

## Summary of Proposed Amendments

### **Inclusive Design and Accessibility**

Section 93 of Zoning Bylaw 12800 contains a set of regulations that a dwelling must meet in order to be considered accessible, or an “inclusive design” unit. Developments that meet the Inclusive Design criteria can be eligible for incentives such as parking reductions. Administration has identified adjustments that can be made to these regulations to better facilitate the development of accessible garden and secondary suites.

Garden suites that meet inclusive design requirements benefit from a relaxation of one parking space. This can incentivize accessible garden suite by removing a barrier to development and providing more at grade space to accommodate a single story accessible unit. However, this incentive has not been available for garden suites located above a garage because the inclusive design regulations require that a number of features be provided on the “main” floor of a dwelling.

The proposed amendments will instead require that these features be provided on the “same” floor so that a garden suite located on the second floor above a garage can meet inclusive design standards, provided the suites are accessible by elevator or lift. The proposed amendments will also change language requiring “flush or minimal” thresholds within the unit to simply say “flush or barrier-free paths” as even minimal thresholds beyond those specified in the Alberta Building Code can pose mobility issues. The proposed amendments also apply the flush requirement to thresholds between the dwelling and amenity areas such as balconies.

With the proposed change from “main” to “same” floor requirements, Administration has identified that secondary suites would now also more easily be able to meet the inclusive design standards. As such, Administration is proposing to extend the current parking reductions for garden suites that meet inclusive design standards to secondary suites as well. This can further encourage the provision of accessible dwellings in neighbourhoods across Edmonton.

The section below also highlights a proposed changed to allowable floor area to provide an incentive for the provision of accessible garden suites.

### **Floor Area**

Under regulations in effect prior to July 10, 2017, the floor area for living space in a garden suite was limited to 60 square metres, and the overall building size was limited by this maximum floor area as well as maximum site coverage. The July 10, 2017 amendments increased the floor area for living space to 75 square

metres, and added absolute limits to the second storey floor area and the overall building floor area that apply regardless of the size of the lot.

*Second Storey*

The new regulations introduced in 2017 limited the floor area of the second storey to 50 square metres in mature and established area zones, and 60 square metres in developing area zones in order to minimize impacts on neighbouring properties. Concerns have been raised that the 50 square metres limit in mature and established areas may limit the development of accessible dwellings. Data analysis also shows that this limit has created challenges for applicants and is one of the two most frequent deficiencies at the time of application. At the same time, the Edmonton Design Committee highlighted the importance of smaller second stories to reduce massing and provide articulation for garden suites. Second storeys also have the greatest impact on neighbouring properties.

While analysis found it was possible to build an accessible unit within 50 square metres, as shown in Figure 1 below, Administration proposes allowing the second storey to be 60 square metres for garden suites located in mature and established neighbourhoods that meet inclusive design regulations.

**Figure 1**



This will encourage the development of accessible suites and align with Action 10 of the Infill Roadmap 2018 - Incentivize the development of fully accessible and seniors friendly laneway homes.

For non-inclusive design units, Administration considered the overall opportunity for garden suites since the 2017 amendments. Tables 1 and 2 highlight the total opportunities available for garden suites in the mature and established area zones before and after the 2017 regulations, taking into account the size of the property, site coverage allowances and other regulations restricting the location or amount of floor area. As the tables illustrate, while opportunities for 60 square metre second storey units was removed in mature areas, the 2017 changes overall provided additional opportunities for garden suites with a range of floor area configurations.

Based on this analysis, Administration does not recommend increasing the second storey size for garden suites that do not meet the inclusive design regulations. At the same time, Administration proposes a number of amendments that will increase flexibility for all garden suites through adjustments to other floor area regulations, as highlighted in the sections below.

**Table 1 - Opportunities for Floor Area Placement pre-2017 change (12% coverage)**

| Lot size           | 50 m <sup>2</sup> at grade | 60 m <sup>2</sup> at grade | 75 m <sup>2</sup> at grade | 50 m <sup>2</sup> above grade | 60 m <sup>2</sup> above grade | 50 m <sup>2</sup> above grade + at grade space |
|--------------------|----------------------------|----------------------------|----------------------------|-------------------------------|-------------------------------|--|
| 360 m <sup>2</sup> | Not permitted              | Not permitted              | Not permitted              | Not permitted                 | Not permitted                 | Not permitted                                  |
| 400 m <sup>2</sup> | Not permitted              | Not permitted              | Not permitted              | Not permitted                 | Not permitted                 | Not permitted                                  |
| 460 m <sup>2</sup> | Permitted                  | Not permitted              | Not permitted              | Permitted                     | Not permitted                 | Not permitted                                  |
| 530 m <sup>2</sup> | Permitted                  | Not permitted              | Not permitted              | Permitted                     | Permitted                     | Not permitted                                  |
| 560 m <sup>2</sup> | Permitted                  | Not permitted              | Not permitted              | Permitted                     | Permitted                     | Not permitted                                  |
| 615 m <sup>2</sup> | Permitted                  | Not permitted              | Not permitted              | Permitted                     | Permitted                     | Not permitted                                  |
| 700 m <sup>2</sup> | Permitted                  | Not permitted              | Not permitted              | Permitted                     | Permitted                     | Not permitted                                  |

**Table 2- Opportunities for Floor Area Placement post-2017 change (12% coverage)**

| Lot size           | 50 m <sup>2</sup> at grade | 60 m <sup>2</sup> at grade | 75 m <sup>2</sup> at grade | 50 m <sup>2</sup> above grade | 60 m <sup>2</sup> above grade | 50 m <sup>2</sup> above grade + at grade space |
|--------------------|----------------------------|----------------------------|----------------------------|-------------------------------|-------------------------------|--|
| 360 m <sup>2</sup> | Permitted                  | Permitted                  | Not permitted              | Permitted                     | Not permitted                 | Permitted                                      |
| 400 m <sup>2</sup> | Permitted                  | Permitted                  | Not permitted              | Permitted                     | Not permitted                 | Permitted                                      |
| 460 m <sup>2</sup> | Permitted                  | Permitted                  | Permitted                  | Permitted                     | Not permitted                 | Permitted                                      |
| 530 m <sup>2</sup> | Permitted                  | Permitted                  | Permitted                  | Permitted                     | Not permitted                 | Permitted                                      |
| 560 m <sup>2</sup> | Permitted                  | Permitted                  | Permitted                  | Permitted                     | Not permitted                 | Permitted                                      |
| 615 m <sup>2</sup> | Permitted                  | Permitted                  | Permitted                  | Permitted                     | Not permitted                 | Permitted                                      |
| 700 m <sup>2</sup> | Permitted                  | Permitted                  | Permitted                  | Permitted                     | Not permitted                 | Permitted                                      |

|  |               |  |  |           |
|--|---------------|--|--|-----------|
|  | Not permitted |  |  | Permitted |
|--|---------------|--|--|-----------|

*Total Building Size*

As a result of community concerns raised over the potential for large garden suites, a limit to the total building size of 120 square metres was introduced as part of the July 10, 2017, amendments. Administration proposes increasing the maximum building floor area to 130 square metres as a result of data analysis and feedback from applicants. This will allow for more design flexibility and a greater variety of internal building layouts. The impacts of the proposed increase from 120 to 130 square metres will be minimal as any additional floor area will have to be provided on the first storey due to the limit on the size of the second storey. Slight increases to the size of the first storey are unlikely to be perceptible. The total size of the building will also continue to be limited by maximum site coverage, which will ensure buildings are proportionate to the properties on which they are located.

*Floor Area for Living Space*

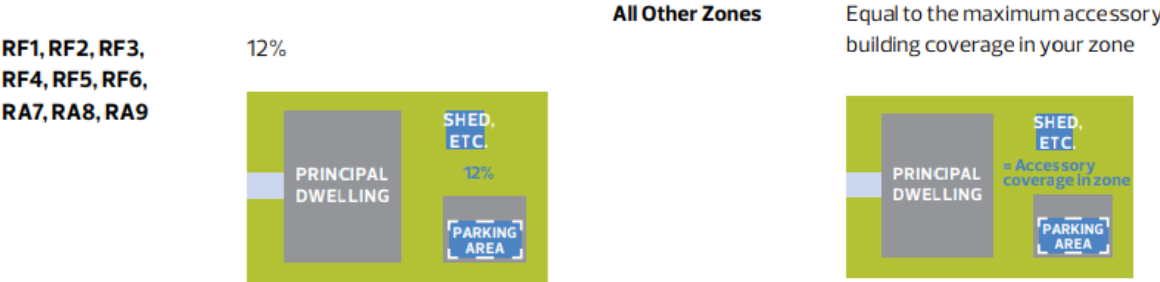
The proposed amendments will also remove the 75 square metre limit on living space inside the building. Because the overall size of the building is controlled directly through other regulations, the proportion of the building that is used for living space does not impact the overall massing.

The maximum coverage for parking areas within the building (shown in Figure 2 below) will be maintained to ensure that any additional ground floor area is used as living space. This will continue to encourage active interface with the lane rather than large walls with blank overhead garage doors.

**Figure 2 - Maximum Site Coverage for Parking Areas in the Garden Suites, and other Accessory Buildings**

*Basements*

The largest variances since the July 10, 2017, amendments went into effect have been due to the inclusion of basements in the calculation of floor area. The proposed amendments will exclude basements from floor area calculations as they do not contribute to the massing of the building.



### *Stairway Exemption*

Current regulations allow up to four square metres of areas covered by staircases to be excluded from the calculation of floor area, as well as up to six square metres of areas covered by elevators and any associated landings. These exemptions are intended to remove barriers or disincentives to the development of accessible suites and the provision of stairs inside the building.

The proposed amendments will align the exemption for stairs with the current 6 square metre exemption for elevators. This small increase is supported by data that shows that only 31 percent of indoor staircases in garden suites approved between December 2016 and May 2018 were under 4 square metres, while 93 percent of staircases were under 6 square metres. This change will facilitate the development of indoor staircases by allowing the full size to be exempted from floor area calculations and encourage more indoor staircases that are safer in the winter months. It will also further facilitate accessibility by encouraging the provision of indoor staircases that can accommodate a lift.

Administration notes that an upcoming change to the Alberta Building Code may result in the requirement for larger staircases. These new requirements will be monitored and adjustments to the maximum exemption area will be made as necessary.

### **Tiny Homes**

A tiny home located on a property with a single detached home meets the definition of a garden suite, in that it is a self-contained dwelling with separate cooking facilities, food preparation, sleeping and sanitary facilities. However, the current minimum floor area for a garden suite is 30 square metres. This means that some tiny homes cannot be permitted as garden suites, even though the building would be smaller than a typical garden suite. As a smaller building has less impact on neighbouring properties, the amendments propose to remove this minimum floor area requirement to facilitate the addition of tiny homes as garden suites. Allowing tiny homes to be permitted as garden suites on single detached house lots was supported by 67 percent of respondents in the October 2018 Mixed Topic Insight Survey.

As part of the implementation of Action 3 of Infill Roadmap 2018 to “Investigate opportunities for tiny homes and find multiple ways to accommodate them,” Administration is undertaking analysis of the tiny home industry and exploring ways to allow tiny homes on wheels to be permitted as garden suites as part of an upcoming Urban Form and Corporate Strategic Development Report, CR\_6599 scheduled for May 2019.

### **Minimum Lot Size**

Currently, the minimum lot size for a single detached house with a secondary suite is 360 square metres in mature and established area zones and 280 square

metres in developing area zones. This requirement prevents owners of narrow lot housing or houses on smaller properties across the city from adding a garden suite.

In reviewing previous reports on secondary suites, Administration found that the original justification for requiring a larger lot for a single detached house with a secondary suite was to control the number of opportunities for suites and to ensure that parking could be accommodated on site. The intent of limiting opportunities is no longer compatible with the City's objective of providing housing choice and affordability. Factors like parking can also be regulated more effectively when addressed directly, which is achieved through minimum off-street parking requirements that require parking to be provided on-site. If the required parking spaces for both the principal dwelling and the secondary suite are not able to be accommodated on-site, the application will either be refused or require a variance.

The proposed amendments will remove the minimum site area for garden suites, allowing them on any site where there is a single detached house including narrow lot development. This will align with the recently adopted approach for secondary suites and create fairness in opportunities for homeowners with different sized properties. Impacts will be mitigated by maximum site coverage, which ensures that the size of buildings is always proportionate to the size of the site.

### **Facade Articulation**

Based on the feedback received from the Edmonton Design Committee, an amendment to the regulation requiring facade articulation is proposed. The current regulation allows for the planting of shrubs to be counted toward the facade articulation requirement. The Committee did not feel that this constituted meaningful facade articulation. Development Officers also highlighted that the planting of shrubs is more difficult to enforce than a design element integrated into the building.

The proposed amendments will remove the shrub planting option and replace it with two new options suggested by the Edmonton Design Committee, specifically variation in rooflines and minimum glazing at ground level that can help activate the alley way or adjacent street when located on a corner.

Members of the committee made a suggestion that has not been included in the proposed amendments, specifically including a requirement for an entrance feature facing the lane. Following analysis, Administration believes that having an entrance feature facing the lane may be difficult on some lots or buildings where space is constrained.