



## Discussion Paper – Secondary Dwellings

Client Name: Rural Municipality of Blucher No. 343

Project Name: OCP and Zoning Bylaw Update

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### 1 BACKGROUND

As part of a regular review of its Official Community Plan and Zoning Bylaw, the RM expressed interest in examining opportunities to broaden the current standards associated with secondary or accessory dwelling units.

The RM has expressed an interest in potentially altering its approach to defining and regulating detached secondary dwellings in the municipality. Detached secondary dwellings have been historically considered temporary dwellings placed on a property containing a principal residence to support someone requiring or providing care to a relative.

As a temporary form of development, these dwellings must be designed to be removed from the property once the service associated with the garden suite is no longer needed. It has been common practice to collect a deposit in conjunction with a development agreement to ensure that the dwelling is removed promptly after its use has ceased. The RM is questioning the administrative procedures needed to regulate this temporary form of development and why this use is limited to supporting personal care.

Housing costs have continued to rise, making it increasingly difficult for people to afford home ownership or to live in a country setting. Reconsidering permissions for permanent secondary dwellings is one way in which the municipality can promote affordable housing options. This trend has more frequently been associated with larger urban centres, but it can be equally applied to rural communities.

There are many reasons why a rural municipality may consider supporting secondary dwelling development including:

- Allowing elderly residents to retain a certain degree of independence but live close to family members for support.
- To offer an option for young adults to remain in the community, and gain a degree of independence while overcoming potential financial constraints associated with purchasing land.
- Providing residents with an opportunity to diversify their income by offering rural rental opportunities.
- To support the controlled intensification of housing in residential areas to accommodate population growth while avoiding the consumption of farmland.
- To make efficient use of previous investments in residential infrastructure.
- To expand the residential tax base to fund continued maintenance of residential infrastructure.

This discussion paper defines current policy and regulatory practices related to **secondary dwellings** and offers information on how expanded housing opportunities could be provided on existing residential sites.



## 2 DEFINING SECONDARY DWELLINGS

A Secondary Dwelling (often referred to as an Accessory Dwelling Unit) is a smaller, attached or detached independent residential unit located on the same lot as a primary single-family home.

The current Zoning Bylaw provides the following definitions for secondary dwellings:

### Secondary suites:

- Permanent, residential secondary dwellings, within the principal dwelling such as a basement suite.

### Garden suites:

- Garden (granny) suites are commonly interpreted as non-permanent detached, residential secondary dwellings that are intended for providing living spaces for people who are providing/receiving care related to the principal dwelling for a limited period.
- The RM considers a garage suite as a form of a garden suite, that is within a standalone garage (at or above grade).

## 3 SECONDARY DWELLING DEVELOPMENT OBJECTIVES

1. To define an approach to managing the development of secondary dwellings.
2. To define an approach to provide support for the potential future subdivision of a secondary dwelling to create a separate title from the principal dwelling.
3. To examine the benefits and negative consequences associated with broad permissions for secondary dwellings.
4. To define specific development standards for secondary dwellings.

## 4 REDEFINING SECONDARY DWELLINGS

Garden suites are currently considered temporary dwellings only valid where they support the care of an aged family member. As a temporary dwelling, they are a single-story building constructed on grade with no basement and are limited to a maximum size of 111 m<sup>2</sup> (1194 ft<sup>2</sup>). Permission for a garden suite is for a maximum of four years but renewable subject to a reapplication to Council. An applicant is required to enter a development agreement with the municipality to ensure the garden suite complies with all relevant requirements of this Bylaw including the provision of financial security, to be held by the municipality, equal to the cost of removing the garden suite. The RM is questioning the administrative procedures needed to regulate this temporary form of development and why this use is limited to personal care.

The option exists to remove the term Garden Suite from the Zoning Bylaw and replace it with the term Secondary Dwelling to support broader forms of permanent secondary residential development which does not have time limitations, a reliance on care, or the current financial and administrative requirements.

### The rationale for support:

1. Permanent secondary dwellings provide affordable housing options and allow property owners to provide independent living spaces for family members, caregivers, or tenants.
2. By making them permanent, the quality of the housing will increase resulting in a subsequent increase in the assessed value of the property relative to temporary structures.



3. Making secondary dwellings permanent also reduces administrative requirements and eliminates the need to carry a deposit to assure the eventual removal of the dwelling. This approach also eliminates the restriction of occupancy to caregivers or care receivers.

**The rationale to oppose:**

1. The expansion of permission for secondary dwellings on small lots in higher-density residential areas may negatively impact the use and enjoyment of neighbouring properties as a result of increased activity and traffic.
2. The introduction of secondary dwellings can alter the rural character and aesthetic of the area. Increased density and additional structures may also detract from the open, spacious feel that many rural residents value.
3. More residential units can lead to increased traffic on rural roads, which may not be designed to handle higher volumes.
4. Additional residential development could strain existing drainage systems if they are not designed to accommodate the increased impervious surface.

Residential development outside of hamlets is currently supported in the Agricultural Residential, Medium Density and High Density Residential Districts. Development in the Agricultural Residential District is intended to support the subdivision of large lot residential parcels in areas where agriculture remains the predominant use. A maximum of three acreages ranging in size between 10 and 20 acres are capable of being subdivided from the quarter section. The intent of this was to balance a desire for country living while minimizing the conversion of farmland and displacement of farming activities. The size and relatively low density of residential development in this district support secondary dwelling development and mitigate many of the conditions that would create conflicts with neighbours. Expanding secondary dwelling opportunities in this district enables the RM to support population growth without converting additional farmland to do so.

The Medium Density Residential (MDR) District is intended to accommodate a medium-density form of country residential development where the primary purpose is to provide land and buildings for human occupation and residential-focused activities. Sites within this district range in size between 5 and 20 acres and subdivisions in this district are limited to a maximum of 15 lots on a quarter section. Although the number of lots is greater than what is supported in the Agricultural Residential District, the lower density would be capable of supporting secondary dwelling development with minimal impacts on the use and enjoyment of neighbouring properties.

The High Density Residential (HDR) District is intended to accommodate a higher-density form of country residential development where the primary purpose is to provide land and buildings for human occupation and residential-focused activities. Development in this district supports the subdivision of up to 40 lots on a quarter section with lots ranging in size between 1.5 and 20 acres. Secondary dwelling development on smaller sites has a greater potential for impacting the use and enjoyment of neighbouring properties and poses greater on-site constraints to development. However given the diverse range in lot areas within this district, there is still a potential to support secondary dwelling development.

In urban areas, secondary dwellings are typically restricted in size, height and architectural style reflecting the density and proximity of development relative to neighbouring properties. Larger lot sizes in rural areas provide sufficient space to accommodate secondary dwellings without causing overcrowding or negatively impacting neighbouring properties. This spaciousness allows for greater flexibility in the design and scale of additional structures. The architectural diversity and varied building scales associated with acreage development contribute to the area's character making the regulation of secondary dwelling size and height unnecessary.



## 5 PROPOSED AMENDMENTS

1. Add secondary dwellings as a discretionary use in any Agricultural Residential District.
2. Add secondary dwellings as a discretionary use on any lot in the Medium and High Density Residential Districts which has a minimum area of 4.04 ha (10 acres).
3. Maintain the current approvals for a Garden Suite as a time-limited discretionary use on any lot in the Medium and High Density Residential District less than 4.04 ha (10 acres).
4. In all Districts, the secondary dwelling development is subject to the following additional regulations:
  - a. It must be located on the same-titled parcel as the principal dwelling.
  - b. It must be sited to minimize visual and environmental impacts, maintaining a minimum 30-metre setback from any property line and 15-metre from any other dwelling on the same lot.
  - c. A maximum of one attached or independent secondary dwelling may be permitted on a lot.
  - d. The secondary dwelling must be serviced by an independent wastewater disposal facility and potable water supply.
  - e. The secondary dwelling should share common driveway access.
  - f. Secondary dwellings may not be used for short-term rental.
5. The applicant shall be required to submit the following information to support an application for a secondary dwelling:
  - a. A completed building permit application including all required plans and fees as defined by the Building Bylaw.
  - b. A completed discretionary use permit application and associated fees.
  - c. A scaled site plan:
    - i. Identifying the location and distance of all existing and proposed buildings on the lot relative to the closest property lines.
    - ii. Defining the setback between the existing and secondary dwelling.
    - iii. Identifying the location of current driveway access and demonstrating how shared access will be accommodated.
    - iv. Identifying waterbodies, wetlands or any environmentally sensitive areas within the lot.
  - d. Confirmation of a suitable potable water supply.
  - e. Confirmation of a suitable wastewater disposal system.
  - f. Confirmation of electrical, gas and telecommunication utilities.
  - g. A drainage plan prepared by a licensed professional engineer confirms that the existing stormwater management and drainage infrastructure can accommodate the additional development without causing negative impacts on adjacent properties or municipal drainage systems. This plan must also define the basis for providing independent drainage servicing between the principal and secondary dwelling to ensure long-term feasibility for the potential subdivision of the property.
  - h. Plans for tree retention, planting, fencing or other buffering to reduce the visual impact of the secondary dwelling on adjacent properties.
  - i. A statement confirming that the secondary dwelling will not be used for short-term rentals of less than 90 days in a calendar year.
  - j. A mobile home may only be used as a secondary dwelling where it is either a permitted or discretionary use in the applicable zoning district.