

# GARDEN SUITE REGULATIONS

EFFECTIVE SEPTEMBER 1, 2017

On July 10, 2017, City Council approved the following changes intended to improve the buildability and quality of garden suites. Development Permit applications approved as of September 1, 2017, will be **required to meet the new regulations**.

In order to accommodate Development Permit review timelines, new garden suite applications **should now be made using the new regulations**.

*NOTE: This document is intended to aid in the design process prior to the new regulations coming into effect on September 1, 2017. It is to be used alongside the Zoning Bylaw but does not replace the Zoning Bylaw.*

## USE CLASS

### **DEFINITION**

The definitions of Garage and Garden Suites have been collapsed into a single Garden Suites use to provide clearer regulations and greater flexibility in design.

#### **Garage Suite + Garden Suite = Garden Suite**

When designing a Garden Suite, the living space can be put on the main floor, above a garage or split between floors.

### **PERMITTED VS DISCRETIONARY USE**

Garden Suites are now a Permitted Use in low- and medium-density residential zones where Single Detached Housing is also a Permitted Use:

<b>NOW A PERMITTED USE</b>	<b>STILL A DISCRETIONARY USE</b>
RF1 RF2 RF3 RF4 RF5 RF6 RSL RPL RR RMD TSDR TSLR GLD HVLD GHLD SLD	RA7 RA8 RA9 HDR EETR SRH

Note that as of September 1, 2017, a notification letter will be sent to neighbouring properties of the Garden Suite issued as a Class A development. Class B notifications will continue as usual.

## **GARDEN SUITE DEVELOPMENT REGULATIONS (SECTION 87)**

### **SITE AREA**

1. The minimum Site Area shall be 360 m<sup>2</sup> in the RF1, RF2, RF3, RF4, RF5, RF6, RA7, RA8, and RA9 Zones, 1.0 ha in the RR Zone, and 280 m<sup>2</sup> in all other Zones.

### **SITE WIDTH**

2. The minimum Site Width for a Garden Suite shall be the same as the minimum Site Width prescribed for Single Detached Housing in the underlying Zone.

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## HEIGHT

3. The maximum Height shall be as follows:
  - a. 6.5 m where the Garden Suite has a roof slope of 4/12 (18.4°) or greater.
  - b. 6.2 m where the Garden Suite has a roof slope of less than 4/12 (18.4°).
  - c. notwithstanding (a) and (b) above, in the case of the TSDR, TSLR and the GLG zones, the maximum Height shall be 7.5 m.
  - d. notwithstanding (a), (b) and (c) above, where there is no Lane abutting the Site, the maximum Height shall be 4.3 m.
  - e. notwithstanding Section 52.1(b), Height shall be determined by measuring from the horizontal plane through Grade to the highest point of the parapet where a Garden Suite has a flat roof.

*(New amendment to Section 52.4):* for a Garden Suite, the Development Officer may determine Grade by calculating the average of the elevation of the corners at the Rear Lot Line prior to construction as shown on the applicant's Site Plan.

## FLOOR AREA

4. The maximum total Floor Area for a Garden Suite shall be 120 m<sup>2</sup>.
5. Floor Area for Dwelling space in a Garden Suite shall be provided in accordance with the following:
  - a. for the purposes of this regulation, Floor Area shall exclude Parking Areas within the Garden Suite, up to 4 m<sup>2</sup> of the area covered by stairways, and up to 6 m<sup>2</sup> of the area covered by elevators and any associated landing area;
  - b. the maximum Floor Area shall be 75 m<sup>2</sup>;
  - c. the minimum Floor Area shall be 30 m<sup>2</sup>;
  - d. in the RF1, RF2, RF3, RF4, RF5, RF6, RA7, RA8, and RA9 Zones, the maximum Second Storey Floor Area shall be 50 m<sup>2</sup>; and
  - e. in all other Zones, the maximum Second Storey Floor Area shall be 60 m<sup>2</sup>.

## SITE COVERAGE

6. Notwithstanding the maximum Site Coverage prescribed for Accessory Buildings in the underlying Zone:
  - a. in the RF1, RF2, RF3, RF4, RF5, RF6, RA7, RA8, and RA9 Zones:
    - i. the maximum Site Coverage of a Garden Suite shall be in accordance with the following:
      - A. the total maximum Site Coverage of the Garden Suite and other Accessory buildings shall not exceed 18%;
      - B. the total maximum Site Coverage of other Accessory buildings and any Parking Area within the Garden Suite shall not exceed 12%; and
      - C. the total maximum Site Coverage including Accessory buildings and the principal Dwelling shall not exceed the total maximum Site Coverage as prescribed by the regulations of the underlying Zone by more than 2% of Site Area.
  - b. in all other Zones:
    - i. the maximum Site Coverage of a Garden Suite shall be increased by 2% of Site Area provided that:
      - A. the total maximum Site Coverage of other Accessory buildings and any Parking Area within the Garden Suite shall not exceed the total maximum Site Coverage as prescribed by the regulations of the underlying Zone; and
      - B. the total maximum Site Coverage including Accessory buildings and the principal Dwelling shall not exceed the total maximum Site Coverage as prescribed by the regulations of the underlying Zone by more than 2% of Site Area.

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## SETBACKS

7. A Garden Suite shall be located no less than 18.0 m from the Front Lot Line.
8. Where the vehicle doors face a Lane Abutting the Rear Lot Line, the minimum Rear Setback shall be 1.2 m.
9. Where the vehicle doors do not face a Lane Abutting the Rear Lot Line, the minimum Rear Setback shall be 0.6 m.
10. The minimum Side Setback shall be the same as that prescribed for Single Detached Housing within the underlying Zone or applicable Overlay.
11. The minimum distance between a Garden Suite and the principal Dwelling on the same Site shall be 4.0 m.

## PRIVACY/OVERLOOK AND PLATFORM STRUCTURES

12. Where a Garden Suite is two Storeys, the applicant shall provide information regarding the location of windows and the location of any existing Amenity Areas on Abutting properties. Second Storey windows shall be placed and sized such that they reduce overlook into Yards and windows of Abutting properties to the satisfaction of the Development Officer through one or more of the following:
  - a. reducing direct views of Rear Yard or Side Yard Amenity Areas, or direct views into a Garden Suite window on an Abutting Site through off-setting window placement, locating windows above eye level, or obscuring windows with translucent treatment;
  - b. strategic placement of windows in conjunction with landscaping or the placement of other accessory buildings; and
  - c. placing larger windows such as Principal Living Room Windows to face a lane, a flanking street, or the larger of any Side Yard abutting another property.
13. Rooftop Terraces shall not be allowed on Garden Suites.
14. Platform Structures greater than 1.0 m above Grade shall be fully contained within the rear 6.0 m of the Site, except that they may extend along the full length of a façade facing the Side Lot Line Abutting a flanking public roadway.
15. Platform Structures greater than 1.0 m above Grade shall provide Privacy Screening to reduce overlook onto Abutting properties.

## DESIGN

16. Façades shall be articulated to the satisfaction of the Development Officer through two or more of the following:
  - a. projection or recession of portions of the façade;
  - b. projecting architectural features;
  - c. platform structures;
  - d. use of two or more exterior finishing materials;
  - e. landscaping with shrubs along building Façades, in addition to Landscaping required by Section 55 of this Bylaw;
  - f. entrance features oriented toward the public roadway, including a Lane;
  - g. dormers; or
  - h. window trim with a minimum width of 0.075 m.
17. On Corner Sites, the façades facing the Lane and the flanking Side Lot Line shall use consistent building materials and architectural features.
18. Façades facing a Lane shall have exterior lighting
19. Garden Suites shall have a covered entrance feature over the main door.

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20. Where a Garden Suite contains a Parking Area, the Garden Suite shall have an entrance separate from the vehicle entrance to the Parking Area, either from a common indoor landing or directly from the exterior of the structure.

## ADDITIONAL PARAMETERS

21. Only one of a Secondary Suite or Garden Suite may be developed in conjunction with a principal Dwelling.
22. Notwithstanding the definition of Household within this Bylaw, the number of unrelated persons occupying a Garden Suite shall not exceed three.
23. A Garden Suite shall not be allowed within the same Site containing a Group Home or Limited Group Home, or a Major Home Based Business and an associated principal Dwelling, unless the Garden Suite is an integral part of a Bed and Breakfast Operation in the case of a Major Home Based Business.
24. Where Garden Suites are Discretionary within the applicable Zone, the Development Officer may exercise discretion in considering a Garden Suite having regard to:
  - a. compatibility of the Use with the siting, geodetic elevations, and Height characteristic of surrounding development;
  - b. the effect on the privacy of adjacent properties;
  - c. the policies and guidelines for Garden Suites contained in a Statutory Plan for the area.
25. A Garden Suite shall not be subject to separation from the principal Dwelling through a condominium conversion or subdivision.
26. Notwithstanding Garden Suites being listed as Permitted or Discretionary Uses within any Zone, they shall be subject to the regulations of the Edmonton–Strathcona County Joint Planning Study Area Secondary and Garden Suites Overlay in Section 822 of this Bylaw.
27. Notwithstanding Section 54.2, where a Garden Suite is developed in accordance with Section 93 of this Bylaw, the minimum number of Parking Spaces shall be 0.

## CONTACT

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