

GARDEN SUITES:
An Evaluation Report
With Suggestions for Implementation
FINAL REPORT

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EXECUTIVE SUMMARY

Background

There are 2.9 million seniors in Canada today and the number will reach 4 million as Canada enters the 21st century. This older population will require adequate, appropriate and affordable products and services, especially housing and health care. A guiding principle in the provision of such products and services is this: independence with support is what seniors want.

In terms of housing, this principle translates into the development of a full range of housing and living arrangement options for seniors, filling in the continuum between unassisted living in the community at one end, and personal care in an institution, at the other. Until recently, there were very few alternatives to these two extremes available to Canadian seniors.

Recently, a new housing-with-care option for seniors has been introduced, tested, and found to be very successful in Canada. It is the garden suite.

Garden Suites for Seniors

Garden suites are small, portable, self-contained, factory-built dwellings usually comprising a living area, bedroom, bathroom and kitchen. They are designed to be located in the yard of an existing "host" single family dwelling and are intended to be occupied by the elderly relative(s) of the host family. When no longer required, these units are intended to be removed and relocated to serve a similar function for another family.

The cost benefits of garden suites are generally hidden, that is, they are located on land that is already purchased and serviced.

The garden suite concept respects both the desire of seniors for autonomy and privacy, and the fact that many older people live in a routinely and mutually supportive way with their families and prefer not to live in age segregated living arrangements (Gutman, 1987) even when they are in need of assistance.

The concept responds to the principle of independence with support. Being self-contained, a garden suite fosters the occupant's independence and sense of territory.

Being physically close to a host house where adult children and perhaps grandchildren live, a garden suite affords proximity to help and a sense of security for occupants.

Testing the Concept

Garden suites have been tested for acceptance, feasibility, livability and market potential in Canada by three means: the demonstration/display of model garden suites at 30 locations in ten provinces; an Ontario demonstration project involving the construction, occupancy and post-occupancy evaluation of 12 units in Ontario; and a national market survey conducted by Gallup Canada Inc., under contract to CMHC.

Demonstration/Display

The 1987-88 demonstration/display of model garden suites across Canada, carried out jointly by the Canada Mortgage and Housing Corporation (CMHC), the Canadian Manufactured Housing Institute (CMHI) and the Société Québécoise des manufacturiers d'habitation (SQMH), drew over 500,000 viewers and sparked a strong interest in the garden suite concept. Over 10,000 visitors completed questionnaires at the demonstration/display sites with over 90% of the responses positive, revealing a high level of acceptance.

Ontario Demonstration Project

A 1984-87 demonstration project, carried out by the Ontario Ministry of Housing, involved the construction, occupancy and post-occupancy evaluation of 12 units in three Ontario municipalities. The project, in which units were identified as Portable Living Units for Seniors (PLUS), was evaluated on five counts: social, property value, legal/regulatory, technological and cost.

Social - The social assessment revealed that, for almost all occupants and hosts, this living arrangement is highly satisfactory. It was said to enhance the well-being of occupants and to reduce the stress of caregivers, since before the installation, some adult children's concern for their elderly relative had been stressful and they had been forced to travel extensively in order to provide support. Neighbours' concerns expressed prior to installation (fear of adverse effects on property values, of permanent zoning changes and of an "eyesore" in the neighbourhood) had been largely dispelled at the time of the evaluation study.

Property value - The real estate appraisal showed that the installation of garden suites in two suburban and two rural properties in Ontario had no negative effect on the re-sale value, and minimal negative effects on the use and enjoyment of adjacent and neighbouring properties. Neighbours had not raised any objection to the installation of garden suites.

Planning/Regulatory and Legal - This assessment of the PLUS project investigated the problem of how to install garden suites in municipalities where by-laws restrict property use to "one property one dwelling" and how to limit the use of garden suites to the elderly relatives of host property owners. The report suggested that intervention at the provincial level would be the most effective way to enable municipalities to issue licenses for installations of garden suites; and that limiting the use of garden suites by age of occupant could be defended under the Charter of Rights (s.15.2); whereas the question of limiting the use of garden suites by relationship is still unsolved.

Technical - The technical assessment of the Ontario demonstration project found that the units also performed well technically. Suggestions for improvement focused on the installation process and the necessity for standards and regulations covering that process; and the need for architectural detailing for the disabled.

Cost - The estimated cost of a garden suite ranges from \$29,000 to \$37,000 in 1989, varying by province. The cost per unit (including installation) of the Ontario demonstration project, however, was significantly higher due mainly to a lack of experience in installing these units and the fact that the model chosen for the Ontario demonstration project was a "top of the line" model. Most of these costs can be reduced with more experience in installation, higher absolute production of units and more variation in models.

National Market Survey

A 1988-89 national telephone survey, conducted by Gallup Canada Inc., investigated the market potential of garden suites across Canada. A total of 1962 interviews were conducted with potential hosts and potential occupants. Results revealed solid market potential for the garden suite.

More specifically - About a third of the potential market was already aware of the garden suite concept before the survey. Each province has a firm base of potential hosts and occupants, the largest in absolute numbers being Ontario, Québec, British Columbia and Alberta. The potential market is made up of individuals at all levels of income, almost half of whom live in rural communities of 10,000 residents or fewer. Two thirds of the respondents said that they could afford the purchase and rental prices quoted to them in the survey (\$29,000 - \$37,000 purchase, including service connections; \$450 - \$550 monthly rental). Most indicated a preference for the location of a garden suite on the property of the adult children. The very likely market is estimated to be 213,000 host families.

The Obstacles

Despite the clear indication of interest on the part of both potential consumers and manufacturers and the generally positive results of the demonstration project, there are stumbling blocks to making garden suites widely available to Canadian seniors. The obstacles are legal and regulatory.

The legal problem is how to restrict the use of garden suites by age and relationship without contravening human rights legislation. It is considered desirable to set these limits in order to prevent garden suites from being used as income units and so that the intended beneficiaries, the elderly, are served. The age factor can be dealt with by means of creating a program for people who are, by virtue of their age, disadvantaged in terms of access to affordable, appropriate housing and support services. However, the legality of limiting land use by relationship (for example, by having this as a condition of licensing or temporary use permits) is still questionable.

The regulatory problem is that almost all municipalities in Canada do not allow more than one dwelling per property, and therefore a long and complex process of acquiring a temporary use permit for a garden suite is currently required. To solve this, provinces could override municipal official plans and by-laws by passing enabling legislation requiring municipalities to allow licensing of garden suites under certain terms and conditions. However, provinces may not be willing to use such a method to benefit what may be seen as a small number of citizens.

Questions about Process

The foregoing problems raise more questions, most of which have to do with process. The main questions are these.

First, if it is considered desirable to have a program of some kind (to target the elderly as program beneficiaries and to provide assurance to municipalities that units will be appropriately occupied and removed) then who should deliver such a program? The organization delivering a program should have an adequate infrastructure to ensure easy access for applicants, such as offices in both rural and urban areas, and personnel with knowledge about seniors. It has been suggested that existing social housing programs, such as CMHC's Non-Profit Housing Program, Rent Supplement Program and various Native housing programs could add garden suites to their terms of reference, thus avoiding the costly and time consuming process of creating a new program exclusively for garden suites. A key criterion for any garden suite program is that delivery should be as simple a process as possible, to facilitate take-up by potential users.

Second, whether temporary use permits or licences are used to allow garden suites in residential neighbourhoods, there remain the questions of who determines the terms and conditions of permits or licenses, who checks the applicants for eligibility and who enforces the removal of the unit? Housing specialists assert that if public funds are being spent, then there is the responsibility to ensure good chances of program success, thus necessitating some screening and monitoring procedures (as unintrusive as possible, carried out at the municipal level).

Third, there is the question of standards. Other than compliance with Canadian Standards Association codes for manufactured housing, and features for the handicapped and for aging in place, should there be any other standards for the construction and design of garden suites? What body should set these standards? It has been suggested that CMHC could furnish optional designs for garden suites, while municipalities or local design councils could judge external design features so that garden suites would fit in with the local residential character.

Governments' Role

Public and private sector specialists in housing suggest that the federal government's role is informational, advisory and financial.

They see CMHC taking on a role in enhancing public awareness about the need for housing intensification in general and the features of garden suites in particular. It has also been suggested that CMHC offer assistance or review in the development of both model legislation and standards (such as design standards, those required for installation/removal, and those required for contractual relationships). Other possible federal roles are assisting manufacturers and leasing agents by reducing risk in early ventures; and enriching existing social housing programs by adding a garden suite component to them.

Provincial governments could recognize the need for housing intensification in an aging population by passing enabling legislation. This legislation could include a package of housing intensification options responsive to seniors' needs, such as shared housing, accessory apartments and garden suites. Provincial governments could also develop model by-laws for municipalities to use in responding to public demand for garden suites from both dealers and potential consumers.

Where to go from Here?

It is considered appropriate that the basic regulatory processes and procedures be in place, and that both local enterprise and government be fully informed of their opportunities and responsibilities, prior to encouraging extensive market demand for garden suites. Actions required by the private and public sector involve three phases: Legislative and Regulatory; Programs, Procedures and Documents; and Information Motivation and Marketing.

Legislative and Regulatory

The first phase would involve: the preparation of enabling legislation or model by-laws by provinces (with or without federal assistance) to address major land use regulatory issues; the development of technical guidelines by CMHC in collaboration with industry and the provinces; the establishment of regional installation standards through federal-provincial committees; and the amendment of NHA programs and provincial equivalents to include garden suites in appropriate programs.

Programs, Procedures and Documents

The second phase of required action involves: the drafting of models for five types of documents - permits, licenses or temporary use by-laws; bonds, letters of credit or trust account systems for guarantees of removal; leases between dealers/occupants and between occupants and hosts; inspection guides for local building officials; and recommended design options. At this stage, too, program outlines should be prepared by provinces with federal assistance as required.

Information, Motivation and Marketing

The third phase of action would involve five initiatives: 1) the preparation of provincial agency information packages, for funding and service agencies and authorities, prepared by provinces; 2) the preparation of municipal information packages including model documents, a "road map" for the process, and guides for technical inspections; 3) the preparation of information packages for dealers, outlining assistance available, a "road map" for approvals and pertinent technical information about installation and removal, as well as appropriate leases and other documents; 4) advertising of garden suites directed at potential occupants and hosts and carried out by industry; and 5), concurrent with the previous initiative, would be public information packages developed and delivered by government to communities, intended to inform and increase acceptance of garden suites, especially when installed next door.

Conclusions

The garden suite concept has been tested and found to be an acceptable, affordable, liveable housing-with-care option for seniors in Canada. National survey results also reveal great market potential. The manufactured housing industry is ready and capable to respond to demand for a range of models of garden suites.

The obstacles are legal and regulatory. Overcoming these barriers requires two tasks. First, in order to be able to legally target seniors for this housing option, it must be made available through a program of some kind that alleviates seniors' disadvantages in terms of access to affordable housing and care. This can be done by adding garden suites to certain existing social housing programs. The second and concurrent task is to make municipal by-laws more flexible in order to allow garden suites to be installed on host

properties, with the least amount of red tape and potential for time consuming opposition as possible. This flexibility can be either required or encouraged by provinces.

It is crucial that both private and public sectors and all levels of government work together to provide a spectrum of adequate, appropriate and accessible housing and support options for seniors, all across Canada, with particular attention to those areas where seniors have few options, such as in small towns and rural regions. The garden suite is one housing and support option in that spectrum.

One of the priorities of the Canada Mortgage and Housing Corporation (CMHC) is to improve the number and quality of housing options for older Canadians. In carrying out this aspect of their mandate, CMHC has taken a number of initiatives. One involves the testing of a housing concept that is new to Canada: the garden suite.

Garden suites are small, portable, self-contained, factory-built dwellings usually comprising a living area, bedroom, bathroom and kitchen. They are designed to be located in the yard of an existing "host" single family dwelling and are intended to be occupied by the elderly relative(s) of the host family. When no longer required, these units are intended to be removed and relocated to serve a similar function for another family.

The garden suite concept respects both the desire of seniors for autonomy and privacy, and the fact that many older people live in a routinely and mutually supportive way with their families and prefer not to live in age segregated living arrangements (Gutman, 1987) even when they are in need of assistance. It is one of an array of housing alternatives for older adults.

The concept originated in Australia where the dwellings were originally known as "granny flats". The Australian experience reveals that occupants and hosts are satisfied with this living arrangement, and that flexible arrangements in terms of tenure and eligibility criteria can be very successful (Weideman, 1988). The success of "granny flats" in Australia, and the similarity between Australia and Canada in terms of population distribution and aging, spawned a keen interest on the part of Canadian governments and the manufactured housing industry to test this housing option for seniors in Canada.

An integral part of testing this housing concept is the conduct of an overall evaluation of the acceptance, feasibility, and performance of garden suite units, as well as an investigation of various financial and regulatory approaches for making garden suites widely available in Canada.

The Research Division at Canada Mortgage and Housing Corporation contracted The DPA Group Inc. to conduct an overall evaluation of the garden suite concept, with a particular focus on the development of financial, regulatory and tenure options that would accommodate the requirements of municipalities, manufacturers and potential consumers.

In addition, the consultants were asked to determine what types of government intervention would be necessary or desirable to facilitate widespread implementation of the garden suite housing option.

The scope of the evaluation project included:

- . a review and summary of all the documentation based on the CMHC national demonstration/display of garden suites, the Ontario demonstration project, the Gallup national market survey, and the experience of other jurisdictions such as Australia and the USA;
- . telephone and personal interviews with government officials, industry representatives, academics and seniors to gain further insight into certain aspects of the topic;
- . the organization and orchestration of a one-day seminar on garden suites aimed at bringing the collective experience of 24 government, industry and consumer representatives to bear on the analysis of issues and generating alternatives in addressing them; and
- . an analysis of the results of these investigative components, and suggestions for action options, including the need for and form of government involvement.

This report is based on the varied sources of information, opinion and experience identified above.

1.1 Organization of this Report

In the following chapter, the results of the various tests of garden suites are reported and summarized, including: responses to the CMHC national demonstration/display; the assessment of various aspects of the Ontario demonstration project; the costs of garden suites; and the results of the national survey about their acceptability and feasibility, conducted by Gallup Canada.

Chapter 3 comprises a discussion of a range of outstanding questions concerning garden suites. The opinions expressed in the chapter are those of the key informants interviewed for this evaluation and the seminar participants who met to discuss the garden suite concept in Toronto in June, 1989, as part of the evaluation process.

Chapter 4 presents alternative ways in which garden suites could be made available as well as the sequence of government action required for such implementation.

Chapter 5 contains some considerations for long term planning in housing-with-care options for seniors in Canada.

Appendices contain research instruments, lists of key informants and seminar participants, some sample by-laws (for the readers' information) and a bibliography.

2.0 TESTING THE CONCEPT

In order to assess the acceptance, feasibility, livability and market potential of garden suites in Canada, the concept has been tested by three means:

- . the demonstration/display of model garden suites at 30 locations in ten provinces, carried out jointly by the Canada Mortgage and Housing Corporation (CMHC), the Canadian Manufactured Housing Institute (CMHI) and the Société Québécoise des manufacturiers d'habitation (SQMH);
- . an Ontario demonstration project involving the construction, occupancy and post-occupancy evaluation of 12 units in three Ontario municipalities, carried out by the Housing Conservation Unit of the Ontario Ministry of Housing; and
- . a national market survey conducted by Gallup Canada Inc., under contract to CMHC.

The results of all three initiatives indicate widespread acceptance of the concept by the public, general satisfaction with the livability of the units and a readiness on the part of consumers to rent or purchase garden suites should they become available.

2.1 CMHC-CMHI-SQMH Demonstration/Display

In 1987-88, CMHC, CMHI and SQMH jointly organized the construction and display of garden suites at a number of trade fairs and similar expositions across Canada. The provincial ministries of Alberta, Manitoba, Quebec, New Brunswick and Newfoundland contributed to the sponsorship of this demonstration/display. The public reaction to the concept was generally very positive.

Close to 500,000 Canadians viewed the displays, over 3,000 of whom filled out questionnaires indicating a willingness to be interviewed at a later date by telephone for their opinions on various aspects of garden suites. 90% of the responses to the questionnaire were positive.

In British Columbia, nearly 25,000 people visited the three garden suites displayed in 1987. Completed questionnaires revealed a positive response to most of the design features and to the principle of the concept. B.C. visitors suggested alternative uses for garden suites such as: park or cluster developments for retirees; use by the handicapped; and use as

accommodation for recreation property. Responses from municipal officials focused on the need for effective regulations allowing but controlling the type and extent of use.

In Alberta and Saskatchewan, response by an estimated 365,000 visitors to garden suite demonstrations in 8 locations during the summer of 1987 were reported to be an "unqualified success" with responses indicating a preference for this housing option over apartments. Again, similar optional uses for garden suites were suggested.

In Manitoba, about 5,000 people viewed a single unit displayed in three different locations. Their reaction to garden suites as suitable accommodation for family members was positive; however, they expressed concern about zoning restrictions.

In Ontario, about 4,000 people viewed display garden suites in three locations, during the late fall of 1987. Besides potential occupants and hosts, visitors included politicians, real estate brokers, government officials and dealers. Questions were concerned with installation costs, financing and zoning regulations.

In Quebec, displays of two different units were carried out in January and February of 1988, one in Montreal and one in Quebec City, at Expo-Habitat, following promotion in various media. Staff at both displays answered the public's questions and distributed both brochures and questionnaires. The offices of Société Québécoise des manufacturiers d'habitation (SQMH) received a number of requests for information as a result of the display, from people who wanted to acquire and install garden suites.

In Atlantic Canada, overwhelmingly positive response to the model garden suites displayed has been reported. In New Brunswick over 15,000 visitors attended; in Nova Scotia, an estimated 36,000 people viewed suites displayed at two locations in 1988; in Prince Edward Island, about 3,000 Islanders visited the one demonstration in Charlottetown; and in Newfoundland, between 2500 - 3000 people visited the garden suite demonstration in St. John's. The questions most often asked in the Atlantic provinces were concerned with: the cost of a unit, the possibility of a two bedroom unit, the inclusion of electrical appliances, the mobility of the unit, zoning restrictions, and whether or not there was a government program in place.

The demonstration/display of garden suites across Canada sparked a strong interest in and generally very positive acceptance of the concept. Visitors' questions and comments tended to focus on practical issues of implementation, such as zoning restrictions, installation costs and the availability of units.

On the following pages are illustrations of three models of garden suites. For information on costs, please refer to section 2.2.5 and Exhibits 2.4 and 2.5.

EXHIBIT 2.1: ONTARIO MODEL

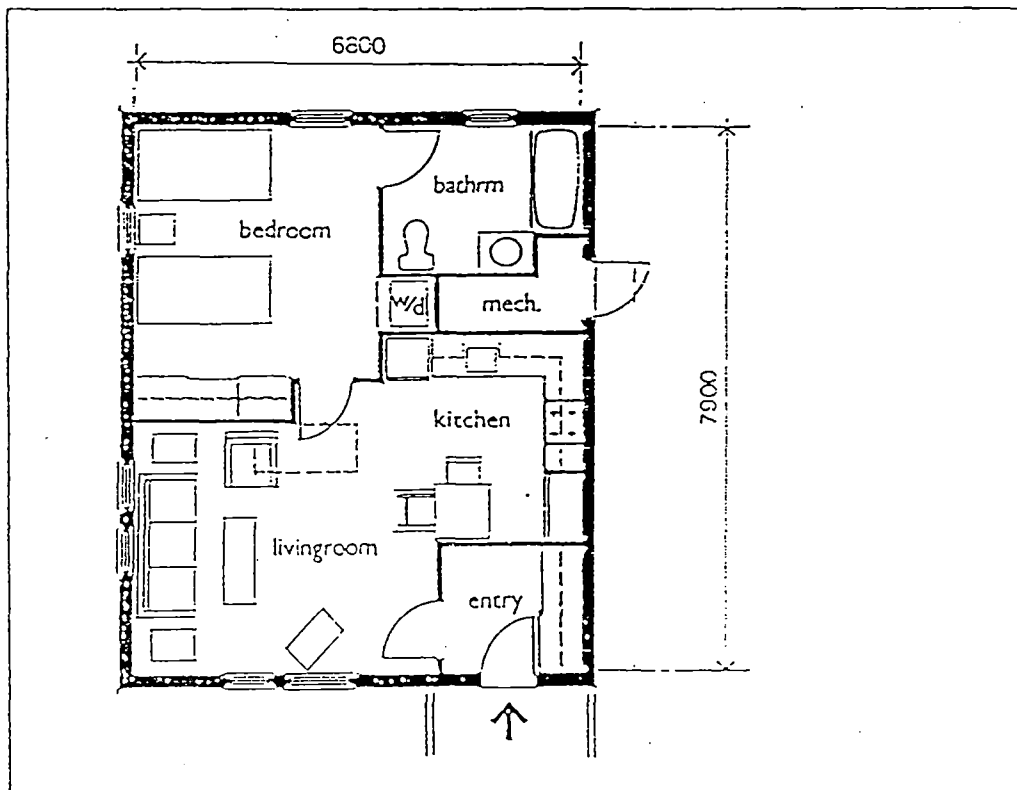
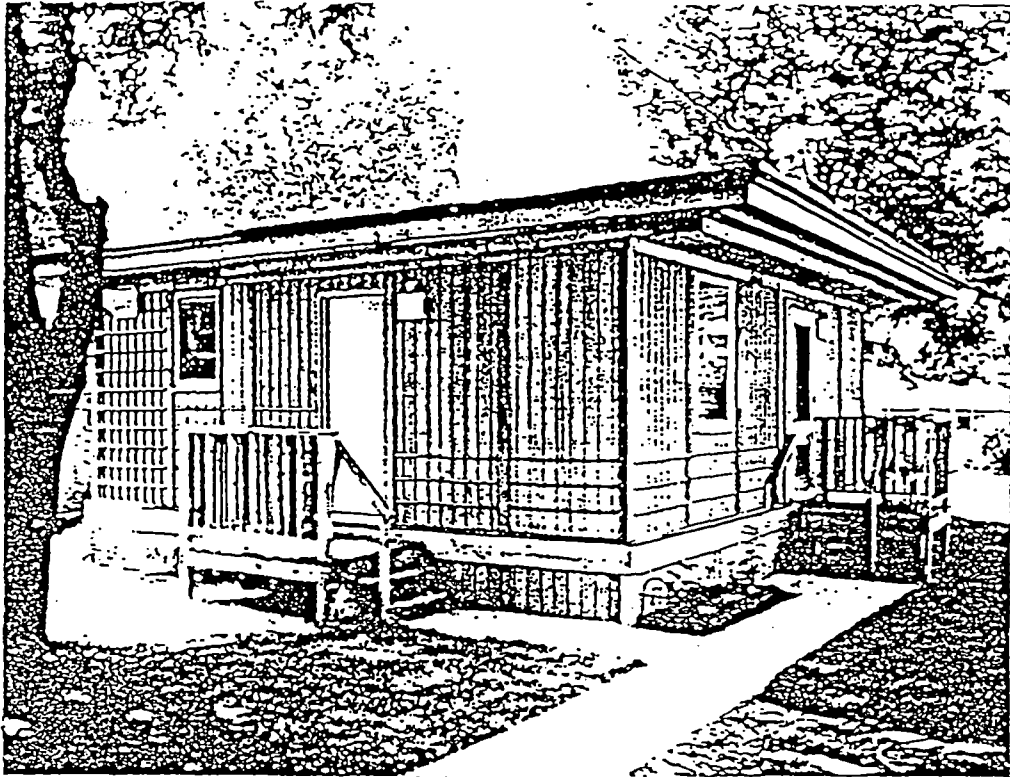


EXHIBIT 2.2: QUEBEC MODEL

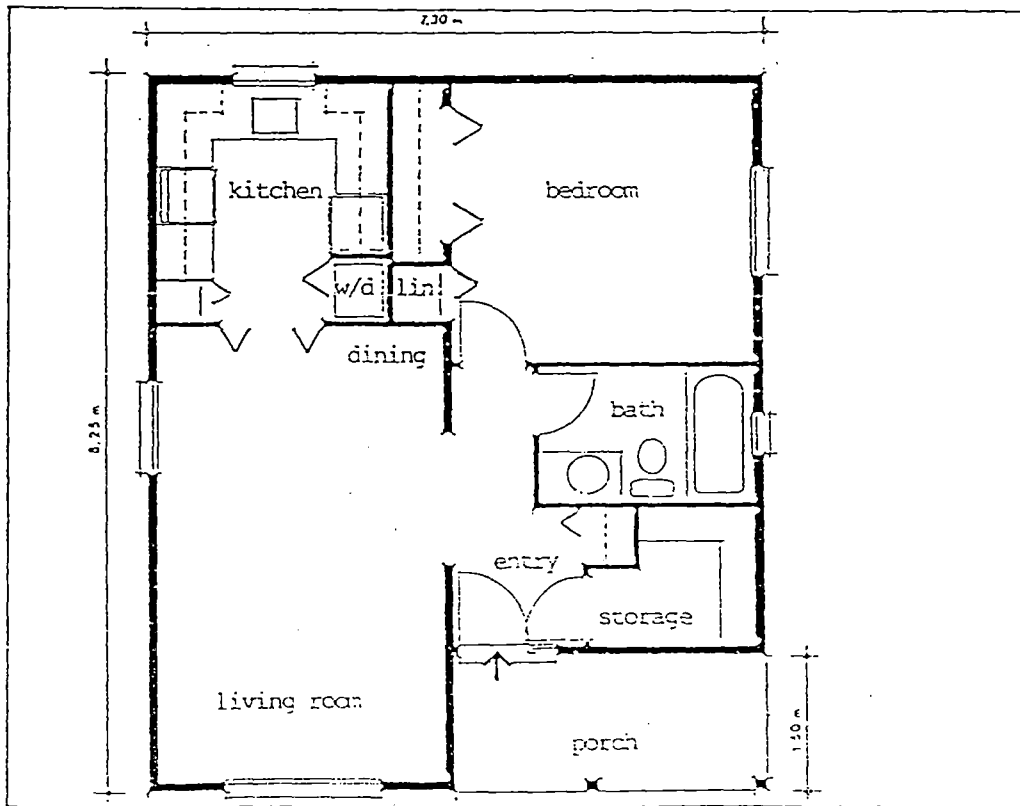
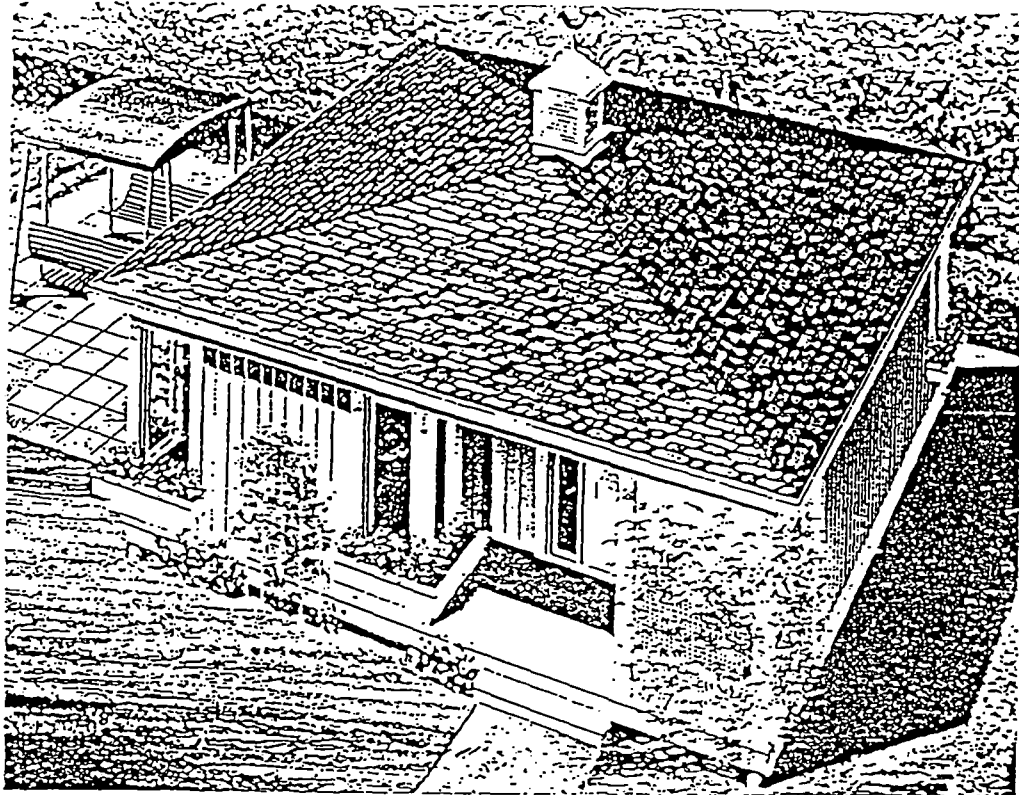
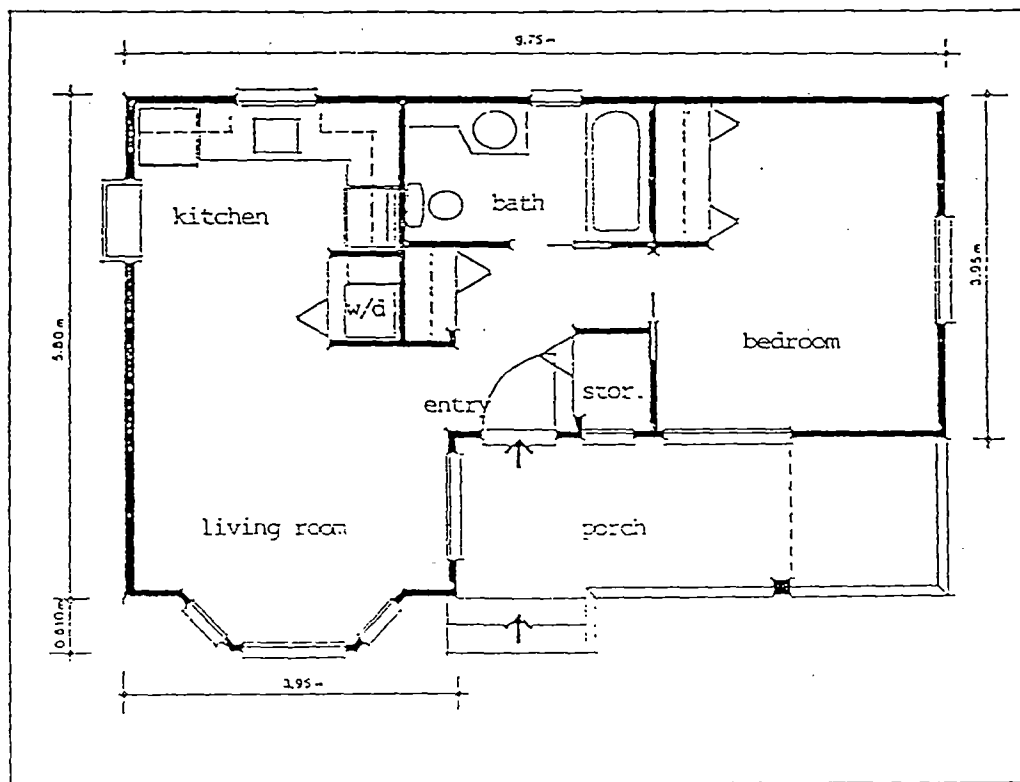


EXHIBIT 2.3: BRITISH COLUMBIA MODEL



2.2 The Ontario Ministry of Housing's "PLUS" Demonstration Project

A garden suite demonstration project was carried out by the Ontario Ministry of Housing between 1984 - 87. Known as "The Portable Living Units for Seniors (PLUS) or 'Granny Flats' Demonstration Project", it involved the installation, occupancy and evaluation of twelve units in three participating municipalities in Ontario: the Regional Municipalities of Ottawa-Carleton and Sudbury and the City of Waterloo.

The evaluation of this PLUS demonstration project included five components:

- . a social assessment;
- . a study on the effect of installed garden suites on property values;
- . a planning/regulatory and legal assessment;
- . a technological assessment; and
- . a cost assessment.

The results of the various components of the evaluation were generally very positive, while pointing out the need for further regulatory and administrative deliberations.

Following is a summary of the results and recommendations from the five part evaluation of the Ontario PLUS demonstration project, as well as some considerations based on other jurisdictions' experience.

2.2.1 Social Assessment - Ontario Ministry of Housing's PLUS Demonstration Project

The social assessment component of the demonstration project focused on occupants, host families and neighbourhoods, including detailed profiles of each group and an assessment of the social impacts of the move to and occupancy of garden suites on each group. The study also addressed questions concerning the availability of community support services, the design of the garden suites, and consumers' satisfaction with the application and approval process.

The study sample comprised 13 occupants (of whom 10 were female) averaging 77.5 years of age; 11 host families; neighbours for 10 installations; and a sample of 11 non-participants (persons who had expressed serious interest in participating but for various reasons had not). Occupants and host family members were interviewed in person, the neighbours in person or by telephone and the non-participants by telephone.

Occupants - Most of the occupants were in reasonably good health prior to moving into the unit, although they reported chronic health problems such as arthritis or high blood pressure. Three of them were confined to wheelchairs. Only one required extensive assistance, while others required regular assistance, mainly with shopping and household chores. Health status was reported to improve after relocation for four of the occupants, allegedly due to their increased contentment and enhanced emotional well-being.

All but two of the occupants had been living independently in a house or apartment before moving to the garden suite. Had this option not been available, half of them said they would have moved into a seniors' apartment building and the rest reported that they would have either moved in with or near to the host family, and one would have gone to a Home for the Aged. (However, according to their children in some cases, the seniors would have had to be accommodated in a nursing home or home for the aged.

The primary reasons for choosing the garden suite over other housing options were reported to be proximity to family and availability of family support when needed. The advantages of this form of accommodation were said to be proximity to family and the accessible design of the units.

Half of the occupants had relocated to a new community to be near their children. Despite initial unhappiness due to relocation for some, the social impact of the move was considered generally positive for all the occupants. Both occupants and families expected the seniors to remain in their units longer than would have been feasible in a completely independent living arrangement.

The consultants suggested that if garden suites were going to be delivered through a program of some kind targeted to seniors, then the selection of occupants should be carried out by a team including persons from the health and social services. This suggestion was based on the notion that the garden suite concept includes a care component and for that reason may eventually be delivered through a government program of some kind. In the same vein, it was pointed out that potential occupants should not be discriminated against on the basis of chronic health problems, since several of the Ontario demonstration project occupants did indeed have chronic health problems but managed well in garden suites nonetheless.

Host Families - Of the 11 host families, 5 were located in rural areas, 3 in suburban areas and 3 in urban areas. Adult members of the host families ranged in age from 30 - 60

years of age. Although the size and composition of the host families varied, one common characteristic was that the primary caregiver to the elderly relative was always a female, full-time homemaker. Families were clearly closely knit, extended families who did not engage a great deal in community activities.

Only two of the host families had enough room to have accommodated their elderly relative in their own home. Most of them had large properties, the largest being 9 1/2 acres and the smallest a large urban lot.

The social impact of the Ontario PLUS demonstration project on host families was perceived as very positive, in many cases reducing their stress levels, since before the installation, their concern for their elderly relative had been stressful, and in several cases, they had been forced to travel extensively in order to provide support.

In addition, families reported the benefits of both increased companionship and services provided by their elderly relative (such as child care and cooking). The support provided by families included transportation, telephone checks, visits, errands and taking their relatives to appointments. Occupants in wheelchairs required the most assistance. Support was not perceived by family caregivers as a burden; instead, it was viewed by the majority as a normal and rewarding part of family life (although no families as yet had reached the point of "role reversal" with very frail elderly parents relying for daily care on their adult children.)

The garden suite did not impose any negative financial impacts on host families, because the occupants assumed financial responsibility for accommodation and related expenses in the garden suite and the families in the demonstration project did not suffer any financial loss as a result of the unit being located on their property.

Initial expectations about the arrangement had been met for most occupants and hosts and exceeded for some. The only reason given for possibly moving out of the unit was deterioration of occupants' health. The only source of disappointment had to do with the process of installation and a neighbour's hostility.

The consultants noted that a "strong sense of family" was apparent in the families involved in the Ontario demonstration project, and suggested that this characteristic contributed to the success of the living arrangements.

Neighbours - Except for two cases, close neighbours did not see the presence of the units as a source of problems. Most had been notified about the installation by the host families, had sought more information, and were in favour of it. One relationship was strained due to serious damage done to a neighbour's property during installation of the unit and a subsequent delay before the damages were repaired. In another case, the neighbour relationship had deteriorated to the point of open hostility, apparently due to the neighbours' two concerns: perceived reduction in their property value and their assumption that it was unhealthy for two dwellings to share one septic tank.

The main areas of initial concern expressed by neighbours prior to installation were that: the resale value of neighbouring properties would be adversely affected; the unit would be a constant eyesore; temporary zoning would become permanent; and, this was just a test and a group home or nursing home would eventually be located in the community.

These initial concerns had been largely dispelled at the time of the study and neighbourhood acceptance of the project was generally favourable.

The consultants asserted that the size of the host family property should be adequate to support the installation without encroaching on the neighbouring properties; and the installation of the units should be supervised by a professional (e.g. architect) and the general contractor held accountable for errors.

Non-Participants - Eleven of the 30 families who had made serious requests for information about the demonstration project, but who had not participated either because they had voluntarily withdrawn from the demonstration or because their applications had been rejected by the Working Committees, were interviewed by telephone. They reported that the intended occupants were primarily in the middle-old age bracket (75-85), lived in their own homes or apartments, most were widowed and in good health, and most needed some assistance. Their profile, therefore, was quite similar to that of the demonstration sample. The reasons they had not participated in the project included: deterioration in physical and/or mental health; placement in a special facility; and desire to be with age peers.

Community Support Services - Participants were not fully aware of, nor had they made much use of, community support services at the point when the social assessment was carried out. This is not surprising for several reasons: the occupants had moved into their suites less than two years before the investigation; they were in generally good health

at the time of relocation; they were in a living arrangement which is based on the assumption of family support; and they were members of closely-knit families where their psycho-social needs seemed to be met within the family unit.

Health related support services were available in the communities however, including medical care, optometrist, Handi-Transit, home care and meals on wheels. In addition, occupants were aware of social and recreational services available, such as: seniors' clubs, church activities, exercise programs and so on.

It was suggested that families who acquire garden suites for their older relatives should be fully aware of the existence of and access to support services for seniors.

Unit Design - In general, the design of the units occupied in the Ontario demonstration project was assessed as satisfactory by the participants. Several occupants stated that they were limited in terms of furniture arrangement and that heaters were very often hidden by furniture. The kitchen and bathroom were considered conveniently located, and the provision of grab bars in bathrooms a very positive feature. The most favoured design features were identified as: the general layout, decor, wall finishes, number of windows and floor finishes. In some instances, features had been added, such as an intercom to the host family, window locks at top and bottom and metal plates on each side of a wooden door (for wheelchair wear).

All of the occupants claimed that the garden suite provided them with adequate privacy, and almost all were satisfied with the comfort and independence afforded by the unit.

Most of the recommendations about unit design made by the consultants are in agreement with those in the technological assessment of the same units (to follow). Additional suggestions are that: a call bell system be connected to the host house; a ramp rather than steps lead to the main entrance of each unit; and the front and rear porches be extended for both safety and aesthetic reasons. (Please see illustration of Ontario demonstration unit on the following page.)

Application and Approval Process - Most of the participants became aware of the demonstration project through the newspaper. In every instance it was the host family who initiated proceedings. Although there was no trouble understanding the application requirements of the project, over half the applicants experienced significant delays between application and approval, delays which caused the potential occupants some stress.

The participants reported favourably on the enthusiasm and helpfulness of the administrative staff of the demonstration project.

It was recommended that the application and approval process for the purchase and installation of garden suites on residential properties be made as trouble free as possible and should avoid delays which are stressful to the applicants.

The social assessment component of the Ontario PLUS demonstration project revealed that, for almost all occupants and hosts, this living arrangement is very satisfactory. In fact, it was said to enhance the well-being of occupants and to reduce the stress of caregivers, in a number of cases.

2.2.2 Property Values Assessment - Ontario Ministry of Housing's PLUS Demonstration Project

A study was conducted of four properties in the Ottawa area where garden suites had been installed. Two were in suburban areas and two in rural areas close to small towns. The purpose of the study was to estimate the effect of the installation of garden suites on the value of properties adjoining or in the vicinity of the "host" properties.

Since neighbours' objections to the installation of garden suites (and other intensification alternatives) are very often based on a fear of devaluation of their own property, this study was considered essential.

The investigation included: a review of documents, maps and assessment information; in-situ neighbourhood inspections and photographs; Registry Office searches for information on selling prices of properties adjacent to or within sight of the units, comparison with selling prices for comparable homes in the same area, and interviews with relevant vendors and purchasers; and interviews with all owners of properties adjoining or in close proximity to the "host" properties.

Results of the study indicated that the installation of garden suites did not affect the value of adjacent or nearby properties. In addition, interviews with neighbours revealed that the presence of these units did not interfere with the use or enjoyment of their property. (There was only one exception to this - a property owner who had a swimming pool and felt that the unit overlooked this pool and blocked his view.)

Interviewees had not raised any objection to garden suites and indeed expressed strong support for the concept.

The real estate appraisal study showed that the installation of garden suites in four properties in Ontario had no negative effect on the resale value, and minimal negative effects on the use and enjoyment of adjacent and neighbouring properties.

2.2.3 Planning/Regulatory and Legal Assessment of the Ontario Demonstration Project

By far the most complex questions have to do with regulations that would support and facilitate the widespread implementation of the garden suite housing option for seniors.

Regulations which would limit the extent and type of use of garden suites - for example, by seniors only, on their own or the property of relatives only - would contravene human rights and land use legislation. Discrimination based on age is not allowed. Land use regulations based on personal characteristics or familial relationships are limited. In addition is the basic fact that most municipalities in Canada have by-laws restricting the number of dwellings per property to one. A planning/regulatory and legal assessment was carried out in Ontario, focusing on these issues.

The regulatory and legal assessment of the Ontario PLUS demonstration project was based on three basic assumptions: first, that this housing option is intended for temporary use by elderly people and is a fair and reasonable concept; second, that the regulatory scheme should allow for participation by both the public and private sectors; and third, that any implementation mechanisms would have to be compatible with other housing intensification mechanisms.

The key issues were identified as: occupancy, ownership, contract rights and planning/regulatory control options.

Occupancy - Fundamental to the concept of garden suites is an assumption that the occupant is an elderly relative (or relatives, usually parents) of the host family. In order to restrict the use of garden suites in this way, that is, to restrict their use by both age and relationship, the Ontario Planning Act would have to be amended to allow "people zoning", and such amendments would violate both the Charter of Rights and Freedoms and the Ontario Human Rights Code. However, there is an affirmative action exception in the Charter (s.15.2) which allows special laws, activities and programs which have as their

objective the "amelioration of conditions of disadvantaged individuals or groups". In this case, it could be argued that many people by virtue of their age (over 55 or 65, for example) are disadvantaged in terms of access to appropriate, affordable housing and support services. Thus, the age factor could be dealt with, within human rights legislation, across Canada, under the Charter of Rights. This would make garden suites available to all seniors, regardless of their relationship to the host family.

If it is considered important to limit the garden suite housing option to the relatives of hosts (for example, in order to prevent their use as income property), the way to limit this relationship might be to have it as a condition of licensing or temporary use permits, although the legality of such a condition is still questionable.

Ownership - Ownership of the garden suite is crucial to a number of other issues. First, if the unit is not owned by either the occupant or the host, then there should be no problems with extra taxation on the property where it is installed. A contract can be signed by the administering agency or authority and the host family and any mortgagee, that the unit is not to be treated as a fixture. Even if the unit is owned by the host family, they can be exempted from extra taxes, in Ontario at least, by means of Section 3, Paragraph 22 of the Ontario Assessment Act RSO 1980, which allows an exemption for improvements to a residential property when "for the purpose of providing accommodation for a handicapped person or person over sixty-five who would otherwise require care in an institution and who resides in the premises as his principal residence".

Whether or not the owner of the garden suite is the host family, they will still have a contractual relationship with the elderly relative, granting them the right to live on their property in a garden suite. If the host family rents rather than owns their property, then the property owner should also enter into the contract, and the garden suite occupant should have the right to notice, a right to redemption and a right to put the mortgage into good standing should there be a default. Whether or not the occupancy of the garden suite falls under the provincial landlord and tenant legislation was debated in the legal assessment. These details will become clearer when the implementation procedures are established.

Contract Rights - Assuming the human rights issues are successfully dealt with and leaving the statutory questions about landlord/tenant relationships to be solved as an outcome of an implementation plan, it is clear that the parties to a garden suite project

may govern their relationship by contract. The planning/regulatory/legal consultants suggest that a standard form contract could be introduced by means of an amendment to the provincial Planning Act, and could include the following items:

- . qualifications for occupancy
- . the rent to be paid for the unit
- . the repair and maintenance of the unit
- . rights of inspection
- . promises of quiet enjoyment of the unit
- . promises not to remove, alter or damage the unit
- . the provision of services
- . easements for the provision of services
- . easements to allow access to install or remove the unit
- . responsibility for realty tax
- . responsibility for utility and service costs
- . insurance
- . noting that the unit is not a fixture
- . the consequences of default
- . the termination of the agreement
- . the preparation of the site for the unit
- . the removal of the unit
- . the restoration of the site after the unit has been removed.

Delivery of Garden Suites - The consultants who carried out the legal and regulatory assessment of the Ontario PLUS demonstration project suggested various bodies that could take responsibility for supplying garden suites (or administering a program, if this delivery mechanism is considered desirable). This list (not exhaustive) includes: local housing authorities of the provincial housing corporations; municipal, institutional or private non-profit housing corporations; co-operatives; private sector housing corporations; host families or occupants. In each case, a public body would be responsible for monitoring and enforcement of the garden suites' occupancy and removal.

Planning/Regulatory Control Options - Two key local regulatory strategies discussed in this assessment are the following.

- . Licensing. A special licensing board would handle applications, inspect the property, assure compliance with other regulations and could develop expertise in this area. The

occupant(s) of the unit is specified on the license, and the license would expire if the unit were vacant. Conditions could ensure removal and proper restoration of the property, and annual renewal of the licence would be contingent upon inspection to ensure proof of occupancy by the designated individual(s). This option would typically require provincial enabling legislation. The province has the power to override municipal/local official plans and by-laws and require municipalities to allow temporary licensing or permission to install garden suites, in residential zones under certain conditions and guidelines. In this case, the onus would be on the municipality to demonstrate that there is no need or that physical conditions preclude their installation. Each site would be separately treated and neighbours would have the right of notification and information.

- Temporary or Conditional Use By-Law (known as TUB and used in the demonstration project). These by-laws do not constitute a permanent change in zoning, but instead permit a temporary change of use for a specific property, subject to certain conditions, such as the current limit in Ontario of three years, renewable. Application would be made to a board or elected body and approved by them. Development approval staff of the municipality would be responsible for applications, administration and inspection, as well as for re-inspection or re-application to assure continuous use only as permitted. Neighbourhood residents have the right of participation or appeal. An advantage of this method is that no spot zoning or licensing would be required; a disadvantage is that it can be a very time-consuming process.

The planning/regulatory and legal assessment of the Ontario demonstration project pointed out that in two states in Australia and in California, the State governments enacted flexible enabling legislation, whereby regulatory control of the installation of a second unit on a single property rested with the local municipalities, which were able to deal with the matter in their choice of several ways. Municipalities could impose more severe restrictions if they saw fit.

In conclusion, the planning/regulatory and legal assessment stated that it is

essential to promulgate legislation that would enable municipalities to enter into contractual arrangements and issue licences for the use and occupancy of "PLUS" installations. This will enable them [municipalities] to exercise control over those matters that cannot be properly included in zoning by-laws such as the age of the occupants and relationship to the owners of the principal dwelling; the conditions under which the ... unit must be removed; the procedures to be followed if the principal [host] dwelling is sold, as well as many other similar matters.

Other provinces would likely require similar intervention at the provincial level in order to enable licensing of garden suites, should this regulatory approach be taken.

Going beyond the boundaries of Ontario, it is seen that other jurisdictions are considering a similar approach to that recommended by the consultants who assessed the Ontario PLUS demonstration project. For example, in a report for the American Association of Retired Persons (AARP) by Hare and Hollis (1983), special zoning for ECHO (Elder Cottage Housing Opportunity) housing is recommended in the United States. This special zoning (which would allow a permit to be given for occupancy by a specific individual or individuals, with the precondition that they will be the only occupants) deviates from the norm in that it addresses owner/occupant characteristics rather than land use only. The specific application procedure and authority would vary by local situation. In another study for AARP (1986) it is also recommended that garden suites be permitted only on a special or conditional use basis, and that the municipality be guaranteed their removal by means of a bond posted by the host homeowner. Similarly, in a report for the U. S. Department of Housing and Urban Development (HUD) 1983, it is pointed out that state law would likely have to be adjusted to enable legislating the power to permit local governments to authorize "second units". Like our provinces, each state is unique, as is each local situation. Therefore careful reviews of state/provincial statutes and local ordinances/by-laws are required.

The consultants who conducted the planning/regulatory and legal assessment of the garden suite demonstration project in Ontario suggested intervention at the provincial level which, in Ontario, would require amendments to both the Ontario Municipal Act and the Planning Act, to enable municipalities to issue licenses for installations of garden suites and to reduce the time consumed by the public notification process. This approach appears to be in keeping with experience or recommendations in other jurisdictions.

2.2.4 Technological Assessment - Ontario Ministry of Housing PLUS Demonstration Project Units

The results of the technological assessment of the 12 garden suite installations in Ontario revealed that, in general, they performed well. The consultants who carried out the technological assessment stated that

in view of the general technical success of the PLUS [or garden suite] Demonstration Program, and in particular the great pride and appreciation exhibited by

participants.... including the occupants of the PLUS units, the use of Portable Living Units as an alternative form of housing for seniors is considered a very viable option.

They based this positive assessment on a study comprised of three parts: a technical evaluation of the 12 demonstration units to assess the performance of the current design, the construction methods applied, and the suitability of these in meeting the requirements of larger scale implementation; a review and assessment of portable housing technologies to compare the applicability of the modular construction concept used for the demonstration project, to other portable housing technologies currently available or being developed in Ontario; and a cost assessment.

Various methods were employed in this extensive evaluation, including file review, written questionnaires, interviews with people involved in every aspect of the project from project staff to contractors to occupants, and site visits.

2.2.4.1 Technical Performance of the Ontario Model

Double module garden suites (or PLUS installations as they were called in the Ontario Ministry of Housing's demonstration project) occupied in Ontario were assessed for technical performance on the basis of a number of criteria. In terms of each of these criteria, the consultants made suggestions, summarized below. (Please note that these suggestions apply to the Ontario model and context only and are not meant to be applied "across the board".)

Architectural Design - wood siding in a choice of neutral stains; a signboard to identify the unit for safety reasons; relocated bedroom windows to allow for flexible furniture arrangement; the use of hopper-style windows to allow easier operation by occupants; the addition of storm/screen doors on front and rear entry; the addition of storage space and roll-out shelving; and provisions for the disabled (such as lever style taps, grab bars, switches etc. accessible to persons in wheelchairs, front controls on stoves and space under sinks to accommodate wheelchairs).

Site services - redesigning the service pit in a number of ways to make it more accessible and weathertight; water pipes better insulated to avoid freezing; the site services in an easily reclaimable location and the junction box in a convenient location; the downspouts from the eavestroughs extended horizontally to reduce potential drainage problems.

Mechanical - the continued use of electrical heating with thermostats in each room; the heat recovery ventilator eliminated (stove and washroom extractor fans would be adequate) and a smaller hot water heater used, with the result that the mechanical room can be eliminated.

Electrical - the addition of a dedicated circuit and modified windows to accommodate an air conditioner; the addition of an outdoor power supply; photocell control of exterior light fixtures as a standard feature; and an interior switch for outside decorative (Christmas) lighting.

Structural - the use of a hybrid foundation system (described in detail in the assessment report) subject to design modifications to provide for anchorage of the unit frame to the foundation; modifying the floor plan or designing a temporary bracing system to improve the rigidity needed in transporting the unit.

Energy Efficiency - continuation of the near R-2000 standards and additional quality control of vapour barrier insulation to minimize air infiltration.

Building Approvals Process - following the conventional building approval process; equipping each unit with a "passport" comprising all necessary drawings and reports, which would be kept in a convenient, safe location in the unit and travel with it.

Manufactured Construction and Installation Process - the administrative procedure be standardized for expediency and cost efficiency; the contractors who install units have proven experience in this type of work; the scope of work and requirements, and the obligations and responsibilities of the contractor (including such matters as restoration of site landscaping) be clearly specified in written and graphic form for contractors, including site specific instructions and requirements; a contingency fund be provided in the installation price to allow for unforeseeable delays and problems; the installation/removal technique be the least intrusive one possible; and the unit be prepared for installation prior to being transported.

Removal Process - the same organization that installs units be used to remove them; low cost service material be used and then left in the ground upon removal of the unit; finishing of the unit be changed to make disassembly easier (e.g. making sure that joints can be refinished easily and sealed well).

Transportability, Moveability, Adaptability and Durability - the current square shape, manufactured in two narrow rectangular modules for transportability, is adaptable to most site conditions, but panelized construction may be required for narrow host lots or those with restricted access; more rigid framing, screwed and glued rather than nailed joints and vinyl coated dry wall with seam type joints be used to eliminate the flexure caused by transportability.

2.2.4.2 Portable Housing Technology Assessment - Ontario PLUS Demonstration Model

The second component of the technological assessment of the garden suites used in the demonstration project in Ontario comprised a discussion and assessment of four alternative housing technologies: modular (which was the method used in the construction of the PLUS units); panelized; mobile home construction and "high-tech" construction. The research methods included a literature and document review, interviews with manufacturers of portable housing, and tours through portable housing manufacturing plants.

Manufactured units were assessed favourably by the consultants because of their:

- . high quality control
- . minimal installation time
- . in-plant installation of internal unit services
- . flexible design
- . residential finish

Modular units were seen to have the extra advantages of:

- . ease of relocation, and
- . suitability for urban or rural locations.

Consultants expressed reservations based on the knowledge that the construction techniques currently used by the modular housing industry are less suited for relocatable homes. However, for larger scale production of garden suites, it is understood that technologies will improve.

The units occupied in the Ontario Ministry of Housing PLUS demonstration project performed well technically. Required improvements to design and construction are not major. The main issue requiring attention is the process of installation and the necessity for standards and regulations covering that process.

2.3 Cost Assessment of Garden Suites

2.3.1 The Ontario Ministry of Housing PLUS Demonstration Project

According to the technical assessment of the Ontario demonstration project, the units installed cost between \$46,400 and \$61,300. These units were 20% to 30% more expensive per square foot than other manufactured housing. The higher cost was attributed to: the small floor area in conjunction with common costs for washroom facilities; the necessity to build for our harsh climate (in relation to Australian structures); special features of the unit (e.g. for the handicapped) which are less commonly produced than standard features and are therefore more expensive; and the lack of fit between unit design (i.e. a relocatable, two part unit) and current manufacturing processes; and a lack of expertise/experience in installing these kinds of units.

Not only were the Ontario demonstration project units more costly than other manufactured housing, they were also more costly than CMHI/CMHC estimates of other garden suites. This is because: the model chosen for occupancy in Ontario was a "high end" model; the insulation used was of R2000 standards, which may not always be necessary and is not mandatory; and, a number of the installations required the use of a crane, an expensive installation process which would not likely be necessary in a majority of cases.

2.3.2 Costs of Other Models of Garden Suites

Estimates of the purchase price of garden suites supplied by CMHI (Littlejohn, 1988) excluded the costs of foundations, service hook-ups and transportation and ranged from a low of just over \$20,000 per unit for Manitoba to a high of just over \$28,000 for Ontario.

The purchase prices quoted to respondents in the national telephone survey, however, included estimates of foundation, installation and service hook-up costs, so that the estimated inclusive purchase prices of garden suites in Canada in 1988-89 were as follows:

. British Columbia	\$37,000	New Brunswick	\$33,000
. Alberta	\$33,000	Quebec	\$36,000
. Saskatchewan	\$30,000	Ontario	\$37,000
. Manitoba	\$29,000		

More experience with building, transporting, installing, dismantling and reassembling garden suite and restoring sites, will serve to both reveal and reduce the total per unit cost of garden suites. Also, the per unit cost would likely be lower for corporate purchasers, such as large non-profit housing corporations, who would be in the position to order a number of units at one time and be given a discounted price for doing so.

A number of the variables which could affect the cost of a garden suite, installed, are presented in Exhibit 2.4 on the following page.

EXHIBIT 2.4 COST VARIATIONS

1. UNIT TYPE

Single Units

	CSA Z240 Standard Single Section Steel Frame CSA Surface Foundation	CSA A277 Standard Single Section Modular Construction N.B.C. Foundation
Foundation	Wood Crib	Concrete Piles
Cost	\$600	\$3,000
Transp'tn	\$4-5/mile	\$4-5/mile
Unit Cost	\$26,000	\$26,000
Installation	(in shipping)	\$400
Servicing	Varies by site	Varies by site
Skirting & Steps	\$1,200	\$1,200
Removal and Restoration	\$ 600	\$1,000

Double Units

Double Z240

Foundation	Wood Crib
Cost	\$1,000
Unit Cost	\$33,000
Transp'tn	\$8-9/mile
Skirting & Steps	\$1,200
Services	Varies by Site
Disassembly & Removal	\$1,800
Re-Instal- lation	Recycled wood foundation, re-skirting with existing material \$400

Double A277

Foundation	Concrete Piles
Cost	\$3000
Unit Cost	\$33,000
Transp'tn	\$8-9/mile
Skirting & Steps	\$1,200
Services	Varies by Site
Removal	\$5000
Re-Instal- lation	New Foundation \$3,000 Re-skirting with existing material \$400 Taping drywall, painting, etc. \$400

2. CLADDING

Cedar siding \$1,200 over vinyl or aluminum

3. INSULATION

R 2000 \$2,000 over CSA standard

2.3.3 Comparing Costs with Other Housing/Care for Seniors

Exhibit 2.5, following, compares the costs of three housing/care options for seniors. Comparisons are made between the costs of housing/care in a garden suite, a one bedroom apartment, and a single room in a personal care facility.

Although a personal care or residential care facility may not initially seem comparable to a garden suite, the comparison is made because institutional living is the only available alternative to completely independent living for seniors in many areas of Canada.

It is assumed in the cost comparison that seniors in these three hypothetical housing arrangements are receiving some personal assistance. The estimated level of this assistance is based on two sources of data: the social assessment component of the Ontario PLUS demonstration project, which indicated that little formal assistance was either required or requested by garden suite occupants; and the National Survey conducted by Gallup Canada Inc., which revealed considerable interest among potential occupants in receiving home support services. The hypothetical package of services is therefore conservative and includes: Meals on Wheels three times a week; a visiting nurse once a week, to assist with bathing; and a visiting homemaker once a week, to do housework.

In addition, comparisons have been made between a two section modular garden suite and a steel frame single section garden suite. The two section modular conforms to CSA Standard A277 and would be similar to the Ontario demonstration PLUS unit. The steel frame, single section unit conforms to CSA Standard Z240 as did the Alberta, Saskatchewan and Atlantic models in the national demonstration/display.

The cost comparisons are made between two "typical" cases in terms of seniors' income: a senior with private pensions and/or investment income, totalling approximately \$25,000 a year; and a senior receiving only Old Age Security (OAS), the Guaranteed Income Supplement (GIS) and the Guaranteed Annual Income Supplement (GAINS, Ontario's pension supplement), totalling \$793.13 per month in Ontario in the first quarter of 1989, or \$9517.56 a year, and thus eligible for housing subsidies.

The cost comparison reveals that the garden suite housing option costs the public nothing but the care component for the more affluent senior living in private pay housing arrangements; these are the same costs associated with a senior living in a market apartment and receiving a modest package of home support services. In the case of the

less affluent senior, one receiving subsidies, it is seen that the garden suite housing arrangement costs the public less than that required to subsidize a senior in a non-profit apartment or in a personal care facility. In both cases, the costs to the individual garden suite occupant can be kept very low.

The cost per unit (including installation) of the Ontario demonstration project was significantly higher than other estimated costs of garden suites (which range from \$29,000 to \$37,000 in 1989). This is due to a number of reasons, most of which can be solved with more streamlined manufacturing processes, more experience in installation, less expensive insulation, and higher absolute production of units. The cost to the public to provide a garden suite through a public program of some kind would be less than to subsidize a senior in a non-profit apartment or in a personal care facility. There are a number of variables which can affect the total cost of a garden suite, including foundation, insulation, installation and removal and cladding.

Please refer to Exhibit 2.5 on the following pages.

EXHIBIT 2.5: COST COMPARISONS

Cost Comparison: Personal Care Facility, Private Apartment and Garden Suites

CASE ONE - PRIVATE PAY - ANNUAL INCOME \$25,000

Housing Option	Capital Cost	Operating Cost		Cost to Public	Cost to Individual				
	[Current]	a) Care/Services	b) Building Operations						
1) Residential or Personal Care Facility	\$48,000	\$36/day or \$1095/month	\$20/day or \$608/month	\$0	\$1,703				
2) Private Market Apartment (one bedroom)	\$65,000	Meals on Wheels Housekeeper Nursing Total	\$130 \$180 \$138 \$448	Rent Hydro 70% Meals Nursing Total	\$475 50 \$91 138 \$229	Housing Housekeeper 30% Meals Total	\$525 180 39 \$744		
3) Garden Suite A277 2 Section Modular	\$30,000 + 12,800 Ins. 6000 Removal + Restoration	Meals on Wheels Housekeeper Nursing Total	\$130 180 138 \$448	Hydro Maintenance Insurance Total	\$50 25 20 \$95	70% Meals Nursing Total	\$91 138 \$229	Housing Housekeeper 30% Meals Total	\$95 180 39 \$314
	Total \$48,800							*plus \$48,800 capital and removal costs or \$527 mortgage or \$550 rent	
4) Garden Suite 2240 Single Steel Frame	\$26,000 Installation 5,000 Removal 1,000 Total \$32,000	Meals on Wheels Housekeeper Nursing Total	\$130 180 138 \$448	Hydro Maintenance Insurance Total	\$50 25 20 \$95	70% Meals Nursing Total	\$91 138 \$229	Housing Housekeeper 30% Meals Total	\$95 180 39 \$314
								*plus \$32,000 capital, and removal. \$346 mortgage or \$375 rent	

EXHIBIT 2.5: COST COMPARISONS - continued

Cost Comparison: Personal Care Facility, Private Apartment and Garden Suites

CASE TWO - OLD AGE PENSION, GIS, AND GAINS

Housing Option	Capital Cost	Operating Cost		Cost to Public		Cost to Individual	
		a) Care/Services	b) Building Operations				
1) Residential or Personal Care Facility	\$48,000	\$35/day \$1095/month	\$20/day \$608/month	Basic Subsidy \$439.16 70% Deficit \$406.00	Total \$845.16 Deficit \$173.71 (Charitable Funds)	Payment \$684.13	
2) Non-profit Seniors' Apt. (one bedroom)	\$68,000	Meals on Wheels \$130 Housekeeper \$180 Nursing \$138 Total \$448	Break-even cost \$786 Hydro 50 Total \$836	70% Meals \$ 91 Nursing 138 Housing 587 Housekeeper 180 Total \$996	Rent \$199 Hydro 50 30% Meals 39 Total \$228		
3) Garden Suite A277 2 Section Modular	\$48,800 Installed + Removed	Meals on Wheels \$130 Housekeeper 180 Nursing 138 Total \$448	Hydro \$ 50 Maintenance 25 Insurance 20 Management 25 Amortization 527 Total \$647	Housing 398 Nursing 138 Housekeeper 180 70% Meals \$ 91 Total \$807	Rent \$199 Hydro 50 30% Meals 39 Total \$288		
4) Garden Suite Z240 Single Section Steel Frame	\$32,000 Installed + Removed	Meals on Wheels \$130 Housekeeper 180 Nursing 138 Total \$448	Hydro \$ 50 Maintenance 25 Insurance 20 Management 25 Amortization 346 Total \$466	Housing 217 Nursing 138 Housekeeper 180 70% Meals \$ 91 Total \$626	Rent \$199 Hydro 50 30% Meals 39 Total \$288		

2.4 National Market Survey

A national telephone survey was conducted by Gallup Canada Inc. on behalf of CMHC in 1988-89 to investigate the market potential of garden suites across Canada. A total of 1962 interviews were conducted with a stratified random sample of potential hosts and potential occupants (including 477 potential hosts or occupants who had visited a display garden suite and had agreed to be interviewed when they filled out a questionnaire).

More specifically, the sample surveyed consisted of 178 potential occupants and 299 potential hosts in the visitor sample and 602 potential occupants and 883 potential hosts in the random sample. For the visitor sample, aggregate survey results are accurate to within at least plus or minus 4.5 percentage points, 19 times out of 20. For the random sample, aggregate survey results are accurate to within at least plus or minus 2.5 percentage points, 19 times out of 20.

The telephone survey investigated a number of specific issues including:

- . Canadians' awareness of the concept of garden suites;
- . the potential market for garden suites - nationally, by province and by urban/rural split;
- . price sensitivity
- . reactions to garden suite layouts, features and cost; and
- . the importance of the availability of support services.

2.4.1 Key Findings

Awareness of Concept

About a third of the potential market, both potential occupants and potential hosts, were aware of the garden suite concept before being interviewed for the study, with insignificant variation by sex. The most likely to be aware were residents of Newfoundland and Saskatchewan. The least aware are francophones, residents of Quebec and New Brunswick, young people, singles and the less educated.

Potential Market

The potential market is made up of two groups, defined as potential occupants (anyone over 60 who has at least one child living in Canada who owns a detached or semi-detached house with a lot large enough to accommodate a garden suite), and potential hosts (an adult under the age of 60 who has at least one parent or parent-in-law 60 or over, and who owns a detached or semi-detached house with a lot large enough to accommodate a garden suite). Results of the survey revealed that each province has a firm base of potential hosts and occupants. The largest potential markets of occupants, in terms of absolute numbers, are in Ontario, Quebec, British Columbia and Alberta. Relative to their respective proportional populations of seniors, however, the provinces with the highest potential in terms of occupants are Alberta, New Brunswick, and British Columbia. With respect to potential hosts, the largest markets are in Ontario, Quebec, British Columbia and Alberta. The most positive response from potential occupants was in British Columbia.

The likely potential market (representing the proportion of the highest potential who expressed interest) is 772,000 hosts and about 900,000 occupants in Canada. The very likely market is 213,000 hosts. (This feasibility is supported by unofficial calculations based on the 1986 Census data which reveal that there are almost 100,000 people in Ontario alone who are over 65 years old and living by themselves in single family dwellings which they own.)

Almost half (45%) of the national market lies in rural communities of 10,000 residents or fewer; 15% in communities of 10,000 - 100,000; 13% in areas of 100,000 - 500,000 residents; and a little over a quarter (27%) in large urban centres.

Most of the respondents indicated that the preferred location of a garden suite would be on the property of the adult children rather than on the parents' property.

Assessment of Garden Suites

87% of respondents were impressed with garden suites. The most impressed were those who had visited one, and the least impressed were francophones, residents of Quebec and singles. Various aspects of the different models were preferred, but the British Columbia model was the most popular overall, for both potential occupants and hosts. This was due mostly to its exterior appearance and general design. However, there was a difference by

age, with older (75+) respondents preferring the Quebec model. (Please see pages 8, 9 and 10 for photographs of garden suite models.)

Respondents pointed out the need for an attractive exterior appearance, a variety of styles, and plenty of storage space, in that order.

Their responses indicated a preference for: the appearance of the British Columbia model; the layout of rooms, available space and perceived comfort of the Quebec model; perceived privacy afforded by the Ontario model; and specific features (the porch, windows and storage) of the British Columbia model. Potential occupants were generally more impressed with the design/appearance of the garden suite than potential hosts.

Although over a quarter of the respondents expressed a preference for a larger kitchen, living room and bedroom, the vast majority of respondents from both groups felt the garden suite would provide the comfort and privacy they desired. Most respondents did not expect problems with neighbours.

Affordability/Ownership

Two-thirds of those surveyed felt they could afford the purchase and rental prices quoted to them. The purchase prices quoted to respondents were derived from the construction of the display models and varied by province (from \$29,000 in Manitoba to \$37,000 in Ontario and British Columbia). They reflected the dealer price of the unit plus an average of \$5000 each for service connections. The rental prices quoted varied by size of urban centre, from \$450 to \$550 per month.

As for ownership, 46% of respondents stated a preference to purchase a garden suite (with New Brunswickers being the most likely to buy) and 38% preferred to rent (with Québécois the most likely to want to rent). The balance did not state a preference.

Availability of Support Services

The majority of respondents felt that support services would be necessary, namely, quick response systems, transportation on call, health care, home care, special services for the impaired and personal care.

Marketing Considerations

The report of the survey suggests four factors which should be considered in the development of marketing strategies. The potential take-up is higher among potential occupants than potential hosts, therefore the latter group needs to be targeted.

The low awareness and interest among francophones and in the province of Quebec merits attention. The respondents' expressed desire for support services may influence their decision to take up this option. And, both purchase and rental options should be made available.

The Gallup national survey on garden suites found that:

- . **about a third of the potential market was already aware of the garden suite concept before the survey;**
- . **each province has a firm base of potential hosts and occupants, the largest in absolute numbers being Ontario, Quebec, British Columbia and Alberta;**
- . **the potential market is made up of individuals at all levels of income, almost half of whom live in rural communities of 10,000 residents or fewer;**
- . **two thirds of the respondents, whether potential occupant or host, felt that they could afford the purchase and rental prices quoted to them in the survey (\$29,000 - \$37,000 purchase, including service connections; \$450 - \$550 monthly rental);**
- . **most indicated a preference for the location of a garden suite on the property of the adult children; and**
- . **the very likely market is estimated to be 213,000 host families.**

2.5 Testing the Concept - A Summary of Results

The national demonstration/ display of garden suites, the social, legal and technical assessments of the Ontario PLUS demonstration project, the property value assessment, the cost estimates and the national market survey all indicate that the garden suite concept is acceptable and feasible in Canada and that there is clearly market potential.

The problems encountered with design, cost of construction and process of installation can be sorted out and improved with some careful thinking and most of all with experience and the development of expertise.

The remaining work has to do with addressing several questions and special considerations which have emerged from what we know to date. They are addressed in the next chapter of this report.

3.0 QUESTIONS AND SPECIAL CONSIDERATIONS

A number of questions and special considerations were raised in the documentation and literature on garden suites (such as the documentation reporting on the national demonstration/display, reports on the various aspects of the Ontario PLUS demonstration project, and articles based on other jurisdictions' experience).

In order to explore the questions and elicit opinions on and expansions of the special considerations, questions were put to a sample of knowledgeable people in the Canadian housing field, by two means: telephone interviews and a "think tank" seminar. Telephone interviews were conducted with 11 key informants: some academics, some government officials, some industry representatives. (The telephone interview questionnaire and the names of the persons interviewed are presented in Appendix A.) In addition, a national seminar on garden suites, sponsored jointly by CMHC and the Ontario Ministry of Housing, was held in Toronto on June 5, 1989. Twenty-four representatives of business, government and seniors attended in order to address some key questions concerning garden suites. (A list of participants and the questions they were asked are contained in Appendix B.)

The questions and considerations fall into five categories:

- . social and fairness;
- . regulatory questions concerning land use;
- . regulatory questions concerning construction, design and installation/removal of units;
- . delivery, tenure and financial questions; and
- . government involvement.

Following is a synthesis of telephone interviewees' and seminar participants' responses and discussion.

3.1 Social and Fairness Considerations

The general reaction to the concept of garden suites is that they are an attractive housing option for seniors because they allow seniors to "lessen the risk while retaining independence".

Specific advantages of the garden suite concept were expressed by interviewees and participants. They pointed out that: a care component in the form of support from families is included, thus delaying institutionalization of seniors; it adds to the range of housing options between completely independent living and institutionalization for seniors; it promotes the concept of the extended family; and garden suites may have the potential to slowly reduce neighbourhood resistance to housing intensification schemes.

Alternatively, there are several factors that will limit the use of garden suites. Many families do not want to live in close proximity. Seniors often prefer to stay in their own familiar neighbourhoods and some prefer to live with age peers. Many potential hosts do not have enough property to accommodate the installation of a garden suite. (These limitations notwithstanding, the National Survey indicated a very high degree of interest in the concept among both potential occupants and hosts.)

Regardless of the fact that other groups, such as adult handicapped children or single mothers, could benefit from such a living arrangement and may lobby for the right, respondents recommended that this housing option be limited (if there is a means of doing this) to use by seniors who are next of kin to host family members, for the time being.

Key informants and seminar participants agreed that if government is involved in the delivery of some sort of garden suite program for seniors, then it has some responsibility for the well-being of candidates, and in this regard has a place in the selection of suitable potential hosts and occupants. Likewise, if public funds are being spent, governments have the responsibility to assure good chances of success of each host-occupant living arrangement. However, a least intrusive involvement is considered desirable, especially at the outset. If the need for more careful assessment of occupants and host families reveals itself over time, then more elaborate assessment criteria may have to be established. If garden suites are delivered by the private sector only, then the government is said to have no place in the selection of hosts or occupants.

Other social considerations were expressed by respondents. They are: the desire of occupants to have their own address, for identity, and privacy (the delivery of mail); and the potential for isolation during the day - that is, garden suite occupants may be "stuck in the backyard of a suburban property all day" if both adult children work full-time in the labour force.

3.2 Regulatory Questions - Land Use

The main purpose of controlling the extent and type of use of units is to ensure that garden suites fulfil the intended need, that is, the need of seniors for affordable, comfortable housing with a care component. Other concerns are first, that rental of garden suites by hosts does not become a business and second, the installation of the units is indeed temporary. (A contract of some kind would have to be signed by the occupant[s], the host, and the land owner if different from the host, although the likelihood of a property owner allowing a tenant to install a garden suite on their property seems remote. This contract could be very comprehensive in terms of factors addressed, such as the occupant's rights.)

It was noted by some of the housing experts interviewed or in seminar that the primary regulatory question concerns installation of garden suites in cities, suburbs or towns. In many rural jurisdictions, on the other hand, both local regulations and long-standing tradition allow a second (or more) units on a property for agricultural workers, caretakers, etc. Many manufactured housing units are currently in use as homes for senior members of farm families.

With regard to occupants' characteristics - regulating use by family members who are seniors can be done by means of creating a program for people who are, by virtue of their age, disadvantaged in terms of access to affordable, appropriate housing and support services. Several respondents pointed out that there are many women between 55 and 65 who are widowed but in a financially precarious situation, and they should be eligible for this housing option. A problem is, however, that as the age limit is lowered, the harder it will be justify age as an eligibility factor. (A criterion for eligibility could be whether or not an applicant qualifies for a retirement or disability pension.)

Relating to land use control, the general consensus (among those housing experts who were interviewed/met to discuss these questions) is that the key physical criterion limiting eligibility should be lot size. Limits to the number of units per geographic area and certain set back limits were suggested as well. Neighbours on adjacent properties should have the right of information but not of appeal.

(Suggested site planning criteria for garden suites are very clearly set out in a report for the American Association of Retired Persons [AARP] by Hare and Hollis, 1983. These criteria include recommendations about the size of the unit, lot coverage, location on lot,

access to the unit, parking, compatibility of the unit with surroundings and more. Please refer to the bibliography for reference details.)

Whether the unit is rented from a government, a non-profit organization or a dealer, municipalities would have to have some sort of assurance that the units would be appropriately occupied and removed.

Two preferred regulatory approaches are: Temporary Use By-laws, which can be adapted to address many of the particular aspects of garden suite implementation; and licensing, which would require provincial enabling legislation and would, in effect, make it impossible for municipalities to disallow garden suites when applications meet all the criteria of a license or contract.

A temporary use by-law could be used successfully in many rural areas, in some cases as a means of formalizing and encouraging current practice rather than permitting a new form of land use.

The disadvantages of using a TUB are, first, it puts the hosts and occupants in an insecure position, i.e., they do not know for certain if they will be allowed to have a garden suite at all once their special permit expires (although renewal might be virtually automatic with experience); and second, the approval process can be a long one, which is stressful for potential users. In other words, the disadvantages are from the perspective of the potential clients. The disadvantage of enabling legislation, on the other hand, is that it is more of a "heavy handed" approach and may provoke municipal opposition. The disadvantages here are seen to be in terms of political process.

TUBS have been used in Canada, for both the Ontario demonstration project and in other communities. Please refer to Appendix C for samples.

3.3 Regulatory Considerations - Design, Construction, Installation and Removal

Design and Construction Considerations

Interviewees and seminar participants also expressed their views regarding design and construction, as follows.

CMHC, which has already done a lot of work in the area of designing for the elderly and handicapped, could provide a set of examples of optional designs or models for garden suites, in written and graphic form, in order to determine to a certain extent the evolution of the product.

In addition to these models, CMHC could develop design guidelines for garden suites, including design features which allow for aging in place, such as: space allowance for wheelchair use; completely reinforced walls in bathrooms to allow the installation of grab bars in any location; architectural detailing for the handicapped (taps, doorknobs); and finishing that is sensitive to seniors, such as non-shiny, non-slip bathroom and kitchen floors and low pile carpeting.

These design guidelines could be issued in conjunction with whatever by-law is being used to allow the installation of garden suites, and could in fact be made mandatory by municipalities. (Doing so might prevent an accumulation of "bad cases" - complaints about the quality and features of garden suites emanating from the first major wave of implementation.)

Interior spaces and finishes, however, should be optional, so that market demand and industry experience can be taken into account in determining them.

Compliance with the Canadian Standards Association's codes is considered basic. At the plant level, inspection should be carried out to assure compliance with CSA construction and safety standards. Energy efficiency standards could be upgraded according to demand. At the local level, building inspectors would be responsible for inspecting the building installation and removal processes, the foundations, the connections and landscaping.

As for aesthetic standards, it was generally agreed that exterior design features such as cladding and roof lines should be judged at the municipal level, in order to ensure that garden suites fit in with the local residential character.

Installation and Removal

Although support was equally expressed for both enabling provincial legislation at the provincial level in order to allow for licensing of garden suites, and for the use of Temporary Use By-Laws, it was thought that the former approach would give greater

assurance regarding the legal removal of the units when they are no longer being used as indicated on a license.

Installation could be carried out by a manufacturer/dealer who can bond the work or file a letter of credit. Removal and site restoration could be the responsibility of the unit owner, whether a municipality, non-profit agency or another sponsoring organization.

To ensure that funds are available for removal and site restoration, the capital required for these processes could be accumulated over time (added to the rent and placed in escrow account). The municipality would have access to these funds for removal and restoration.

3.4 Delivery, Financial and Tenure Questions

Delivery of Garden Suites

The applicant for a garden suite permit (or program, if a program were to be introduced for delivery of garden suites) is assumed to be the host family if they own the property, or the landowner, if the host family rents their house (a very unlikely case). It is assumed that a contractual arrangement with the property owner adds an element of security to the arrangement.

Garden suites could be supplied by a provincial authority or agency, or a partnership, such as a housing authority and a social services agency working together. It is preferable that these organizations are already in place, so that a new bureaucracy is not created to deliver garden suites. The agency should have an adequate infrastructure to ensure easy access for applicants, such as offices in rural and remote areas. Agency personnel would require housing expertise and substantive knowledge about seniors and aging in place, in order to deliver services competently.

It was suggested by telephone interviewees and seminar participants that existing social housing programs, such as CMHC's Non-Profit Housing Program, Rent Supplement Program and various Native housing programs could add garden suites to their terms of reference, thus avoiding the creation of a new program solely for garden suites.

An overriding concern is that the simplest possible process for acquiring a garden suite should be developed, so as to facilitate take-up by potential users. The consumers' perspective should be considered - and remain paramount - at all times.

Tenure

It was generally agreed among housing experts that neither the occupant nor the host family should own the garden suites, for two reasons: municipalities want a guarantee that the unit will be removed when it is no longer used as intended; and individuals could be stuck with a garden suite they cannot re-sell. It would be more difficult to force the removal of a unit owned by the host property owner than one owned by an agency, lessor, or government body.

With regard to the occupant's security of tenure, the terms of rental could be agreed between the occupant and the host family well before installation, to reduce the possibilities of conflict. In this regard, provincial landlord-tenant acts need to be examined in detail to see if garden suite situations can be covered under an existing clause.

Life tenancy as a form of tenure for garden suites has the potential to meet the needs of those seniors who wish to purchase a unit. Those who have equity available from the sale of a house and a certain trepidation about future rent increases in leased premises, might be interested in such a tenure option. Some of that capital could be used to purchase life tenancy in a garden suite, providing a sense of control over future housing costs.

In a life lease, the dealer holds title to the unit but leases it to the family for the life of the resident. The total amount of the lease is paid in the beginning. The terms of the lease limit its occupancy to a specific individual(s). When the unit is no longer occupied, the family is refunded a portion of its money, depending upon the length of occupancy. This approach resembles ownership for the occupant and provides further assurance of the temporary use of the unit. It is thus very compatible with Temporary Use By-laws.

Financial Considerations

The point was made by housing experts who met to discuss garden suites that in order to compare the cost of the garden suite housing option with the cost of other living arrangements for seniors, it is useful to compare like with like, that is, different living

arrangements for middle-old seniors who need some, but not a lot of, assistance with everyday living. Such a comparison is presented in the previous chapter.

The "acceptability costs" of garden suites are considered necessary. These costs are incurred because, in order to be visually acceptable, the units must be able to meet specific aesthetic standards of certain neighbourhoods, and in order to be psychologically acceptable, they must be "temporary", resulting in relocation and site restoration costs.

Other financial considerations are explored in detail in Chapter 2.

3.5 Governments' Role

The housing experts interviewed/who met for this study generally expressed the view that the federal government could take on several responsibilities in facilitating the widespread implementation of this housing option.

In keeping with its role in addressing the housing needs and preferences of seniors, it was suggested that the federal government, working in co-operation with the provinces and industry, could:

- . develop a national strategy aimed at facilitating the acceptance and use of garden suites;
- . focus its energy on promotion and awareness campaigns;
- . ensure that garden suites are available to families with varying incomes; and
- . assist manufacturers and leasing agents by reducing risk in early ventures.

In order to encourage municipalities to participate in making garden suites available, it was suggested by seminar participants that federal and provincial governments, together or separately, could:

- . subsidize the demand side in the longer term, by providing rent supplements to seniors, through existing rent supplement programs, therefore not requiring a lot of additional program staff time;

- . provide model by-laws for the municipalities to use in responding to public demand from both dealers and potential consumers;
- . stress the importance of the intensification of land use as the proportion of older people and single person households increases in Canada; and
- . provide assurance that the "temporariness" of garden suites is an integral aspect of the concept.

Governments at all levels could work co-operatively on the task of developing model documents, such as those required for installation/removal, and those required for contractual relationships (between occupants, host families, landowners, municipalities, etc.).

Seminar participants and telephone interviewees also suggested that governments should take the "care" component of the garden suite concept into account. This would require the assessment of both applicants and the availability of support services, during an application process, involving the cooperation of social programs or organizations in the delivery of a program.

4.0. OPTIONS FOR WIDESPREAD USE OF GARDEN SUITES

4.1 Potential Options for Implementation

Widespread use of garden suites depends upon resolving many of the questions and considerations outlined in previous chapters and developing an easily understood process for delivery. Although complete consensus regarding all aspects of any future means of providing garden suites does not exist, there are several points of agreement which must be met. They include the following:

- Implementation must be easily accessed by the consumer and applicable to all communities, both rural and urban.
- An aesthetically pleasing unit placed on the site under clearly temporary conditions is important for community acceptance.
- Variety and choice in design as well as flexibility in program delivery are desirable.
- Assurance of removal of the garden suite unit is essential for municipal and neighbourhood acceptance.

Two very different models for delivering garden suites are theoretically possible:

- A purely private model. In this case the government's only role would be to clear the regulatory path to local zoning approvals. Once this is accomplished, via provincial legislation or lobbying efforts at the local level, the private sector would be able to lease, sell, deliver, install, maintain and remove the units successfully without further assistance. The dealers would be responsible for helping families to obtain all necessary approvals and financing. Consumer protection would be through existing warranty programs.
- A purely public model. This approach would be based on having all garden suites delivered through a housing program (probably at the provincial level), or a non-profit organization or co-operative. Each interested family would apply through a housing agency, which in turn, would have responsibility for local approvals, delivery, inspections, maintenance, removal and site restoration. Payment would be on a rent-to-income basis.

The purely public model, where all units are delivered through an existing housing program, could be the preferred mode of implementation if a province prefers this course of action. However, this approach has its weaknesses in that it appears to limit the potential use of units to those people who are qualified and willing to apply through existing housing programs and to those areas where such programs have offices. Alternatively, establishing an entirely new organization, with staff, procedures, funding, space, training, and information would be prohibitively time consuming and expensive. In addition there is the problem that the public may perceive the program as a form of assistance to home owners.

On the other hand, a purely private model has its own drawbacks. Although potential consumers surveyed reported a desire to own a unit, there is currently very little support for this idea from housing experts, for several reasons. First, during the first wave of garden suite use, no secondary market would exist. Thus, when the time comes for a family to comply with the provisions of their temporary municipal approvals (or license), they might have trouble selling the unit. Second, a purely private model cannot address the needs of lower income families, since neither purchase nor lease may be affordable to this group.

For these reasons, implementation through a mix of private and public initiatives could be considered.

A mixed model would combine the technical skill of the private sector with the support and protection of government where needed. The consumer would first approach a leasing agency/manufacturer. If the consumer requires financial assistance, this would be obtained through an existing housing program, such as Non-Profit, Rent Supplement or Rural and Native Housing. Delivery, installation and removal would be done by garden suite leasing agencies.

A possible method of providing rental assistance to seniors in garden suites would be through the Federal/Provincial Non-Profit Housing Program. Under this program, affordable housing is delivered through municipal or charitable non-profit corporations or co-operatives. Residents pay either a market rent comparable to other rents in the area or rent geared to income. It is thus responsive to a variety of circumstances and well suited to seniors' needs. As well, non-profit corporations' property management skills include resident selection, co-ordination of other social or health services, subsidy calculations, routine maintenance and financial management.

Delivery of garden suites through the Federal/Provincial Non-Profit Program raises a number of questions, especially regarding the temporary nature of the unit itself, such as the following:

Are moving costs, removal, restoration, re-installation, new servicing, new zoning approvals, permit fees, connection charges (and the probable requirement for the assistance of a non-profit housing development consultant) capital or operating costs? If they are considered capital costs (albeit recurring ones) can a trust fund be set up from the original capital cost (mortgage amount allowed under Maximum Unit Price controls)? Alternatively, should this money be accumulated over time as part of the monthly rental fee or subsidy payment? The latter may constitute a savings, due to lower interest costs, but would be outside the allowable expenses under the current program.

What security, information or legal assistance will be offered to mortgagors since the loan is based on a dwelling unit not connected to a land title, or permanently attached to a legally describable property?

4.2 Two Viable Regulatory Approaches

In developing a viable approach to implementing the garden suite housing option for seniors, the logical starting point is to determine a workable solution to the problem of local zoning approvals.

There are several ways of getting local approval for the installation of garden suites.

At one extreme, provincial legislation can be prepared and passed which overrides municipal planning acts and allows garden studies as a use in any residential zone. Major provincial legislation, however, takes both time and political will to be enacted. Although a desirable housing option, garden suites are not likely to be considered a major legislative priority. Nor is such a heavy handed centralized approach likely to be acceptable to many municipal governments.

Alternatively, local municipalities can be encouraged to find a solution to the zoning problem and to define their own method of approving garden suites within their jurisdiction.

The two most viable approaches to solving the zoning problem appear to be by means of Temporary Use By-Laws and licensing.

Both these approaches have merit and respond to the major concerns about garden suites. Thus, implementation models (Exhibit 4.2 and 4.3, at the end of this chapter) illustrate these two implementation options.

4.2.1 Option One

Implementation of Garden Suites Using Existing Municipal Temporary Use Regulations

Temporary Use By-Laws are now a fact in some locations in Canada and the United States. It has been proposed that model by-laws of this sort could be developed by federal and provincial housing specialists, circulated for local consideration, amendment as needed, and approved. These by-laws provide for temporary use of the land, for a garden suite under strict conditions for a set period of time.

With this option a leasing agency would lease garden suites, as well as maintain them, remove them and restore the site to its earlier condition. The dealer, or leasing company, would assist the family in evaluating their property for feasibility, and reviewing their financial situation to assess the affordability of a private lease. If the family needs financial assistance, they could be directed to a local housing authority or non-profit group for financial assistance. Approval for assistance would precede requests for municipal approval. With the advice and assistance of the garden suite dealer, the family would apply for approval under a temporary use by-law. If the municipality is experienced in this area, staff would check that all criteria are met, including setbacks, access to adequate sanitary systems, water, hydro, and fire control. Most by-laws require some notice to the neighbours. The by-law would be passed after the required notice period.

The neighbourhood notice process can open the door to a variety of irrelevant neighbourhood disputes. However, with sufficient public knowledge and experience with garden suites, public officials will be able to evaluate situations appropriately. Many people feel that this one-case-at-a-time approach, though cumbersome, is the only one which is fair to all parties.

In order to assure the removal of the unit when it can no longer be used in accordance with the by-law, the dealer would post a performance bond, or letter of credit, to guarantee the timely removal of the unit and proper restoration of the site. This would be done prior to the receipt of a building permit or installation of the unit.

After placement on the site, the local building official would be responsible for inspecting the servicing, foundations and other aspects of the work not including the unit itself. The units would carry a full set of drawings and approvals demonstrating compliance with all appropriate codes. These would have been provided by the manufacturer.

During occupancy a variety of reviews are possible. The municipality may wish to confirm the proper use of the unit, and through its social service departments review the resident's service or assistance needs. The dealer may wish to inspect the unit for any necessary preventive maintenance. Subsidized residents would be subject to annual income reviews.

4.2.2 Option Two:

Implementation of Garden Suites by Means of Licensing

A local licensing body could approve garden suites if they fulfil certain conditions and pass inspection. Most local jurisdictions are familiar with this process, as it is used by other licensing bodies for taverns, boarding homes or restaurants. In these cases licensing requires zoning, fire, building and/or other approvals, coordinated by the licensing branch.

If established by provincial legislation, a licensing approach can protect the public interest in terms of land use and safety and sanitation, without placing an undue burden on other officials. A licensing body could operate provincially, regionally or locally. Application processing could rest with staff of an existing provincial, regional or local body, such as health, social services, housing, or development control.

The first step for the consumer would be to obtain a license through this agency. The agency would review the applicant's property for appropriate code compliance, zoning, fire, sanitation, etc. They would also consider the family situation and recommend application for assistance where necessary.

The licensing body could also establish a trust fund to ensure unit removal and site restoration. Alternatively, it could require bonding or letters of credit for the same purpose.

Once a consumer has acquired a license (and approval for subsidy if needed) the family would then visit a dealer and chose a unit. The dealer would be contracted to install the unit, after which the licensing body would have it inspected by the local building official.

The licensing body would also be responsible for an annual review to ensure proper use. The dealer would be responsible for maintenance and repair, as would any landlord. Residents could, however, take their complaints about dealer performance to the local licensing body. Neighbours who have concerns about the unit, its maintenance or use could also appeal to the licensing body. Thus, although garden suites might still be a source of localized conflict, those problems could be dealt with by an appointed body (probably at a regional level), not a locally-elected one. There would also be a recourse for dissatisfied consumers and disgruntled neighbours.

Appendix C contains some sample by-laws dealing with garden suites; two Canadian and two American.

4.3 Action Required

4.3.1 Government Action Required

Although the actual implementation of garden suites will take place through the actions of local government and the initiatives of the manufactured housing industry, government action is probably needed to set the program in motion. These activities (broadly outlined in Exhibit 4.1) involve three phases: Legislative and Regulatory; Programs, Procedures and Documents; and Information Motivation and Marketing.

This order was chosen as an alternative to the approach to implementation which favours a strong public information initiative as a first step, the purpose of which would be to increase the current interest and demand. Given a sufficient demand, local government and industry would respond to meet it. Although this is a valid and ultimately workable approach, it has potential drawbacks. That is, when seniors and their families need to find suitable accommodation to meet shelter and care needs, their needs are usually immediate. A six month or one or two year wait is not desirable. Ultimately,

disappointments and waiting might have a more negative than positive effect on the public perception of the feasibility of the garden suite option.

Thus, it is considered appropriate that the basic regulatory processes and procedures be in place, and that both local enterprise and government be fully informed of their opportunities and responsibilities, prior to encouraging extensive market demand for garden suites. In the meantime, both industry and government are free to meet the existing demand under present regulations. Demonstrations and initiatives in several locations across the country have shown how this is possible.

The primary regulatory requirements are those to address the needs for local approvals and provide assistance to those who cannot afford a market lease. The latter would be achieved through modifications to existing programs, rather than the creation of a new one. In addition it would be beneficial to have established technical guidelines for design and installation.

Concern has been expressed that further cost analysis is needed. Although many aspects of delivery, installation, servicing, maintenance, management and administration costs will not be definite until proven by experience, further cost analysis and estimates will be needed to guide all parties involved in implementation.

Once the necessary legislation or program changes are in place, model documents and essential procedures can be developed. These would provide examples to local government, industry and consumers. As well, materials would need to be prepared regarding any amendments to application procedures, approval criteria and other processing details for staff of housing authorities, non-profit groups or others provided rent-gear-to-income assistance.

Once these procedures are in place, major information programs can be undertaken with confidence that consumer demand can be met effectively and efficiently.

4.3.2 Private Sector Action Required

In order to facilitate the widespread use and acceptance of the garden suite housing option, private industry's effort could be focused on the following issues and activities.

First, a significant market for garden suites exists in rural areas. Industry organizations may want to review the number of dealerships in rural and remote areas in order to see what logistical challenges and service opportunities exist.

Second, it is probable that dealerships or leasing management companies established for garden suites will be responsible for assisting future residents through the approvals process, for administration of the installation and removal processes, for resident relations, as well as normal property administration functions such as financial management and maintenance. These "soft" costs warrant further analysis.

Third, training programs will need to be delivered to dealers or leasing agents so that they can serve future clients competently and appropriately. Responsibility for the design and content of such programs could be shared with the public sector. Such training is a responsibility of industry if private initiative is expected to meet a large part of future demand.

EXHIBIT 4.1

SEQUENCE OF REQUIRED GOVERNMENT ACTIVITIES FOR THE IMPLEMENTATION OF GARDEN SUITES

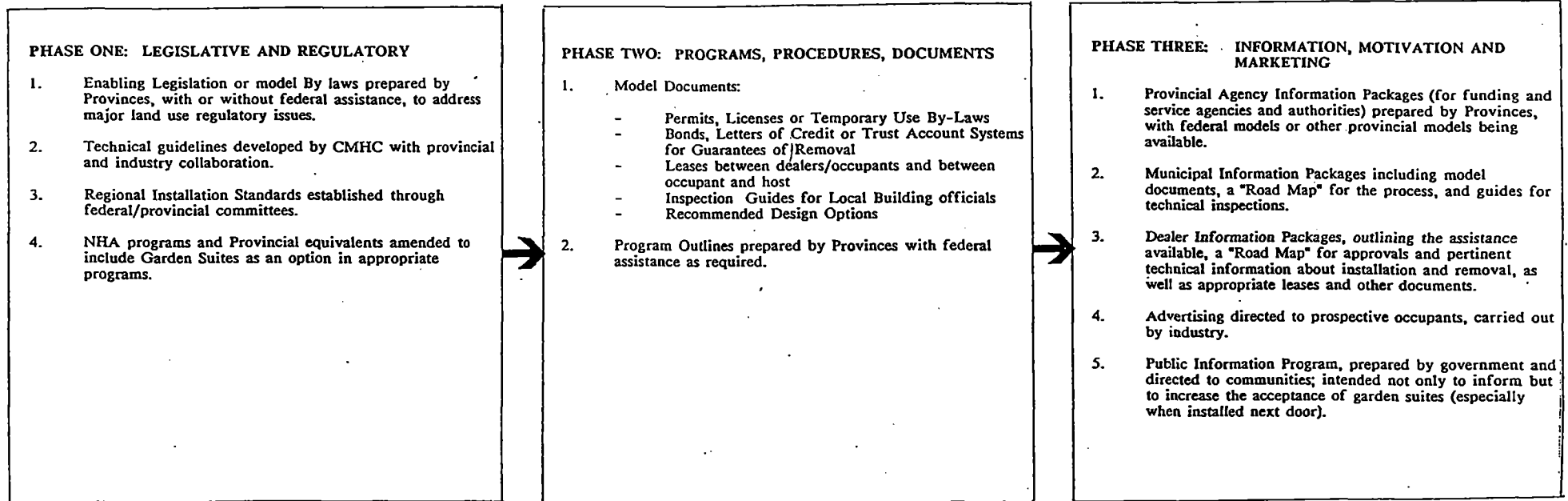
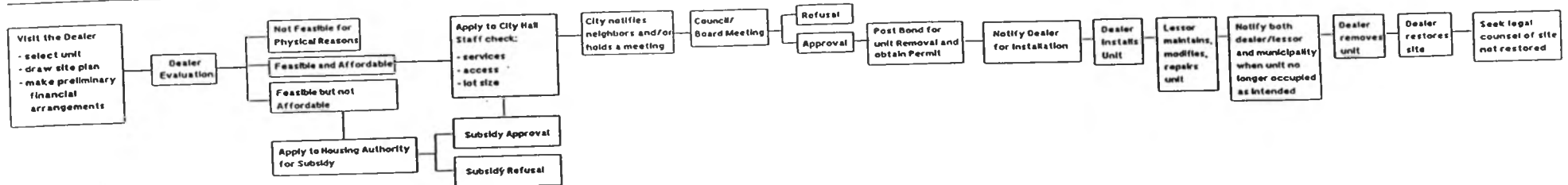


EXHIBIT 4.2

OPTION 1

IMPLEMENTATION OF GARGEN SUITES USING EXISTING MUNICIPAL TEMPORARY USE REGULATIONS

THE CONSUMERS VIEW OF THE PROCESS



Assumptions:

This approach assumes the use of existing municipal regulations for the implementation of garden suites. Under this model the manufactured home dealer is the first contact for the customer. It would be necessary for the dealers to be thoroughly familiar with the planning regulations of their area, in order to make a preliminary evaluation of the feasibility of installing the unit. For those families who can afford a totally private approach to leasing a garden suite, the dealer can assist the family through the local process.

Families who are unable to pay market rent for a garden suite would be advised to apply to the local housing authority (or non-profit housing corporation) in order to obtain rental assistance. In some areas with a significant demand for garden suites, a non-profit entity could purchase the units and lease them to the residents, as well as assist with approvals and support services.

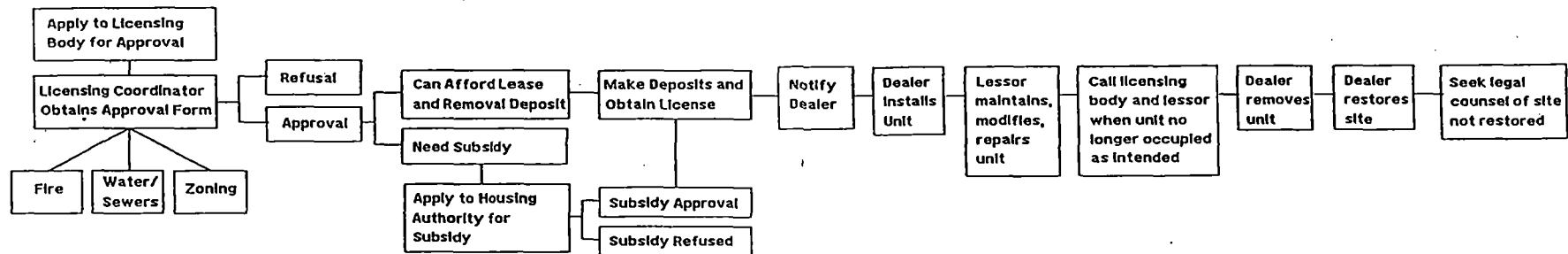
In either case, it would be necessary to post performance bonds with the municipality to ensure the removal of the unit when necessary.

EXHIBIT 4.3

OPTION 2

IMPLEMENTATION OF GARGEN SUITES USING
PROVINCIAL ENABLING LEGISLATION

THE CONSUMERS' VIEW OF THE PROCESS



Assumptions:

Prior to establishing major initiatives in garden suite development, this model assumes the provinces would pass legislation enabling municipalities to establish a licensing system for garden suites.

Under a licensing program, the suites would be an allowed use in residential zones, subject to approval by the licensing authority. It is similar in process to licensed boarding homes or taverns, in that the licensing body checks the site and applicant for compliance with a variety of regulations - zoning, fire, safety, services - and can further consider the needs of the individual for social, health or other support services.

Since the licensing body is public, it could establish a trust fund for 'removal fees' or obtain same from the manufactured home dealers. Again, there would be a third party to ensure removal of the unit and thus compliance with use regulations.

This process need not involve a municipal council or planning authority. A board to review applications could be appointed or another committee of council could carry this responsibility. Rights of neighbours may be limited to comment and expression of concern.

Any subsidies necessary would come from existing programs administered through existing housing authorities, non-profit groups or corporations.

5.0 FUTURE CHALLENGES

Provincial Housing Policies

A policy statement recently released by the Ontario Ministry of Housing (August, 1988) recognizes that "the land use approvals process needs to keep pace with ... changing demands" and that "official plan and zoning provisions must provide for and support a variety and range of forms of housing in keeping with the needs of the community".

Although this policy statement does not specifically address the aging of the population as a rationale for requiring more flexible zoning, it does mention both home sharing and accessory apartments as examples of making better use of "existing resources, buildings or serviced sites" (p.6), and these, like garden suites, are viable housing options for seniors, falling within the category of "housing intensification".

This Ontario policy statement, therefore, serves as an example of one province's will to move in the direction of housing intensification which would benefit seniors and their families by adding to their housing options.

Other provinces may be considering a move in this same direction. It might be useful to conduct an overview of all recent provincial and territorial housing policy statements, which would reveal a "snap shot of the policy climate" in Canada.

Rural Needs

Both the demonstration project and the national market survey revealed that, in large part, take-up of a garden suite program would be in small towns and rural areas. Ideally, potential rural consumers of garden suites should not have to travel too far or go to too many different offices in the application and approvals process.

With this in mind, the number and location of existing program and municipal offices should be surveyed before decisions are made about which ones will deliver a garden suite program. The stronger the existing infrastructure, especially in small towns and rural areas, the greater the chances of an accessible program. For example, it has been suggested that in Quebec, the Soci t  d'habitation du Quebec, in partnership with CLSC's (the human service centres of which there are hundreds in Quebec), would be a logical vehicle for program delivery.

Also with regard to rural take-up of a garden suite program, it should be kept in mind that the availability and accessibility of support services for seniors is a chronic problem in rural areas. By making garden suites available, this shortage problem is partially solved. However, another problem is possibly created. That is, by facilitating the delivery of free support services to seniors (provided by their families), some of the pressure on the social and health services in rural areas would be relieved. This relief may relax provincial and local efforts to provide support services in those areas where there are none or too few. Such slackening should be avoided, given that the small town and rural areas of Canada have a high and increasing proportion of seniors in their population, mostly due to out-migration of the young.

The challenge is to provide a spectrum of adequate, appropriate and accessible housing and support options for seniors, all across Canada, with particular attention to those areas where seniors have fewer options, such as in small towns and rural regions.

The Personal Side of Housing

The personal side of housing must be considered at all times. For example, most seniors and their families prefer 'intimacy at a distance'. Physical proximity of several generations is neither a norm nor an ideal in our culture. Also, as older people lose their status, their status and independence as property owner and private home occupant become relatively more important, and they may be reluctant to have this status diminished. Another phenomenon is that as older peoples' lives become more constricted due to diminishing social circles and lessened mobility, their immediate world and all the possessions within it tend to increase in importance. Thus many are reluctant to part with a meaningful home and the objects within it.

The challenge is to make information about the garden suite option available to seniors living alone in houses that they own, and to emphasise that the choice is theirs, and to make this a positive suggestion. (Any allusions that seniors living alone in three bedroom houses are "overhoused" or that they "owe it" to free up family housing for younger families, for example, should be avoided.)

Cost Reduction

The servicing cost of a 'temporary' structure can be relatively high, yet the dwelling may only be used for a short time. Servicing must be safe, adequate, and durable enough to last up to 30 years. This dilemma could be resolved by using a 'Utilidor' system, whereby all services run through an insulated corridor installed at rather than below grade. This not only saves the cost of excavation, but eases the task of site restoration and enables re-use of expensive components. Various systems are currently being examined for CSA and local approvals.

The challenge is to reduce the cost of the expenses related to garden suites' temporary nature, without reducing either their liveability or their attractiveness.

Providing for the very old

The oldest segment of Canada's population (people over 80) is growing at a faster rate than any other age group. One consequence of this growth is an increase in the prevalence of seniors who suffer from dementia, most of whom require institutional care in the latter stages of their disease. This increased demand for institutional space and care also increases the need for alternatives to institutional care in order to free up resources for those older, frail people who really require them, such as dementia victims.

Thus, providing an intermediate housing/care alternative, such as the garden suite, contributes to an overall strategy in accommodating the aging of our population.

On the other hand, it cannot be assumed that by providing transitional housing options, there will be no more need for special care facilities for the elderly. There will always be a need for institutions for seniors and other groups requiring heavy daily care.

The challenge is to enrich the mosaic of choice for a growing and diverse older population, without regarding any one option as "the answer" or a panacea to take the pressure off the development or maintenance of other options.

Appendix A
Telephone Interviews

QUESTIONS ON REGULATORY/LAND USE ISSUES

1. **How do we regulate on the basis of age? In order to fall within the special provisions of the Charter and particular provincial statues which favour disadvantaged groups such as the elderly and/or handicapped, does the delivery of garden suites have to be done within the framework of a government program? What should be the lower age limit?**
 - . What about women who are widowed in their fifties (there is a large blip of women widowed in that age group) and will not be eligible for a pension for 10 years?

2. **How do we regulate on the basis of relationship? Should eligibility be limited to parents of the hosts or extended family or include friends?**
 - . In Australia, the take up increased dramatically when the "parent" requirement was dropped.

3. **How do you think municipalities can be encouraged to allow housing intensification, especially with garden suites?**
 - . Two broad regulatory approaches are: a) the "heavy handed approach, whereby the province passes special legislation overriding local official plans and by-laws that would allow temporary licensing and permitting of garden suites in residential zones under certain conditions; and b) the more lenient approach, using various provisions of existing municipal regulations such as TUB's, variance and re-zoning.

4. **How to control the extent of use - that is, use only by a designated person or couple and then removal of the unit when she (they) go to a nursing home or die?**

- . A licence that is valid only for the designated occupant(s) and has to be renewed annually? A three or four year TUB permit (or perhaps 7 years, based on the average length of time the units were used in Australia)? How to determine the characteristics of the occupant in this case?

5. **Which approach is likely to result in a process that is easily "doable" for the consumer? Why?**

6. **Should garden suites be allowed in all residential areas? If not all, how should they be limited?**

- . By zoning district? Lot size? Side and rear yard set back? Other standards?

7. **What rights of objection should neighbouring property owners have? Which neighbours?**

- . Information, public hearing, appeal? Adjacent neighbours? Within sight?

QUESTIONS ON SOCIAL/CONTEXTUAL ISSUES

1. **What is the overall social purpose of this whole exercise of displaying, trying out and attempting to solve the complexities of delivery of garden suites?**
 - . To gradually get Canadian people especially property owners used to the idea of residential intensification?
 - . To add to the mosaic of housing choices for our ever increasing elderly population?
 - . To delay as long as possible the institutionalization of elderly people?

2. **Who benefits?**
 - . Seniors, their families, the health care budget? the manufactured housing industry? society in general by enriching the choices of one of the disadvantaged groups?

3. **Does anyone lose?**
 - . Taxpayers, seniors with no kids or with poor kids, other groups such as the handicapped or single parents in tough situations or abused daughters etc.

4. **As in most issues concerned with the care of seniors, we are mostly talking about women. Women looking after women. Which aspects of a garden suite program should take this reality into account?**
 - . Design of the units? Subsidy? The approvals process?

5. **If the government is responsible for subsidising and/or delivering a garden suite program of some kind, is it then responsible for some aspects of the well-being of the occupants?**

. Which aspects (e.g. delivery of services?) To what extent?

6. Should the host families and occupants be selected/screened/evaluated in terms of social criteria as well as for land use eligibility? Does anyone have the right when it is a family matter?

. If no, why not?

. If yes, why and on what criteria? Family stability? Having a full time homemaker at home? Physical and mental Health? Access to support services? "Strong sense of family"?

7. Are there any other social issues we should address?

EVALUATION OF GARDEN SUITES FOR SENIORS QUESTIONS TO BE ASKED OF RESPONDENTS IN TELEPHONE INTERVIEWS AND OF SEMINAR PARTICIPANTS

CMHC and the manufactured housing industry have displayed garden suites (or granny flats) in all ten provinces, have carried out a demonstration project in Ontario (of 13 occupied suites) and CMHC contracted Gallop Canada to conduct a national telephone survey on the acceptability and feasibility of them. The response to all three tests seem to be very positive. DPA has been contracted to carry out the overall evaluation, taking all the aspects of this housing option, and all the results of the three tests, into account. As part of this evaluation, we are conducting some detailed telephone interviews on the subject, to elicit your opinions and knowledge.

Our questions are divided into eight aspects of the subject:

- A) social issues
- B) legal and fairness issues
- C) land use control questions
- D) responsibility for a program
- E) construction, installation and removal questions
- F) financial issues
- G) design standards
- H) other issues

If you do not feel comfortable about answering any of them, as we go along, just say so and we'll skip them.

A) SOCIAL ASPECTS

1. What is your general reaction to the concept of garden suites as a housing option for seniors, compared to, say, accessory apartments or residential care? (How well do you think it could work for seniors? What do you think are the best features of this housing option?)
2. What social criteria do you think should be considered in the implementation of a program of some kind (e.g., the divorce rate? the possibility of real isolation for seniors in garden suites, if both adult children work outside the home? the occupational mobility of younger adults? the other groups who are disadvantaged with regard to appropriate and affordable housing?)
- 3) If government gets involved in the delivery of a program of some kind, must it then take some responsibility for certain social factors, such as the occupants' well-being or the hosts' actions, or the monitoring of suites to be sure that all needed services are delivered?

- 4) If families (potential hosts and occupants) have to apply for the privilege of using a garden suite, on what points should they be evaluated -
- Health?
 - Abilities?
 - Family stability?
 - Number of people in family?
 - Number of family members at home during the day? Other?
- 5) Who should make this evaluation? (Should there be an evaluation team of some kind?)
- 6) Does anyone really have the right to do this, when families may live together in any way they see fit, until they request a garden suite?

B) LEGAL AND FAIRNESS ISSUES

Garden Suites have been designed for use by the elderly, in order for them to live close to their families, while retaining a certain independence. To meet this need in society to care for the elderly and maintain the integrity of the larger family, most proposed legislation or programs limit the use of the units to persons over age 65.

In addition, use of garden suites is limited to families with sufficient property to place an additional unit in the yard. This may seem like economic discrimination, but in small towns, suburbs of a certain vintage, and rural areas, owners of larger properties are not necessarily wealthy.

However, limiting access to garden suite by age and size of property may be seem discriminatory.

1. How do you feel about limiting the use of Garden Suites to people over 60 or 65? (That is, limiting by age?)

How do you feel about limiting use to relatives? (That is, by family relationship?)
Do you think the occupants should be limited to:

- pensioner parents of property owners only?
- include Aunts or Uncles (that is, by age and family relationship?)
- any person (friend or relation) over 65 (by age only?)
- other criteria?

2. How do you feel about the fact that garden suites can only be used by people with sufficient property to accommodate them? (That is, do you think there might be some protests that this option is helping those who have?)
3. Do you think that there will be political pressure from other groups to enable them to have garden suites? (e.g. the physically or developmentally disabled, other older relations under age 65, etc?)

The following questions are more specific than the previous ones. Tell me if you'd rather not tackle them.

C) LAND USE CONTROL QUESTIONS

As you probably know, most zoning by-laws do not allow two residential units on a single lot. Widespread use of Garden Suites will require both local and provincial changes in many areas.

In order to develop recommendations (or approaches) to enable the development of Garden Suites, we would like your input about several land use control issues.

1. Should Garden Suites be allowed in all residential zones?
2. If not all, should they be limited by -
 - Zoning district?
 - Lot size?
 - Side and Rear Yard Set back?
 - Other standards? What in particular?
3. Should adjacent property owners have notice of an application for a garden suite in their neighbourhood? If yes, within what distance -
 - adjacent properties only?
 - 50 metres?
 - 100 metres?

4. What rights of objection should neighbours have -
- Information only?
 - Site planning comment only?
 - Public Hearing?
 - Right of appeal?
5. How can the type and extent of use be controlled? For example, how to ensure that the suite is not used by the teenagers of the household, or rented out long after granny dies? Should a family be asked to post a bond to guarantee removal of the unit? If not what other means should be used?
6. How do you think municipalities can be encouraged to allow housing intensification, especially garden suites? Two broad regulatory approaches have been suggested:
- Provincial legislation which would override local official plans and by-laws and would allow temporary licensing or permitting of garden suites in residential zones under certain conditions and guidelines.
 - Use of various provisions of existing municipal regulations such as temporary use by-law, conditional use permit, variances, or re-zoning. Decisions regarding administration and processing of garden suites would be made at the local level.
- 6.1 Which would you prefer? Why?
7. At the local administrative level, three (of several) approaches are:
- Licensing: a special licensing board would handles applications, inspect the property, assure compliance with other regulations (sewers, utilities, fire etc.). A licence can be written only for the one occupant, with specific characteristics, and would expire if the unit were vacant. Conditions could ensure removal and proper restoration of the property. This option would probably require provincial enabling legislation.
- 7.1 What would be the advantages and disadvantages of this approach?
- Temporary or Conditional Use by-law (which was used in the demonstration project). These by-laws are not a change of zoning, but the TUB as it is called, permits a temporary change of use, subject to certain conditions. (IN the demonstration project, the TUB's were limited to three years.) Application must be made to a board or elected body and approved by them. Development approval staff of the municipality would be responsible for applications, administration and inspection, as well as for re-inspection or re-application to assure continuous use only as permitted. No re-zoning or licensing would be required to make use of this provision.

7.2 What would be the advantages and disadvantages of this approach?

Site plan agreement: Assuming changes in provincial legislation or local official plans and by-laws, Garden Suites' land use approvals could be administered completely at the municipal staff level. A site plan agreement, setting out location, services, access and use of the Garden Suite is signed by both the property owner and municipality. The agreement is re-issued on an annual or less frequent basis, and includes no social criteria; it's strictly a land use agreement.

7.3 What would be the advantages and disadvantages of this approach?

8. Do you have other suggestions regarding land use control for garden suites?

D) RESPONSIBILITY FOR A PROGRAM

1. Who or what body should have primary responsibility for the delivery of a garden suite program -
 - A housing authority?
 - The local municipality?
 - A licensing board?
 - A manufactured housing dealer?
 - A non-profit social agency?
 - A partnership of two of these?
 - Other?
2. How do you see a program being delivered/administered in rural areas? (That is, in many rural areas, there are no agencies or dealers or municipal planning staff - the personnel resources are not there.)
3. Should the consumer (typically a middle aged couple and an elderly parent) be able to go to just one agency/body, which would then take responsibility for getting all the approvals, etc. That is, would a One Stop Shopping model be ideal here? Or, should each family be responsible for making its own way through a maze of approvals?
4. Would leaving it up to the family serve to ensure that only serious families make use of this option - or does this discriminate in favour of the well-educated and the persistent?

E) CONSTRUCTION, INSTALLATION, AND REMOVAL

1. Should garden suites follow regular, local building permit application and inspection procedures or different, specialized ones?
2. Who should have responsibility for inspecting the removal of the unit and restoration of the site? The same body that has primary responsibility for program delivery?

F) FINANCIAL ISSUES

1. Garden suites can be delivered to people through at least three fundamentally different financial arrangements.

An interested person could buy a unit (new or refurbished) from a dealer, who in turn would assist the future owner in obtaining necessary local approvals. The owner would pay cash or obtain whatever financing was necessary. A dealer could also lease units. The dealer would be responsible for installation and removal. Dealers would have to be licensed to provide this service to the public.

- 1.1 What would be the advantages and disadvantages of this approach?

A family could purchase a unit, as above. If they could not afford to purchase or lease privately, the local housing authority or non-profit housing organization would provide a rent supplement to those who demonstrated financial need. The administration of the rent supplement would be handled through minor amendments to an existing housing program, such as a provincial rent supplement program, the rural and Native program, etc.

- 1.2 What would be the advantages and disadvantages of this approach?

Everyone interested would apply through a provincially sponsored authority or agency. All Garden Suites would be leased, installed and removed under a government-sponsored program. Rents would be based on need.

- 1.3 What would be the advantages and disadvantages of this approach?

G) DESIGN STANDARDS

There has been concern from the beginning of the garden suite concept that garden suites should not look like 'mobile homes'. The federal and provincial governments and the industry have taken initiatives to create innovative home-like designs.

1. Do you feel that there should be special design standards for these units? (In addition to existing codes governing manufactured and mobile homes.)

2. If yes, how should these design standards be set -
 - nationally, by CMHC?
 - by the Industry?
 - provincially, by government?
 - locally, by design councils?

3. What should be included in the standards?
 - Interior space? (e.g minimum size, other than existing codes)
 - Interior finishes?
 - Special features for the frail?
 - Handicap access?
 - Special features in the bathroom? kitchen?
 - Exterior cladding? Colour?
 - Roof lines?
 - Other?

H) OTHER ISSUES

Are there any issues that we have not touched upon that you think should be addressed in the evaluation of garden suites and the delivery of a program?

List of Key Informants - Telephone Interviews

The following persons were interviewed by telephone during the conduct of this evaluation study. Some were chosen for their general knowledge of housing and related policy in Canada; others for their specialized knowledge of housing for seniors; and others for their understanding of housing in Quebec in particular.

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Appendix B
"Think Tank" Seminar

AGENDA

"Think Tank" Seminar on Garden Suites

Boardroom 2A

Ontario Ministry of Housing

777 Bay Street

TORONTO M5G 2E5

Monday, June 5, 1989: 9:00 - 16:00

1. (25) Introduction of participants
2. (5) Statement of expectations of the day
3. (15) Brief overview on the acceptance and feasibility of Garden Suites - the results of the display and demonstration projects and of the national survey.
4. (15) Definitions and illustrations of specific issues that need to be addressed: social and contextual issues; financial/tenure questions; regulatory issues concerning legislation/by-laws; regulatory questions concerning design standards/delivery; the need for government intervention.
5. (20) REFRESHMENT BREAK
6. (5) Grouping of participants into 5 issue-oriented discussion groups.
7. (45) Addressing specific questions within each group.
8. (25) Presentation of groups' suggestions.
9. (60) LUNCH/FRESH AIR BREAK
10. (5) Introduction of afternoon chair/goals
11. (30) Implications of the material covered during the morning in terms of the range of possible models for implementation - open discussion.
12. (5) New groupings by general model (3 - 5 discussion groups) to address details of program implementation/delivery, taking into account the perspective of potential occupants and host families.

13. (40) Seeking answers to specific questions within each group.
14. (15) REFRESHMENT BREAK
15. (30) Presentation of models by spokespersons for groups.
16. (25) Open discussion of critical path for implementation, including government intervention.
17. (5) Closing remarks.

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"Think Tank" Seminar on Garden Suites
Board Room 2A
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**QUESTIONS ON
REGULATORY/DESIGN/CONSTRUCTION/INSTALLATION/REMOVAL ISSUES**

1. **Assuming that all garden suites comply with CSA standards, what other standards do we need for them?**
 - . **Aesthetic standards such as exterior colour, cladding and roof lines?**
 - . **Functional standards such as special features for the handicapped? Energy standards such as R-2000?**

2. **Who should set these standards? Should they be required to be a certified garden suite?**
 - . **CMHC for functional standards? Local design councils for aesthetic standards? Whose name is on the certificate?**

3. **Who or what body should have primary responsibility for the delivery of a garden suite program? What about in rural areas?**
 - . **A housing authority? Local Municipality? A licensing board? A manufactured housing dealer? A non-profit social agency? A partnership of two of these?**

4. **Would the same body or others then be responsible for installation, removal, site rehabilitation, maintenance of the unit, modifications for specific occupants? Would standards and documentation be required for these processes?**

5. **Who really is the applicant?**
 - . **The potential occupant? The potential host? The pair?**

6. **What will be the responsibility of local building inspectors in this whole scheme?**

QUESTIONS ON FINANCIAL AND TENURE ISSUES

1. **Who do you think should own the garden suite?**
 - . The host family, occupant, private dealer, a non-profit agency or a public housing authority?

2. **How secure is granny's tenure? Can the family throw granny out? What tenancy legislation if any would apply? What contractual agreements are necessary and between whom?**

3. **How do we measure cost effectiveness? Do we measure just capital costs (the hard cost of the manufactured unit plus installation, servicing, removal, restoration of the site, and administration)? Or do we include those elements that would be included in congregate housing for the aged, such as support services, transportation, cleaning, etc.? Just what does it make sense to compare costs of garden suites to?**
 - . Seniors' apartments, accessory apartments and Homes for the Aged because these are the most likely alternatives for the people with the characteristics described in the social assessment?

4. **Both the aesthetics and the temporary nature of garden suites appear to be crucial to social acceptability, yet these two aspects are what make them relatively costly. Is this "acceptability cost" really necessary for all locations?**

5. **What form of government assistance is appropriate - on the supply side (i.e. helping to finance the construction of units) or on the demand side (i.e. subsidizing occupants or paying the administration costs of a program)?**

6. **If the public sector is going to spend a bundle to subsidize this housing intensification scheme from the demand and/or the supply side, would this money not be better spent on accessory apartments which would improve the housing stock in the longer term?**

QUESTIONS ABOUT THE GOVERNMENT'S ROLE

1. **What can the federal and provincial governments to assist the widespread implementation of what appears to be a very satisfactory housing option?**
 - . Assist by providing some of the "risk capital"?
 - . Lobby the provinces to lobby the municipalities to allow this and other housing intensification schemes which respond to the reality of the aging of our population?
 - . Take on public education as their primary contribution?
 - . What else?
2. **What benefits could federal and provincial governments offer to municipalities to encourage their participation in a program? Are any needed or does the success of the demonstration project offer enough impetus to municipalities to go for it?**
3. **What level of government should develop model documents, such as those suggested in the technological assessment (e.g. for installation and removal) and in the legal/regulatory assessment (e.g. for contracts)?**
4. **Should there be a new government housing program established, or should garden suites be added as another option to an existing program, such as non-profit housing, public housing, rural and native or rent supplement programs?**
 - . Why? How would the process work for the consumer? Should there not be some special attention paid to seniors' specific needs in terms of programs?
5. **Assuming some government involvement in program delivery, what will spokespersons say to other groups who feel they should be able to live in a garden suite - such as the handicapped, students, and others with housing problems?**

THREE MODELS FOR IMPLEMENTATION OF A GARDEN SUITE PROGRAM

ACTIVITIES

RESPONSIBILITY

	UNIT SELECTION	FINANCIAL ARRANGEMENTS	LAND USE PERMITS	INSTALLATION	OPERATING COST	OCCUPANCY REVIEW	REMOVAL	SITE REHAB
MODEL ONE PRIVATE	Consumer Dealer	Consumer	Consumer/ Dealer Assist	Dealer	Consumer	Municipal	Consumer/ Dealer	Consumer/ Dealer
MODEL TWO MIXED	Consumer Dealer	Consumer ↗ ↘ Housing Agency	Consumer/ Dealer Assist Consumer/ Agency Assist	Dealer/ Contractor	Consumer ↗ ↘ Housing Agency	Municipal Housing Agency	Consumer/ Dealer	Consumer/ Dealer
MODEL THREE PUBLIC	Housing Agency	Housing Agency	Consumer Agency Assist	Agency/ Contractor	Housing Agency	Housing Agency	Housing Agency	Housing Agency

**QUESTIONS TO ADDRESS
WHEN DISCUSSING IMPLEMENTATION MODELS**
Seminar on Garden Suites
Toronto, June 5, 1989.

- 1) IS (WHATEVER MODEL IS BEING DISCUSSED) IN KEEPING WITH THE LARGER SOCIAL PURPOSE OF PROVIDING AFFORDABLE, SUPPORTIVE HOUSING FOR SENIORS WHO WISH TO LIVE IN AN INTERDEPENDENT WAY WITH THEIR FAMILIES? WHO IS LEFT OUT?
- 2) FROM A CONSUMER'S PERSPECTIVE: HOW SIMPLE IS THIS? HOW MANY STEPS WOULD BE REQUIRED FOR THE HOST? FOR THE OCCUPANT? WHO DO YOU SEE ACTUALLY CARRYING OUT THE PROCESS OF APPLICATION AND SO ON? IS THIS REALISTIC?
- 3) HOW FEASIBLE IS THE MODEL (OR FEATURE OF A MODEL BEING DISCUSSED) IN TERMS OF AVAILABLE RESOURCES? FOR EXAMPLE, DWINDLING GOVERNMENT STAFF AND MONEY? IS THE EXPERTISE AVAILABLE TO MAKE IT FLY?
- 4) HOW DO YOU THINK THIS APPROACH TO IMPLEMENTATION WILL AFFECT MARKET TAKE-UP? HOW WOULD YOU MARKET THIS APPROACH TO IMPLEMENTATION?
- 5) WOULD THIS APPROACH TO IMPLEMENTATION BE EQUALLY APPLICABLE IN RURAL AND URBAN AREAS?
- 6) CAN WE AFFORD THIS - AS INDIVIDUALS? AS TAXPAYERS?

Appendix C
Sample By-Laws

(Please Use this Form for Filling your Local Law with the Secretary of State)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

County
City of NORTH EAST
Town
Village

Local Law No. 2 of the year 19 89

A local law amending Chapter 98 (Zoning) of the Code of the Town of North East to allow ECHO (Elder Cottage Housing Opportunity) units as a specially-permitted use

Be It enacted by the Town Board of the (Name of Legislative Body)

County
City of North East
Town as follows:
Village

Section 1. The Zoning Law of the Town of North East is hereby amended as follows:

Section 98-12.C., Agricultural (A5A) District,

Section 98-13.C, Very Low Density Residential (R3A) District,

Section 98-14.C, Low Density Residential (R1A) District,

and

Section 98-15.C, Medium Density Residential (R20,000) District

shall be amended to include as a use for which the Board of Appeals may issue a special permit:

ECHO (Elder Cottage Housing Opportunity) Unit

Section 2.

Section 98-5 of the Zoning Law of the Town of North East is hereby amended to include:

ECHO (Elder Cottage Housing Opportunity) Unit -- Separate, detached, temporary dwelling unit, with its own cooking, sanitary, and sleeping facilities, accessory to a one-family dwelling, for the use of and occupied by the elderly relatives of the occupants of the one-family dwelling.

Section 3.

Article III. of the Zoning Law of the Town of North East is hereby amended by the addition of the following:

~~if additional space is needed, please attach sheets of the same size as this and number each~~

Section 98-48.3 ECHO (Elder Cottage Housing Opportunity) Unit

A. Legislative findings.

The Comprehensive Plan of the Town of North East states that its primary housing goal is "to provide a variety of housing types to meet the needs of all the residents of the community." In order to achieve this objective, it is necessary to retain diversity in housing styles, prices and tenures. This will help the community retain a diverse population, maintain its socioeconomic balance and sustain a diversified economy.

To accomplish these objectives the Town is pursuing a variety of approaches to increase housing opportunities. In addition to this local law to provide for ECHO housing, the Town Board is introducing legislation to allow accessory apartments by special permit and semi-detached dwellings as a permitted and specially permitted use, to supplement existing provisions for two-family dwellings in the Town's zoning code.

In 1987, the North East Town Board commissioned the preparation of the Town of North East Housing Study, which documented the need for, and lack of, affordable housing in the Town, including the Village of Millerton. In the housing study, North East was found to have Dutchess County's highest percentage of elderly people living alone, second lowest median household income, and second highest percentage of households in poverty. Yet the Town's housing stock is dominated by single-family dwellings, and includes very few small apartments. The Town has no nursing homes or housing units specifically designated or designed for elderly people.

The housing study, which has been adopted as part of the Town master plan by the Town Board and the North East Planning Board, recommended that the Town implement zoning changes that would increase local housing opportunities. The community values survey that was completed as part of the housing study indicated strong support for permitting families to move their elderly parents into a small temporary home on their own property.

Based on the housing study and the continuing gap between actual housing costs and the housing costs that can be sustained by people whose incomes are at or below the median income level, the North East Town Board hereby finds that economic conditions have created a scarcity of affordable housing. Moreover, local housing opportunities are often inappropriate for the special needs of elderly people.

B. Purpose.

It is the purpose and intent of this local law to accomplish the Town's master plan objectives by allowing by special permit the installation of small, removable homes known as Elder Cottage Housing Opportunity (ECHO) units, on the same lots with one-family dwellings, in all districts that allow one-family dwellings as a permitted principal use. Specifically, this local law is intended to:

- (1) foster and support extended families;
- (2) permit adult children to provide small, temporary homes for their aging parents who are in need of support, while maintaining as much of the independence of the two generations as possible;
- (3) reduce the degree to which elderly homeowners have to choose between increasing isolation in their homes and institutionalization in nursing homes;
- (4) encourage the continued development and use of small homes specifically designed and built for elderly people, which include such features as easy adaptation to handicapped accessibility, safe exit features, and fire resistant construction;
- (5) permit ECHO housing in a manner that protects the property values and character of neighborhoods by ensuring that the units are compatible with the neighborhood and are easily removable;
- (6) enable the elderly living in homes too large for their needs to move to more appropriate housing and thereby make larger homes available to house larger families.

C. Occupancy.

(1) At the time the special permit is issued, at least one intended occupant of the ECHO unit must be at least 62 years of age, and any other occupant must be at least 55 years of age. Subsequently, if the occupant who is 62 no longer occupies the ECHO unit, and all other conditions continue to apply, the permit may be renewed for the other occupant, even if the person is less than 62 years of age.

(2) At least one occupant of the principal dwelling and at least one occupant of the ECHO unit must be related by blood, marriage, or adoption.

(3) In no case shall there be more than two occupants of an ECHO unit.

(4) The special permit shall be issued to the owner of the principal dwelling and lot.

D. Construction.

The unit shall be constructed in accordance with all applicable laws, regulations, codes and ordinances, including the New York State Uniform Fire Prevention and Building Code.

E. Size of unit.

The minimum floor area of an ECHO unit shall be three hundred (300) square feet, the maximum floor area nine hundred (900) square feet, and the maximum height sixteen (16) feet or one story.

F. Placement of an ECHO unit.

Notwithstanding Section 98-34, relating to road frontage on public street, the ECHO unit shall be placed in the side yard or the rear of the principal dwelling. Pedestrian access must be provided to the ECHO unit without going through the principal dwelling.

G. Lot size and coverage.

(1) The minimum lot size for a principal dwelling with an ECHO unit shall conform to the requirements for a one-family dwelling in the district in which the ECHO unit will be located.

(2) Coverage of the entire lot by the ECHO unit and principal dwelling shall not exceed thirty percent (30%).

H. Access.

All walkways from parking areas and from the principal dwelling to the ECHO unit shall be suitable for wheelchair and stretcher access.

I. Parking.

In addition to the parking required for the principal dwelling, one parking space for the ECHO unit shall be required, except that the Board of Appeals may increase the required number of parking spaces to two, if circumstances so warrant.

J. Waiver of requirements.

The Board of Appeals may waive the requirements of this law if so warranted by the specific characteristics of the particular structures and lot and circumstances of the case, upon showing that the waiver will not negatively affect public health, safety or welfare and that the waiver will be in harmony with and promote the general purpose of this local law.

K. Number of dwelling units per lot.

Only one ECHO unit per lot shall be permitted. No special permit for an ECHO unit shall be issued for a lot where the principal dwelling is other than a one-family dwelling or where a permit for an accessory apartment is in force.

L. Enclosure of underportion.

The underportion of the unit shall be properly enclosed within thirty (30) days of installation.

M. Removability.

(1) The unit shall be constructed so as to be easily removable.

(2) The unit's foundation should be of easily removable materials, such as timber pilings or cement block piers, so that the lot may be restored to its original use and appearance after removal with as little expense as possible.

(3) No permanent fencing, walls, or other structures should be installed that will hinder removal of the ECHO unit from the lot.

N. Adequacy of infrastructure.

If the water supply is from a private source, the applicant or his or her agent shall certify that the water supply is potable and of adequate flow. Failure to promptly correct any water quality problems shall result in the revocation of the special permit.

The applicant or his or her agent shall certify that the sewage disposal system is adequate for the two units. Failure to promptly correct any sewage system problem shall result in revocation of the special permit.

No special permit shall be granted in any case where the Dutchess County Health Department has determined that the water or sewage system serving the principal dwelling is for any reason not capable of handling the additional demand that the ECHO unit would impose on it.

O. Application process.

Application for a special permit for an ECHO unit shall be made to the Zoning Enforcement Officer in accordance with the standards and procedures set forth in Article VI of the Zoning Law, subject to the following additional provisions:

(1) Materials to assist the Board of Appeals in reviewing an application for a special permit, as described in Article VI, Section 98-22, shall include a) the names of all owners of record of the principal dwelling, lot, and ECHO unit; b) the names of the proposed occupants of the ECHO unit; c) the relationship between

the occupants of the principal dwelling and the occupants of the ECHO unit; d) if neither the occupants of the principal dwelling nor the occupants of the ECHO unit own the ECHO unit, the lease or other agreement with the owner of the ECHO unit; e) a floor plan of the ECHO unit, including the square footage (may be the manufacturer's or builder's brochure); f) a survey or other appropriate drawing or document showing the location and size of the septic system and well, and the structures on the lot, both with and without the ECHO unit; and g) the applicant's plan for removal of the ECHO unit at the time the special permit terminates.

(2) In determining whether to grant the application, the Board of Appeals shall consider the following factors, in addition to those described in Section 98-22: a) whether the use will be in harmony with and promote the general purpose and intent of this local law; b) whether the use will conserve property values and encourage the most appropriate uses of land; c) whether granting the application will cause an undue concentration of ECHO units; d) whether the lot area is sufficient, appropriate, and adequate for the use, particularly with regard to septic system and water requirements; and e) whether the application will be compatible with the town master plan.

(3) A special permit may be granted for an initial period of up to one year, expiring on April 30. Thereafter, upon application to the Board of Appeals showing that there have been no changes in circumstances which would result in the ECHO unit's being in violation of the provisions of this law, the permit may be renewed yearly, for a period running from May 1 to April 30. Upon development of appropriate procedures by the Board of Appeals, such renewal may be granted administratively by the Zoning Enforcement Officer.

(4) At the time of application, the applicant must verify that he or she a) understands that the permit is issued solely for the use of the named occupants; b) has made plans for the removal of the unit; and c) recognizes the possible sanctions for failure to promptly remove the ECHO unit upon termination or revocation of the special permit.

These sanctions include all those specified in the Zoning Law of the Town of North East; injunctive relief; criminal penalty; removal and salvage by the town to defray any enforcement costs incurred; the placement of a lien against the applicant's property to defray any enforcement costs incurred; and any other remedies available to the Town.

P. Renewal of special permit.

At the time of application for renewal of the special permit, the applicant or his or her agent shall verify: (1) that the conditions upon which the special permit was granted continue to apply; (2) that he or she has made plans for removal of the ECHO unit upon termination of the special permit; and (3) that he or she understands the possible sanctions for failure to promptly remove the ECHO unit upon termination of the special permit.

Q. Termination of special permit.

The special permit shall terminate ninety (90) days after:

(1) the death or permanent change of residence of the original occupant or occupants of the ECHO unit, or

(2) any of the occupancy requirements set forth in Section C are no longer met.

During this ninety (90) day grace period, the ECHO unit shall be removed and the site restored so that no visible evidence of the ECHO unit and its accessory elements remains. If the ECHO unit has not been removed by the end of this grace period, in addition to the existing sanctions in the Zoning Ordinance, actions to ensure removal may be taken, including removal and salvage by the Town with a lien imposed to defray any costs incurred.

The Board of Appeals, upon a showing of extraordinary circumstances making removal of the ECHO unit impossible during the ninety (90) day grace period, may grant one extension of up to ninety (90) days for removal of the ECHO unit.

R. Revocation of special permit.

A special permit for an ECHO unit may be revoked by the Board of Appeals after notice and a hearing, if:

(1) it shall reasonably appear to the Board of Appeals that the ECHO unit is not in compliance with applicable laws, rules, regulations, codes or ordinances, or that the conditions of the special permit are not satisfied; or

(2) any lawful inspection of the ECHO unit is refused or prevented by the owner or occupant.

Section 4. Validity.

If any portion of this local law shall be held unconstitutional, invalid, or ineffective, such determination shall not affect the validity of the remaining provisions of this local law.

Section 5. Effective date.

This local law shall be effective immediately upon filing with the Secretary of State, State of New York.

(h) GRANNY FLAT:

* "GRANNY FLAT" means a fully-detached, portable senior citizen dwelling unit which is accessory to a fully detached dwelling unit and dependant on it for sewer, water, electrical, telephone and cable television connections and which is located temporarily solely for occupancy by the parent, parents, parent-in-law or parents-in-law of the owner of the main dwelling unit.

(43) ELEMENTARY SCHOOL (See: SCHOOL)

(44) ENCLOSED STORAGE (See: STORAGE)

(45) ERECT

"Erect" means to build, construct, place, reconstruct or relocate and, without limiting the generality of the foregoing, also includes:

- (a) any preliminary operation such as cutting, grading, excavating, filling or draining;
- (b) altering any existing building or structure by an addition, enlargement, extension or other structural change; and
- (c) any work which requires a building permit.

"Erect" and "erection" shall have corresponding meanings.

(46) EXISTING

"Existing" means existing on the date of passing of this By-Law.

(47) EXTERIOR SIDE LOT LINE (See: LOT LINE)

(48) EXTERIOR SIDE YARD (See: YARD)

(49) FINANCIAL OFFICE

"Financial office" means an establishment primarily engaged in monetary transactions such as a bank, trust company, finance company, mortgage company, investment company or credit union.

(50) FINISHED GRADE

"Finished grade" means the median elevation between the highest and lowest points of the finished surface of the ground (measured at the base of a building or structure) but exclusive of any embankment in lieu of steps.

(51) FITNESS STUDIO

"Fitness Studio" means a building where qualified fitness instructors are engaged and members of the general public go to participate in physical exercise for the purpose of keeping fit.

(52) FLOOR AREA

"Floor area" means the horizontal area of a floor of a building or structure, whether such floor is above or below grade, measured between the exterior faces of the exterior

(15) NOXIOUS USES

No use shall be permitted which is defined herein as a noxious use.

(16) PARKING AREA REGULATIONS

(a) REQUIREMENT:

The owner of any building or structure erected or used for any of the purposes hereinafter set forth shall provide and maintain on the lot occupied by the building or structure and not forming part of a street, approach or loading space, and for the sole use of the owner, occupant, or other persons entering upon or making use of the said premises from time to time, one or more parking spaces at least 2.6 metres wide and 6.0 metres long, in accordance with the following:

TYPE OF USEMINIMUM PARKING
SPACE REQUIREMENTS

(i) RESIDENTIAL USES:

- | | |
|---|--|
| 1. Multiple Attached Dwelling,
Stacked Townhouse Dwelling,
Apartment Dwelling | 1.5 parking spaces per dwelling unit, plus 0.25 visitor parking spaces per dwelling unit |
| 2. Senior Citizen Housing | 0.5 parking spaces per dwelling unit |
| * 3. Other permitted residential uses including granny flat | 1.0 parking spaces per dwelling unit |

SECTION 5

RESIDENTIAL TYPE 3A ZONE (R3A)(1) USES PERMITTED

No person shall within any R3A zone use any lot or erect, alter or use any building or structure for any purpose except one or more of the following R3A uses, namely:

(a) RESIDENTIAL USES:

a fully-detached dwelling;
 a semi-detached dwelling;
 multiple-attached dwellings;
 * a granny flat as an accessory building in the rear yard of a Residential lot which has an area of at least 430 square metres and a rear yard that abuts a non-residential use, and subject to Site Plan approval.

(b) NON-RESIDENTIAL USES:

a home occupation.

(c) HOLDING CATEGORY

Where a symbol -H is given with the zone symbol R3A on Schedule "A" hereto, then existing uses only shall be permitted until the -H symbol is removed by a By-law passed pursuant to Section 35 of the Planning Act, 1983.

(2) ZONE PROVISIONS

No person shall within any R3A zone use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

(a) LOT AREAS (minima):

(i)	fully-detached dwelling	-270.0 m ²
(ii)	semi-detached dwelling	-450.0 m ²
(iii)	multiple-attached dwelling (street townhousing)	-185.0 m ² per dwelling unit

(b) LOT FRONTAGES (minima):

(i)	fully-detached dwelling	-9.0 metres
(ii)	semi-detached dwelling	-15.0 metres
(iii)	multiple-attached dwelling (street townhousing)	-6.0 metres per dwelling unit

(c) FRONT YARD DEPTHS (minima):

(i)	fully-detached dwelling, semi-detached dwelling, multiple-attached dwelling (street Townhousing)	-4.5 metres except where a driveway crosses or will cross a sidewalk, then the front yard shall be increased to 6.0 metres
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(d) EXTERIOR SIDE YARD WIDTHS (minima):

(i)	fully-detached dwelling, semi-detached dwelling, multiple-attached dwelling (street townhousing)	-4.5 metres except where a driveway crosses or will cross a sidewalk then the exterior side yard shall be increased to 6.0 metres
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- (e) REAR YARD DEPTHS (minima):
- (i) fully-detached dwelling,
semi-detached dwelling,
multiple-attached dwelling
(street townhousing) -7.5 metres
 - (ii) common garage -nil
 - (iii) other private garages
and carports -4.5 metres
 - (iv) other accessory buildings
unless constructed as an
integral part of a fence
erected on a lot line as
permitted in Section 3 (1) (b)
herein. -1.0 metres
 - (v) * granny flat -1.0 metres except
where the rear yard
abuts a street the
minimum required
yard shall be as per
(d)(i) hereof.
- (f) INTERIOR SIDE YARD WIDTHS (minima):
- (i) fully-detached dwelling,
semi-detached dwelling,
multiple-attached dwelling
(street townhousing) -1.2 metres on one
side, 1.0 metres on
the other side
 - (ii) common garage -nil
 - (iii) other private garages
and carports -1.0 metres
 - (iv) other accessory
buildings unless constructed
as an integral part of a fence
erected on the lot line as
permitted in Section 3(1)(b)
herein. -1.0 metres
 - (v) * granny flat -1.0 metres
 - (vi) notwithstanding the minimum requirement in
subsection (i) hereof, the minimum interior side
yard shall be increased to 2.0 metres if any two
of the following conditions exist in the said
yard:
 - a door of the dwelling leads to the interior
side yard in question
 - the lot has rear yard to front yard drainage
 - the proposed finished grade for the dwelling on
an abutting lot has a difference in elevation
of more than 0.5 metres from the proposed
finished grade for the dwelling on the lot on
which the required side yard depth is being
provided.
- (g) COVERAGES (maxima):
- (i) main building -40%
 - (ii) swimming pool -10%
 - (iii) accessory buildings -8%
 - * (iv) granny flat -15%
- (h) NET FLOOR AREA (minimum):
- 75.0 square
metres per
dwelling unit
except that a
granny flat shall
have a floor area
of no less than
37.0 m² and no
more than 65 m².

- (i) BUILDING HEIGHTS (maxima):
- (i) main building -10.5 metres
 - (ii) private garages -4.0 metres
 - (iii) other accessory buildings -4.0 metres
unless constructed as an integral part of fence erected on a lot line as permitted in Section 3(1) (b) herein, in which case the maximum building height shall be -2.5 metres
 - * (iv) granny flat -6.0 metres
- (j) DWELLINGS PER LOT (maxima):
- (i) fully-detached dwelling -1 only except where a granny flat is permitted in accordance with the provisions of this By-law.
 - (ii) semi-detached dwelling -1 only
- (k) BUILDING SEPARATIONS (minima):
- (i) between main buildings -3.0 metres
 - (ii) between other buildings -1.0 metres
- (l) DWELLING UNITS PER DWELLING (maximum):
- (i) multiple-attached dwelling -7
- (m) DENSITY (maximum): -17 units per hectare excluding granny flats
- (n) AMENITY AREA (minimum): -35.0 square metres per dwelling unit
- (o) PERMITTED STORAGE:
All types of storage, except enclosed storage, shall be prohibited unless specifically permitted elsewhere in this By-law.
- (p) GENERAL PROVISIONS:
In accordance with the provisions of Section 3 hereof.

AMENDMENT TO THE CITY OF TORRINGTON ZONING REGULATIONS TO ALLOW
ECHO HOUSING BY SPECIAL PERMIT

Section 260: Elder Cottage Housing Opportunity (ECHO)

PURPOSE:

It is the specific purpose and intent of this amendment to allow by special permit the installation of small, removable home, known as Elder Cottage Housing Opportunity (ECHO) unit on the same lots with one-family dwellings which have a minimum lot size of 10,000 square feet. Specifically, this proposal is intended to:

- a. permit adult children to provide small temporary residences for their aging parents who are in need of support, while maintaining as much of the independence of the two generations as possible.
- b. reduce the degree to which frail elderly homeowners have to choose between increasing isolation in their own homes and institutionalization in nursing homes.
- c. develop housing types in single-family neighborhoods that are appropriate for households at a variety of stages in the life cycle.
- d. permit ECHO housing in a manner that protects the property values and single-family character of neighborhoods by insuring that the units are compatible with the neighborhood and easily removed.

Section 1. DEFINITION:

ECHO (Elder Cottage Housing Opportunity) Units are separate, detached, temporary dwelling units, located behind the principal residence and in the rear half of the lot, with its own cooking, sanitary, and sleeping facilities, accessory to a one-family dwelling, for the use of and occupied by elder relatives of the occupants of the principal dwelling. NOTE: if attached, it should only be by a breezeway located to the side or rear of the principal home. Design and related specifications are:

- 1.1 the height shall be one story (15 Feet).
- 1.2 the floor area is not to exceed 780 total square feet in the R6, R10 and R15 zones and 960 total square feet in the R40 zone.
- 1.3 the floor area of the ECHO home shall not exceed one half of the area of the principal dwelling.
- 1.4 the design of the ECHO home shall be compatible with the principal dwelling and the neighborhood plus have a minimum width of 22 feet. The Commission shall have the right to require additional landscaping, fencing, etc.
- 1.5 the setbacks include a 25 foot rear yard in R6, R10 and R15 zones and 40 feet in R40 zones. The side yards shall be identical to the requirements for a principal home in each of the respective zones.
- 1.6 the total lot coverage should not exceed 35 percent and the coverage of the rear yard (area to the rear of the principal home) shall not exceed 20 percent.

Section 2. OCCUPANCY:

- 2.1 The number of occupants of an ECHO home shall be limited to two.
- 2.2 At least one resident shall be either infirmed, handicapped or elderly (over 60 years of age) and at least one resident shall be related by blood, marriage or adoption to the owner of the principal dwelling.
- 2.3 The special permit shall be issued to the owner of the principal dwelling and lot, specifying by name the occupants of the ECHO unit.
- 2.4 At least one of the owners of the principal dwelling must live in one of the dwelling units on the lot.

Section 3. CONSTRUCTION:

- 3.1 The ECHO unit shall be constructed in accordance with all applicable laws, regulations, codes and ordinances of the State of Connecticut.
- 3.2 The type of foundation to be used for the ECHO home shall be disclosed at the time of application.

Section 4. PARKING:

- 4.1 It shall be disclosed at the time of application whether the inhabitants of the ECHO home would have a car. Additional area for parking shall be required for the expected number of cars.

Section 5. APPLICATION PROCESS:

- 5.1 Application for a special permit for an ECHO unit shall be made to the Torrington Zoning Board of Appeals in accordance with the standards and procedures set forth in section 200 and section 606, subject to the following additional provisions:

- 5.1a Materials to assist the Board of Appeals in reviewing an application for a special permit, shall include names of all owners of record of the principal dwelling and the lot; names of proposed occupants of the ECHO unit; the relationship between the occupants of the principal dwelling and the occupants of the ECHO unit. A floor plan for the proposed ECHO unit, including square footage (may be the manufacturer's or builder's brochure); a survey showing both structures on the lot, and provisions for utilities.
- 5.1b In determining whether to grant the application, the Torrington Zoning Board of Appeals may consider the following factors,
 - 1) whether the use will be in harmony with and promote the general purpose and intent of this proposal;
 - 2) whether the use will restrict the use of adjacent properties;
 - 3) the conservation of property values and the encouragement of the most appropriate uses of land;
 - 4) whether the use will cause overcrowding of the land or undue concentration of population;
 - 5) whether the lot area is sufficient, appropriate, and adequate for the use, particularly with regard to sewage system and water requirements.

Section 6. MISCELLANEOUS:

- 6.1 It shall be required that notification be sent to the abutting property owners, (including the neighbors across the street), at least ten (10) days prior to the public hearing of the subject property that an ECHO unit is requested in their neighborhood.
- 6.2 Applicant shall provide proof that this provision has been complied with.

Section 7. TERMINATION OF SPECIAL PERMIT:

- 7.1 This special permit must be renewed on an annual basis by the granting of a license by the Zoning Enforcement Officer. An affidavit shall be submitted with the license renewal request indicating who is residing in both the ECHO home and the principal home.
- 7.2 The Zoning Enforcement Officer shall issue said license upon the determination that these regulations continue to be complied with.
- 7.3 Failure to comply with the renewal process will negate the privilege to maintain a unit and result in the special permit becoming null and void.
- 7.4 The special permit shall terminate upon the death of or permanent change of residence of the original occupant or occupants of the ECHO unit. It shall be a requirement that the unit be disassembled or a new special exception applied for. A bond in the amount of \$5,000.00 shall be posted to insure the units removal.

Section 8. VALIDITY:

- 8.1 If any portion of this local law shall be held unconstitutional, invalid, or ineffective, such determination shall not affect the validity of the remaining provisions of this local law.

Section 9. EFFECTIVE DATE:

- 9.1 This ordinance shall become effective on 12/23/88.



City of Torrington

DAN McGUINNESS
City Planner

BY-LAW NO. 4303

A BY-LAW OF THE CITY OF LETHBRIDGE TO AMEND
BY-LAW NO. 4100 - THE LAND USE BY-LAW OF THE
CITY OF LETHBRIDGE

THE COUNCIL OF THE CITY OF LETHBRIDGE, IN THE PROVINCE OF ALBERTA, DULY ASSEMBLED, HEREBY ENACTS AS FOLLOWS:

1. By-law No. 4100 - The Land Use By-law of the City of Lethbridge is hereby amended.

2. By-law No. 4100 is hereby amended by inserting the following Subsection (60.1) to Section 4 - Definitions:

4. (60.1) Garden Suite means a temporary dwelling unit which complies with the Garden Suite Pilot Project sponsored by the Government of Alberta, City of Lethbridge and Lethbridge Housing Authority.

3. By-law No. 4100 is hereby further amended by inserting the following Subsection (9) to Section 70 - General Rules for Residential Development:

70 (9) Garden Suites shall:

- (a) not be located in the front yard;
- (b) not exceed 1 storey in height;
- (c) maintain a minimum side yard setback of 1.2 m;
- (d) maintain a rear setback from rear parcel line of:
 - (i) 0.6 m when there is a lane;
 - (ii) 1.2 m when there is no lane and the garden suite has a blank wall facing the rear parcel line;
 - (iii) 3.0 m when there is no lane and the garden suite has a window opening on the wall facing the rear parcel line;
- (e) have a minimum separation distance of 2.4 m from the principal building and 1.2 m from all other buildings on the same parcel or site;
- (f) not be located on any parcel or site which contains two or more permanent dwelling units;
- (g) require an exemption of Section 78 of the Planning Act prior to issuance of Development Permit.

4. By-law No. 4100 is hereby further amended by adding to the list of discretionary uses in the R-CM (Comprehensively Planned Medium Density Residential District) the following:

Garden Suites

5. By-law No. 4100 is hereby further amended by adding to the list of discretionary uses in the R-L (Low Density Residential District) the following:

Garden Suites

6. By-law No. 4100 is hereby further amended by adding to the list of discretionary uses in the R-MH (Mobile Home District) the following:

Garden Suites

7. By-law No. 4100 is hereby further amended by adding to the list of discretionary uses in the R-37 (Medium Density Residential District) the following:

Garden Suites

8. By-law No. 4100 is hereby further amended by adding to the list of discretionary uses in the R-37L (London Road Neighbourhood Higher Density and Selected Redevelopment Areas) the following:

Garden Suites

9. By-law No. 4100 is hereby further amended by adding to the list of discretionary uses in the R-50 (Medium Density Residential District) the following:

Garden Suites

10. This By-law shall come into force on the date of final passing thereof.

READ A FIRST TIME this 1st day of MAY A.D. 1989

[Signature]
DEPUTY MAYOR

M. Johnston
CITY CLERK

READ A SECOND TIME this 29th day of MAY A.D. 1989

[Signature]
DEPUTY MAYOR

M. Johnston
CITY CLERK

READ A THIRD TIME this 29th day of MAY A.D. 1989

[Signature]
DEPUTY MAYOR

M. Johnston
CITY CLERK

Appendix D
Information Sources
for
Cost Comparisons

SOURCES OF INFORMATION FOR COST COMPARISONS

Following is an explanation of the information sources and assumptions underlying the cost comparisons presented in Chapter 2.

Residential or Personal Care

Capital Cost - For new construction under non-profit programs, this is the Maximum Unit price for a single room. This is also appropriate for moderately priced private sector developments, though these can reach \$80,000/unit to cover extensive and luxurious common areas.

Operating Cost - a) Care Service Cost: These estimates are based on the 1988 financial statement of a 47-bed non profit facility in Ottawa providing single rooms, three meals a day, 24 hour staffing, activity programs, as well as personal supervision and assistance by RN and RNAs. b) Building Operation: A per/diem cost, principal and interest, ranging from \$12.85 (5 year old building) to \$16.71 (a new building).

Apartment

Non-Profit Apartment Capital Cost - Ottawa maximum unit price for one bedroom apartment in seniors' building (personal communication with CMHC).

Non-Profit Apartment Operating Cost - Actual costs from a non-profit building in Ottawa developed under the federal CMHC 56.1 program.

Private Market Apartment Rent - Based on the average one bedroom apartment rent quoted in the Regional Municipality of Ottawa Carleton Annual Housing Review Update 1987.

Garden Suite

Capital Cost - Cost data were taken from the report on the technological assessment of the user demonstration units, prepared by Dillon et al for the Ontario Ministry of Housing, 1988 (p. 105-107).

Operating Costs - These assume no property and water and/or sewer changes, since they are covered by the host household. Financing costs assume an interest rate of 12.5% for 20 years on the \$30,000 cost plus \$12,000 relocation costs (including dismantling, transportation, site restoration, and rehabilitation of the unit after relocation) every 5 years.

Home Care Cost

These figures were collected by means of personal communication with personnel at the Victorian Order of Nurses, the Ministry of Social and Community Services of Ontario, ParaMed Corporation and Meals on Wheels. Cost and funding formulas vary from town to town and agency to agency. A typical situation was chosen for comparison purposes only.

It has been recommended (Reiger, 1983), that the cost estimates of units include: initial costs (such as capital costs, installation and utility hook-ups); carrying costs such as financing, maintenance, property insurance, utilities, and taxes (if any); relocation costs and site restoration. If a garden suite program is developed or added to other housing programs, then the "soft costs" of program administration should be added to this list.

Appendix E
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