

July 25, 2008

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TO: Brian Kropf *brian.kropf@efcl.org*  
Edmonton Federation of Community Leagues

Michael Mooney *mooney@udiedmonton.com*  
Urban Development Institute

Pat Adams *patrick@parkplacecommunities.com*  
Canadian Homebuilders Association

FROM: Geoff Abma, Planner *geoff.abma@edmonton.ca*  
Zoning Bylaw Implementation Unit  
Planning & Policy Services  
Planning and Development

SUBJECT: **Text Amendment to Zoning Bylaw No. 12800**  
**Household and Dwelling Definitions**

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An inconsistency currently exists in the Zoning Bylaw between the definitions of *Household* and *Dwelling*. According to Section 6.1(37) of the Zoning Bylaw, a *Household* can consist of up to five unrelated people. The definition of a *Dwelling* in Section 6.1(23) currently allows a *Dwelling* to be used by a *Household* and plus up to two lodgers, roomers or boarders. The current definition of *Dwelling* therefore effectively allows the number of unrelated people living together (ie. a type of household) to be seven instead of five.

This inconsistency is further exacerbated with respect to Secondary Suites. Secondary Suites, by definition, can only be created in Single-detached Houses. Before creation of the Secondary Suite, a maximum of seven unrelated people could possibly live in the Single-detached House, as described above. When a Secondary Suite is created, two *Dwellings* are created in that Single-detached House. According to Section 86 of the Zoning Bylaw, a Secondary Suite can have a maximum of three unrelated people living in the suite. What this means is that it is now possible to have up to ten unrelated people living together in the Single-detached House (ie. 5 unrelated people for the original *Household*, plus two lodgers, roomers, or boarders in addition the *Household* in the *Dwelling*, plus three more for the Secondary Suite).

In order to remedy the inconsistency between *Household* and *Dwelling* and resolve the maximum number of unrelated people allowed in a Single-detached House with a Secondary Suite, the following amendments to the Zoning Bylaw are proposed:

- Revise the definition of *Dwelling* so that it only refers to the actual physical entity only and does not include reference to any inhabitants. To do this, the reference to lodgers, roomers or boarders will be deleted from the definition of *Dwelling*.

- Increase the maximum number of unrelated individuals in the definition of *Household* from five to seven. The additional two unrelated individuals that were effectively added to a *Household* in the current definition of *Dwelling* should be added to *Household*. Allowing *Households* of seven unrelated people, an increase from the current number of five, is simply adjusting the definition of *Household* to reflect what is currently being allowed within a *Dwelling* and does not result in any increase to the number of unrelated people being allowed in a *Dwelling* from what is currently allowed.
- In the case of a Secondary Suite, the maximum number of unrelated people allowed in a *Household* for the Principal Dwelling of a Single-detached House with a Secondary Suite will be limited to five. By doing this, the maximum number of unrelated people allowed within a Single-detached House with a Secondary Suite will be limited to eight (five for the Principal Dwelling and three for the Secondary Suite). This will help to ensure that the density increase in a neighbourhood due to the development of Secondary Suites will be kept to a minimum. The creation of a Secondary Suite will only allow one additional unrelated person to a Single-detached House with a Secondary Suite. For example, a Single-detached House without a Secondary Suite will be allowed a *Household* that may consist of seven unrelated people whereas a Single-detached House with a Secondary Suite may consist of eight unrelated people combined between the Principal Dwelling (five) and the Secondary Suite (three).

Please reply with your comments on the attached proposed Text Amendments by end of business on Thursday, August 14, 2008. If we have not yet received a response by that due date, we will assume that you have no comments or concerns and are not opposed to these Text Amendments.

Geoff Abma  
Planner, Zoning Bylaw Implementation Unit  
Planning and Policy Services

Enclosures:

1. Proposed Zoning Bylaw Text Amendments for Household and Dwelling Definitions – Table of Proposed Changes and Rationale
2. Proposed Zoning Bylaw Text Amendments for Household and Dwelling Definitions

**Proposed Zoning Bylaw Text Amendments for Household and Dwelling Definitions – Table of Proposed Changes and Rationale**

July 25, 2008

<i>Item</i>	<i>Current Zoning Bylaw</i>	<i>Proposed Amendment</i>	<i>Rationale</i>
<b>1. Definition of Dwelling</b>			
1.01	<p>Section 6.1(23):</p> <p><i>Dwelling means one or more self-contained rooms provided with sleeping and cooking facilities, intended for domestic use, and used or intended to be used permanently or semi-permanently as a residence for a Household and either up to two lodgers, roomers or boarders.</i></p>	<p>Section 6.1(23):</p> <p><i>Dwelling means one or more self-contained rooms provided with sleeping and cooking facilities, intended for domestic use, and used or intended to be used permanently or semi-permanently as a residence for a Household. <del>and either up to two lodgers, roomers or boarders.</del></i></p>	<ul style="list-style-type: none"> <li>• The current definition of Dwelling mixes definition of the physical entity of a dwelling with the people who live in the dwelling. This then creates confusion when compared with the definition of Household. For example, Household (as currently defined) can contain up to 5 unrelated people. When a Household is combined with a Dwelling, the number of people living in that Dwelling can then be 7 (5 for the Household plus 2 boarders from the definition of Dwelling). Effectively, the current definition of Dwelling expands the definition of Household so that it can include 7 persons instead of 5.</li> <li>• This text amendment removes any reference to people in the definition of a Dwelling so that a Dwelling is simply the physical entity regardless of the number of inhabitants.</li> </ul>
<b>2. Definition of Household</b>			
2.01	<p>Section 6.1(37):</p> <p><i>Household means:</i></p> <p>a. a person; or</p> <p>b. two or more persons related by blood, marriage or adoption; or</p> <p>c. a group of not more than five persons who are not related by blood, marriage, or adoption; or</p> <p>d. a combination of (b) and (c), provided that</p> <p>(continued next page...)</p>	<p>Section 6.1(37):</p> <p><i>Household means:</i></p> <p>a. a person; or</p> <p>b. two or more persons related by blood, marriage or adoption; or</p> <p>c. a group of not more than <del>seven</del> five persons who are not related by blood, marriage, or adoption; or</p> <p>d. a combination of (b) and (c), provided that</p> <p>(continued next page...)</p>	<ul style="list-style-type: none"> <li>• As noted in Item 1.01 above, the current definition of Dwelling effectively increased the number of unrelated persons in a Household from 5 to 7. That portion of the definition of Dwelling is proposed for removal. The Household definition is thereby being adjusted to be a maximum of 7 unrelated people accommodate potential existing conditions which may have resulted from the combination of the existing definitions of Dwelling and Household. (ie.</li> </ul> <p>(continued next page...) (continued from previous page...)</p>

**Proposed Zoning Bylaw Text Amendments for Household and Dwelling Definitions – Table of Proposed Changes and Rationale**

July 25, 2008

Item	Current Zoning Bylaw	Proposed Amendment	Rationale
	<p><i>(continued from previous page...)</i></p> <p><i>the total of the combination does not exceed five;</i></p> <p><i>all living together as a single housekeeping group and using cooking facilities shared in common. A Household may also include domestic servants.</i></p>	<p><i>(continued from previous page...)</i></p> <p><i>the total of the combination does not exceed <u>seven</u> <del>five</del>;</i></p> <p><i>all living <u>permanently or semi-permanently within a single Dwelling</u> <del>together as a single housekeeping group and using cooking facilities shared in common</del>. A Household may also include domestic servants.</i></p>	<p>Dwellings with a Household of 7 unrelated people).</p> <ul style="list-style-type: none"> <li>• In order to clarify what is meant by “<i>living together as a single housekeeping group and using cooking facilities shared in common</i>”, this clause was removed and replaced with people “<i>living permanently or semi-permanently within a single Dwelling</i>”. By definition, a Dwelling is the residence for a single Household that contains cooking facilities so this does not need to be repeated in the definition of Household.</li> <li>• This amendment creates better consistency between the definitions of Household and Dwelling.</li> </ul>
<b>3. Households in relation to Secondary Suites</b>			
3.01	<p>Section 86.6:</p> <p><i>Notwithstanding subsection 6.1(36) of this Bylaw, the number of unrelated persons occupying a Secondary Suite shall not exceed three.</i></p>	<p>Section 86.6:</p> <p><i>Notwithstanding subsection <u>6.1(37)</u> of this Bylaw, <u>a Household occupying a Secondary Suite shall be a</u></i></p> <p><i>a. <u>a person; or</u></i></p> <p><i>b. <u>two or more persons related by blood, marriage or adoption; or</u></i></p> <p><i>c. <u>a group of not more than three persons who are not related by blood, marriage, or adoption; or</u></i></p> <p><i>d. <u>a combination of (b) and (c), provided that</u></i></p> <p><i>(continued next page...)</i> <i>(continued from previous page...)</i></p>	<ul style="list-style-type: none"> <li>• The reference to 6.1(36) is erroneous as 6.1(36) deals with building Height rather than Household which is subsection 6.1(37). The amendment corrects the erroneous reference.</li> <li>• The intent of the current 86.6 is to limit the occupants of a Secondary Suite, where one or more of the occupants are not related by blood, marriage or adoption, to a total of three. The current wording, however, could technically allow a large family PLUS three additional unrelated people in a Secondary Suite. This was never the intention of the</li> </ul> <p><i>(continued next page...)</i> <i>(continued from previous page...)</i></p>

**Proposed Zoning Bylaw Text Amendments for Household and Dwelling Definitions – Table of Proposed Changes and Rationale**

July 25, 2008

<i>Item</i>	<i>Current Zoning Bylaw</i>	<i>Proposed Amendment</i>	<i>Rationale</i>
		<p><u>the total of the combination does not exceed three.</u></p> <p><del>the number of unrelated persons occupying a Secondary Suite shall not exceed three.</del></p>	<p>original regulation. The amendment creates consistency between the definition format of this limitation to a Secondary Suite Household and the definition of a Household.</p>
3.02	Not applicable.	<p>Section 86.7:</p> <p><u>Notwithstanding subsection 6.1(37) of this Bylaw, a Household occupying the Principal Dwelling of a Single-detached House with a Secondary Suite shall be a</u></p> <p>a. <u>a person; or</u></p> <p>b. <u>two or more persons related by blood, marriage or adoption; or</u></p> <p>c. <u>a group of not more than five persons who are not related by blood, marriage, or adoption; or</u></p> <p>d. <u>a combination of (b) and (c), provided that the total of the combination does not exceed five.</u></p>	<ul style="list-style-type: none"> <li>• When a Secondary Suite is created in, or on the property, of a Single-detached House, it creates two dwellings where originally there was only one. Even with the limitation of a Household occupying a Secondary Suite, the total allowable occupants in, or on the lot of, the Single-detached house would be ten. This amendment reduces this amount to eight (ie. 3 in the Secondary Suite and 5 in the Principal Dwelling).</li> <li>• This amendment addresses community concerns with a significant increase in density with respect to the development of Secondary Suites. With this amendment, the maximum allowable occupants for the Single-detached residence is only increased by one person (ie. from seven to eight).</li> </ul>

## **Proposed Zoning Bylaw Text Amendments for *Household* and *Dwelling* Definitions**

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### **Dwelling**

6.1(23) **Dwelling** means one or more self-contained rooms provided with sleeping and cooking facilities, intended for domestic use, and used or intended to be used permanently or semi-permanently as a residence for a Household.

### **Household**

6.1(37) **Household** means:

- a. a person; or
- b. two or more persons related by blood, marriage or adoption; or
- c. a group of not more than seven persons who are not related by blood, marriage or adoption; or
- d. a combination of (b) and (c), provided that the total of the combination does not exceed seven;

all living permanently or semi-permanently within a single Dwelling. A Household may also include domestic servants.

### **Households in relation to Secondary Suites**

86.6. Notwithstanding subsection 6.1(37) of this Bylaw, a Household living permanently or semi-permanently within a Secondary Suite shall be a:

- a. a person; or
- b. two or more persons related by blood, marriage or adoption; or
- c. a group of not more than three persons who are not related by blood, marriage or adoption; or
- d. a combination of (b) and (c), provided that the total of the combination does not exceed three.

86.7. Notwithstanding subsection 6.1(37) of this Bylaw, a Household living permanently or semi-permanently within the Principal Dwelling of a Single-detached House with a Secondary Suite shall be a:

- a. a person; or
- b. two or more persons related by blood, marriage or adoption; or
- c. a group of not more than five persons who are not related by blood, marriage or adoption; or
- d. a combination of (b) and (c), provided that the total of the combination does not exceed five.