMENDMENTS	9 MONTHS AFTER 2017 AMENDMENTS
0 Spaces	3 (7%)	1 (3%)
1 Space	1 (2%)	3 (9%)
2 Spaces	28 (64%)	23 (72%)
3 Spaces	12 (27%)	5 (16%)

Since the new regulations came into effect, there has been a decrease in the proportion of garden suites with three indoor parking spaces, and an increase in the proportion with one and two indoor parking spaces.

Staircase Location

Indoor staircases were identified as a way to make garden suites more accessible and safe, particularly during icy winter months. The 2017 amendments were intended to encourage staircases to be located indoors. A comparison of the number of staircases provided inside and outside garden suites is shown below in Table 12. A comparison of indoor staircase sizes is shown in Table 13.

Table 12 - Staircase Location

STAIRCASE LOCATION	9 MONTHS PRIOR TO 2017 AMENDMENTS	9 MONTHS AFTER 2017 AMENDMENTS
Provided Inside	25 (61%)	20 (65%)
Provided Outside	16 (39%)	11 (35%)

There has been little change in the proportion of stairs provided indoors rather than outdoors. Current regulations allow up to four square metres of areas covered by staircases to be excluded from the calculation of floor area. As shown in Table 13, a significant proportion (69%) of indoor staircases exceed four square metres. This suggests that the existing four square meter exemption may not be sufficient to accommodate the majority of staircases indoors.

Table 13 - Staircase size

STAIRCASE SIZE	9 MONTHS PRIOR TO 2017 AMENDMENTS	9 MONTHS AFTER 2017 AMENDMENTS
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Attachment 2

4 m ² or less	9 (36%)	5 (25%)
4 m ² to 5 m ²	13 (52%)	9 (45%)
5 m ² to 6 m ²	3 (12%)	3 (15%)
6 m ² to 7 m ²	0	3 (15%)