

ADMINISTRATIVE REPORT

TO: Shane Bourke, City Manager	DATE: November 4, 2024
FROM: Brian Glavin, Chief Operating Officer	MEETING: City Council
REPORT WRITER: Alison Downing, Senior Planner	
SUBJECT: C-1260-187 - Backyard Suite Regulations	

RECOMMENDATIONS

That Council give three readings to Bylaw C-1260-187, being an amendment to the Land Use Bylaw.

PREVIOUS COUNCIL / COMMITTEE DIRECTIONS

At the February 20, 2024, Invest GP Committee meeting, the following motion was passed:

- Committee direct Administration to bring back a report on secondary suites for conversation.

At the April 16, 2024, Invest GP Committee meeting, the following motion was passed:

- Committee direct Administration to bring to Council amendments to the Land Use Bylaw under Secondary Suites to include the items identified in the report alternatives, and to increase the units within a 50-metre radius.

At the June 3, 2024, City Council meeting, the following motions were passed:

- Council direct Administration to prepare amendments to this Bylaw that will require a minimum of 1 parking stall for every secondary suite.
- Council direct Administration to bring back further information regarding garage and garden suites before third reading of this bylaw.

At the June 12, 2024, City Council meeting, the following motion was passed:

- Council remove Backyard Suites from proposed Bylaw C-1260-180.
- Council direct Administration to bring a report back to the appropriate Standing Committee regarding garden suites, including details on sizes, design, and engagement plans.

At the September 17, 2024, Invest GP Committee, the following motion was passed:

- Committee direct Administration to amend the proposed backyard suite regulations to allow for a maximum size of 75 square metres or up to 80% of the principal dwelling, whichever is smaller.

BACKGROUND

Following Council direction, in the spring of 2024 Administration reviewed secondary suite regulations, conducted public engagement, and recommended amendments to increase opportunities and reduce regulatory barriers. The recommendations included a recommendation to allow backyard suites expanding on already allowing garage suites.

In June 2024, Council approved the changes for secondary suites but requested additional details regarding backyard suite regulations. In September, the report was presented, adjustments were requested including reducing the height and size of backyard suites. Committee then directed Administration to bring the proposed bylaw incorporating the revisions to Council for consideration.

ANALYSIS

Summary of Proposed Regulation Changes

The current regulations in the Land Use Bylaw allow for garage suites.

The main changes in this proposed bylaw include:

- Replacing the definition “Garage Suite with a new definition of “Backyard Suites”. This would allow standalone suites separate from the main house without requiring internal parking spots (ie: no garage component).
- Reducing the maximum height to 7.6m or the height of the principal dwelling, whichever is lower. For suites above detached garages, the maximum height remains 7.6m.
- Changing the parking requirements to require only one parking stall for one- or two-bedroom suites, compared to the current requirement of one per bedroom.
- Limiting the suite's floor area to 80% of the principal dwelling or 75m², whichever is smaller.

Other regulations such as minimum lot width, number of bedrooms, and discretionary use status remain unchanged. See Attachment 2 for a summary of the current regulations and proposed changes.

Municipal Comparison

Administration compared backyard suite regulations across six other Alberta municipalities revealing a broad range of approaches. Calgary and Edmonton have the most lenient regulations with no minimum parking requirements. In contrast, Medicine Hat only allows backyard suites on lots with lanes while Red Deer limits them to corner lots or lots with lanes. (see Attachment 3 – Municipal Comparison).

Relationship to City Council's Areas of Focus / Strategic Priorities

The following project supports Council’s Strategic Priority ***“Housing – creating an environment for diversity of housing in our city.”***

Environmental Impact

Allowing backyard suites promotes a compact urban form by achieving higher densities within a smaller footprint, reducing urban sprawl and maximizing land use efficiency.

Economic Impact

Backyard suites offer investment opportunities for homeowners and investors. Creating backyard suites allows primary homeowners to generate additional legitimate income that is recognized by lending institutions, aiding in mortgage payments.

Social Impact

Backyard suites provide additional and affordable housing options for those in the rental market.

Relevant Statutes / Master Plans / City Documents

The City's Municipal Development Plan contains a number of policies that provide direction on this issue:

“6.16 Council supports secondary suites and shall amend the provisions of the LUB to ensure compatibility and to protect the integrity of the neighbourhood through adequate on-site parking amongst other factors.

6.12 Council will encourage, through the application of smart growth principles, the provision of an adequate supply of rental accommodation for different socio-economic groups in all parts of the city as a means of providing consumer choice and affordable housing options.”

Risk

The following risks should be considered by Council:

1) On-Street Parking Congestion

Eliminating garage parking to accommodate garden suites could make it difficult to meet the site's overall parking requirements and increase the demand for on-street parking.

2) Fire Flow Requirements

Expanded densities in residential developments that include “Garden Suites” increase the volume of combustible material on a lot. Fire flow requirements need to reflect the increase and meet minimum demands based on the risk for fire and propagation.

3) Impacts on Infrastructure

A second dwelling unit on a lot has an impact on all aspects of urban infrastructure; water and sewer, garbage/recycling and roads and parking. The uncertainty regarding the number of future dwelling units in an area makes it challenging for service providers to accurately plan infrastructure development.

STAKEHOLDER ENGAGEMENT

Advertising of the public hearing has been completed in accordance with both the Municipal Government Act and the Land Use Bylaw requirements. The proposed amendment was also posted on the City's Public Hearings webpage. Additionally, significant public engagement on backyard suites was conducted as part of the complete review of secondary suite regulations

earlier this year. Concerns about the height and size of backyard suites are addressed in the proposed bylaw.

The application was also circulated to internal departments and external agencies including the Fire Department. The Fire Department's concerns were addressed in the bylaw by ensuring firefighters would have unencumbered access to the backyard suite with their equipment.

At the time of preparing this report, Administration had not received any other comments in response to the notification.

BUDGET / FINANCIAL IMPLICATIONS

There are no budget or financial implications.

SUMMARY / CONCLUSION

The City is initiating amendments to the Land Use Bylaw to increase opportunities for backyard suites. In addition to the current garage suite regulations, the proposed bylaw would permit detached suites without requiring internal parking stalls, while regulating the maximum size and height to minimize impact on neighboring properties. Administration recommends that the Council give Bylaw C-1260-187 three readings.

ATTACHMENTS

Attachment 1: Draft Bylaw 1260-187

Attachment 2: Current Regulations and Proposed Changes

Attachment 3: Municipal Comparison