

GARDEN SUITES: AN ALTERNATIVE FORM OF HOUSING FOR THE
ELDERLY IN THE CITY OF WINNIPEG

By
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A Practicum
Submitted to the Faculty of Graduate Studies
in Partial Fulfillment of the Requirements
for the Degree of

Master of City Planning

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University of Manitoba
Winnipeg, Manitoba

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ABSTRACT

As the elderly population continues to grow, the demand for semi-independent housing will also increase. Garden Suites are a unique type of housing which enables certain individuals to live near their family. These Garden Suites are self-contained, detached, and relocatable units which are temporarily placed in the rear or side yard of a family members existing dwelling.

The intent of this practicum is to examine Garden Suites in Canada and abroad, and to suggest mechanisms for implementation of Garden Suites in the City of Winnipeg. The main issues examined include social aspects, occupancy, and removal. It is very difficult for a civic government to control the occupancy and removal of Garden Suites. As a result, involvement from either a higher level of government or a non-profit organization is needed to ensure the aims of a Garden Suite program are achieved.

Finally, this practicum suggests a regulatory method of implementation of Garden Suites for the City of Winnipeg. This method will meet the aims of affordable housing while helping families stay together.

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CHAPTER 1: INTRODUCTION

1.1 PREAMBLE

The elderly, often perceived as a homogeneous and monolithic group, are a diverse and dynamic segment of Canadian society. Increases in retirement income coupled with improved health care have resulted in longer lifespans and improved lifestyles. The elderly population may now be characterized as relatively healthy in their early retirement years, with a slow yet progressive deterioration in health in their later years. In essence, the elderly population has expanded and diversified.

An impact of the changing structure of the elderly population has been a shift in their needs and desires. One important manifestation of these new demands is the availability of different types of elderly housing. Recently, various types of housing for the elderly have evolved and/or have been tested to meet this new demand.

For simplicity, housing for the elderly is best categorized by the level of care or degree of dependence. In fact, a continuum with one endpoint describing complete independence and the other describing complete dependence, is a useful tool to illustrate different housing alternatives. Complete independence refers to situations where no level of care is required, and the individual is relatively self sufficient such as in an average house or apartment. On the other hand, complete dependence refers to situations where the elderly individual requires specialized care such as in an extensive care nursing home. Between both endpoints of the continuum are varying degrees of semi-independent to semi-dependent care. Examples of the semi-independent housing alternatives include extended-care services in an

existing home, seniors apartments, and accessory apartments.

Garden Suites, E.C.H.O. houses, or Granny Flats are a unique type of semi-independent housing which enables individuals in fairly good health to live near their family. These Garden Suites are self-contained, detached, and relocatable units which are temporarily placed in the rear or side yard of a family members existing dwelling. Garden Suites assure independence while maintaining a strong sense of family and community.

1.2 PROBLEM STATEMENT

The City of Winnipeg is faced with a steadily increasing elderly population. Study of alternative forms of housing are required to anticipate the potential demand and supply for housing the elderly. Garden Suites are suggested as one type of housing alternative for the elderly who are still relatively healthy.

An assessment of a Garden Suite program is required in the City of Winnipeg to evaluate its viability. There have been several Garden Suite programs implemented in various locations around the world, and each has developed under unique circumstances. Since the development of these programs depends on political, legal, social and cultural situations of each city and country, these factors must be studied in relation to the City of Winnipeg.

1.3 OBJECTIVES

The intent of this practicum is to evaluate Garden Suites as an alternative form of housing for the elderly in the City of Winnipeg.

The specific objectives are:

1. to examine the concept of Garden Suites as an alternative form of housing for the elderly in Canada and abroad;
2. to analyze the mechanisms for implementation of Garden Suites; and
3. to suggest methods of Garden Suite implementation in the City of Winnipeg.

1.4 STUDY ASSUMPTIONS AND LIMITATIONS

This study assumes that a demand for Garden Suites will arise in the City of Winnipeg and that a segment of the elderly population will require this type of housing.

A limitation is that the elderly are defined as individuals over 65 years of age.

1.5 METHODS

The methods of research used to complete the practicum consisted of three main stages. The first stage was a literature review. In particular books, articles and reports on elderly housing and Garden Suites were included. This literature originated from a variety of disciplines and ensured a solid research base. The research centered around four major subject areas including gerontology, sociology, economics, and planning.

The second stage of research consisted of examining on-going Garden Suite programs in other countries and provinces. The Australian program, the United States experience and the current demonstration project in

Ontario have all been examined. Assessment of the success or failure of these programs was conducted through literature research and interviews with individuals involved with these programs.

The third stage consisted of an examination of various aspects of Garden Suites. These aspects include social, legal, design and construction, installation and the market trends for the units. After studying these in a general nature they were then related to the City of Winnipeg. Open ended interviews were conducted with individuals from the City of Winnipeg, Province of Manitoba, manufactured home builders and various senior groups. The senior citizen groups spokespersons reflected the thoughts and feelings of their respective groups with regards to the acceptability of the concept to the residents of Winnipeg.

1.6 STRUCTURE OF THE PRACTICUM

The practicum begins with a discussion of the elderly population, their demographics, and housing situation. This is followed by existing examples of Garden Suites throughout the world and Canada, thus providing lessons about implementation with both private and public ownership of the units.

The social and economic impacts of residing in a Garden Suite, and implementing a Garden Suite program are examined. These impacts include the family, the neighbours, and community support services.

Zoning and other related aspects outline many implementation and legal issues. A discussion of several possible methods of implementation is then provided. All these methods could possibly be used in Winnipeg, and the impacts of these methods are compared.

Next, the implementation of Garden Suites in the City of Winnipeg is discussed. This discussion includes the potential demand for Garden Suites, documents which pertain to Garden Suites, the most suitable method of implementation, and support services.

Various conclusions and recommendations for a Garden Suite program in the City of Winnipeg are made.

Chapter 2: HOUSING THE ELDERLY

2.1 INTRODUCTION

The elderly population in Canada is expected to continue growing over the next few years as the baby boomers of the post-war years mature. The housing needs of the elderly fall into three main categories including private homes, institutions and semi-independent housing. Garden Suites are a type of semi-independent housing for the elderly.

2.2 THE GROWING ELDERLY POPULATION

In Canada, during the next 20 years, a rapid increase in the elderly population is expected. At present 10.6% of the population is over the age of 65 years, and this is expected to rise to 20% by the year 2001.¹ Currently individuals between 65-74 years comprise 6%, while those aged 75 and older account for 4% of the population.

2.3 HOUSING NEEDS

The housing needs of the elderly, while similar to those of the rest of the population, are special in a few aspects. Brink categorizes these aspects into a Typology of Housing Needs. Brink also suggests the nature and scope of each need varies with each individual. ²

1. Statistics Canada 1986 Census data.

2. Satya Brink in "Housing Elderly People in Canada", Canada Mortgage and Housing Corporation, Ottawa, 1984, 31.

These needs are as follows:

1. **Financial Assistance.** Relatively speaking, the elderly spend a greater portion of their income on housing than the rest of the population. Additionally, expenses such as health care, special diets, and transportation are particularly expensive for the elderly.

2. **Locational Requirements.** Many elderly prefer to live in their own neighbourhood. Moreover, they may not be able to drive or walk long distances, and as a result, need to be close to basic services.

3. **Support Services.** Special services such as cleaning, cooking and transportation may sometimes be required depending on the individual's abilities.

4. **Medical Care Access.** A range of health care services including out-patient visits, visiting nurses, and institutions may be required.

5. **Specially Designed Housing.** Many design features may be incorporated which make it easier for the elderly to live independently.

This typology identifies the special needs of the elderly which require consideration when developing and implementing a housing program. All these factors must be considered when planning housing for the elderly.

2.4 TYPES OF HOUSING

Usually elderly individuals reside at home alone, with relatives, or in institutions. The reasons the elderly person prefers to live at home are comfort and the many memories associated with the home. On the other hand, institutionalization conjures up many negative connotations. For example, some elderly feel they are put there to die or to be forgotten or

neglected by friends and family. Nonetheless, institutions offer special and intensive care which many elderly require.

An emerging alternative to these traditional forms of housing include a range of semi-independent housing. Garden Suites are one of these new alternatives.

2.4.1. Private Homes

Presently in Canada, the majority of the elderly live in their own private homes. In fact, over half (approximately 60%) own their own homes.³ As expected, this percentage declines as the age of the individual increases. By the age of 80 years only 50% of the elderly individuals own their home.

Usually these homes are relatively old, and it is estimated that at least one half of homeowners aged 65 and over live in a dwelling built at least 40 years ago.⁴ The age of these homes dictates regular often expensive maintenance which may contribute to the decrease in ownership rates as age increases. Traditionally, the only other form of housing for these people was institutionalization.

2.4.2 With Relatives

Many elderly people continue to live with their relatives. Problems with this type of arrangement include lack of privacy, noise, and a need for independence. It may be very difficult for both the elderly and their children to live together after many years of living separately. Alternative forms of housing can provide the necessary support, and allow both the elderly and their family independence.

3. Gloria Gutman and Noman Blackie eds. *Innovationas in Housing and Living Arrangements for Seniors*, Burnaby, 1986, 2.

4. *Ibid.*, 6.

2.4.3 Institutions

Although the majority of Canada's elderly population live in their own homes, Canada has one of the highest rates of institutionalization in the world (9%).⁵ In recent years, many negative and psychological effects have been identified.

In monetary terms, institutionalization is very costly for Canadians, since it is primarily financed through taxes. As the elderly population becomes larger, the ratio of working people to retired individuals changes. This 'dependency ratio' describes the proportion of the population assumed to be financially dependent with the proportion of the population presumed to be in the labour force.⁶ As the elderly population increases, fewer workers are left to pay the cost of the health care system which includes institutions.

There are also social/psychological impacts of placing individuals in institutions. Although institutions are necessary for certain people whose families or communities can no longer support them, some individuals may not need to be institutionalized. Lack of money or an adequate place to live, may be the reason that forces people into these institutions. In fact, high first year mortality rates in these institutions may be related to social/psychological factors rather than age or physical condition.

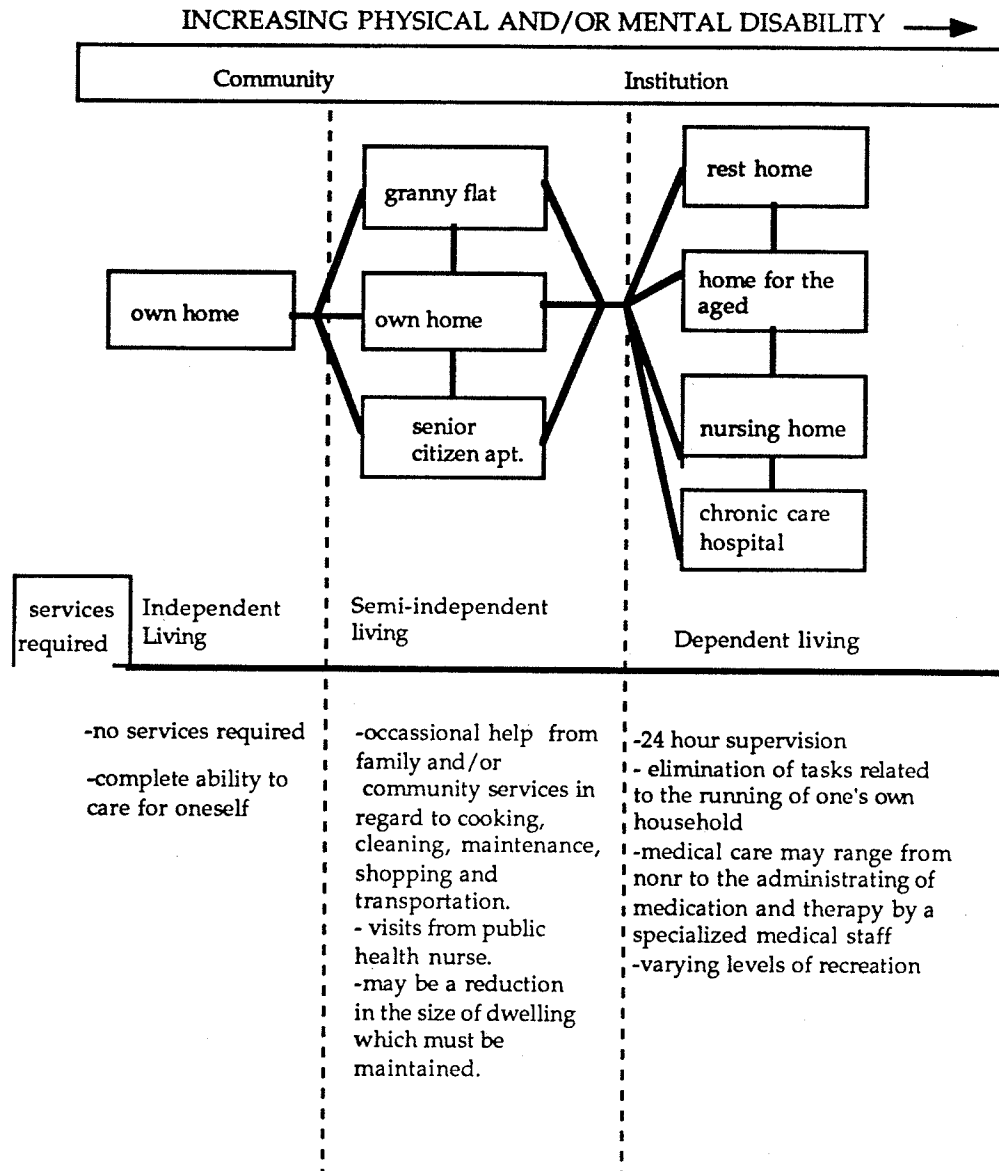
As a result, alternative forms of housing should be considered for the segment of the elderly population who are still relatively independent, yet require some additional support services.

5. Michael Lazorowich, *Granny Flats Their Practicality and Implementation*, Canada Mortgage and Housing Corporation, Ottawa, 1982, 7.

6. Maureen Baker, "The Aging Canadian Population", Library of Parliament, Ottawa, September 1987, 21.

2.4.4 Semi-independent Housing

Semi-independent housing is 'middle-of-the-road' accommodation that might appeal to elderly persons who find it difficult to live independently, but do not need to be institutionalized. The elderly in this situation will require some degree of support services including cooking, cleaning, maintenance, shopping, transportation and health care. Several types of housing can be included in this category such as senior citizens apartments, accessory apartments and Garden Suites (see Figure 1).



Source: Michael Lazorowich, Granny Flats Their Practicality and Implementation, C.M.H.C. 1982, 46.

Figure 1. Housing Types and Services

Senior citizen apartments are developed and sold or rented exclusively to elderly people. These large blocks contain many apartments and they often have a common dining area and small shops. Recreational and social activities are also offered.

Two drawbacks of these apartments are expense and social integration. These apartments are usually expensive and may require relatively large monthly rents or deposits. Social integration becomes a problem because all of the residents are elderly, and there is little interaction with other age groups.

Accessory apartments are an alternative type of housing which alleviates these problems. Accessory apartments are self contained units built into the existing structure of a private home (usually that of a relative). While interaction with other age groups is possible, there are several major problems. These problems include the extensive renovations required to the host home to build the apartment, zoning changes and occupancy control.

Garden Suites are the third major alternative for semi-independent housing. They are self-contained, detached, and portable units installed in the rear or side yard of an existing private dwelling. The drawbacks are similar to accessory apartments, and include zoning changes and occupancy control.

The two major advantages of Garden Suites are portability and public ownership. When the elderly individual no longer requires the unit, it is removed and the yard restored to its original condition. Secondly, if the units are owned by a public body and rented, the expense to the elderly person and their family is minimized.

2.5 SUMMARY

Traditionally, the elderly have had a limited number of housing options. The majority of elderly persons currently reside in either private homes or with relatives. There appears to be an elderly population segment which could benefit from residing in semi-independent housing. The demand for semi-independent housing would likely come from individuals currently living in their private homes or perhaps those living with relatives. Those individuals currently living in institutions may be unable to move to semi-independent housing. However, by helping the elderly learn of, and reside in, semi-independent housing such as Garden Suites, the rate of institutionalization could be reduced. Garden Suites offer independent living while providing access to family members and support services.

Chapter 3:
GARDEN SUITES: AN OVERVIEW

3.1 INTRODUCTION

The concept of housing the elderly in separate dwellings adjacent to an adult children's house is not new. This practice has continued since agrarian times when the elderly individual had become too frail or ill to continue to farm. Often his/her children would continue the farming activities while the elderly person retired to a small cottage in the back or side yard. In Canada, the Mennonite culture has continued with this style of housing.

Although known by different names, the concept of a Garden Suite program is the same for many other programs. These examples include Granny Annexes in the United Kingdom, E.C.H.O. Houses in the United States, Granny Flats in Australia, and P.L.U.S. in Ontario.

3.2 UNITED KINGDOM'S GRANNY ANNEXES

The United Kingdom's Granny Annexes are similar to the Garden Suite concept, however, the Annexes are attached to the host unit. Granny Annexes are included in this study to demonstrate the disadvantage of having the units attached permanently to the host unit.

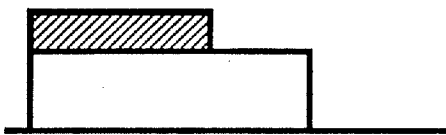
These units are self contained and consist of a kitchen, living room, bedroom and bathroom. Three different styles have been built including a ground floor flat beneath the host unit, a flat above the host, and an adjacent bungalow (see Figure 2). Special design features are incorporated into the homes. For example, the height of power outlets, switches, door handles, and benches were lowered to a more accessible level. Wheelchair accessibility

including handrails, grips and ramps are other special features.

1. By the side of the family



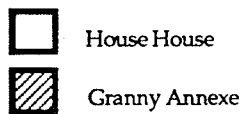
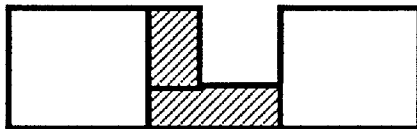
2. Above the family



3. Below the family



4. Mixed arrangement



Source: Michael Lazorowich, "Granny Annexes: Their Practicality and Implementation", C.M.H.C., Ottawa, 1982. Appendix A

Figure 2. Granny Annexe

Granny Annexes can either be privately owned or run by a private body. In both cases, they fall into the jurisdiction of the local housing authority. The elderly individual and the occupants of the host unit are usually related, and the relationship is that of a parent and adult child. This program is intended to provide family support with independence.

In 1976, Anthea Tinker carried out a study for the Department of the Environment in Britain to determine the success of the Granny Annexe program.⁷ Although overall it was termed a success, Tinker identified specific problems with the program. The success is attributable to several factors including the fact that residents of the Annexes were usually older than those that lived alone, the majority of the residents were disabled, and nearly all of the occupants needed some degree of help with household tasks such as cleaning and laundry. Tinker estimated that 22% of individuals would have been in an institution had the necessary support not been available.

In addition, Tinker identified three main reasons why these people were able to continue residing alone. First, the elderly were satisfied with the small specially designed homes. Secondly, most of the elderly received a very large amount of support from their families. Finally, support also came from neighbours. In return, the elderly were giving help to the families by caring for children or looking after pets.

Tinker discovered that many of the elderly enjoyed living in a mixed community which included children and young adults.⁸ As well, none of the Granny Annexe occupants had gone into a nursing home before death. These individuals appeared to be happier living within the community than in an institution.

On the other hand, the Granny Annexes illustrate some important

7. Anthea Tinker, "Housing the Elderly: How Successful are Granny Annexes?", Housing Development Directorate, Occasional Paper 1/76, 1976, 32.

8. *Ibid.*, 33.

problems with this type of housing. The problems include the following:

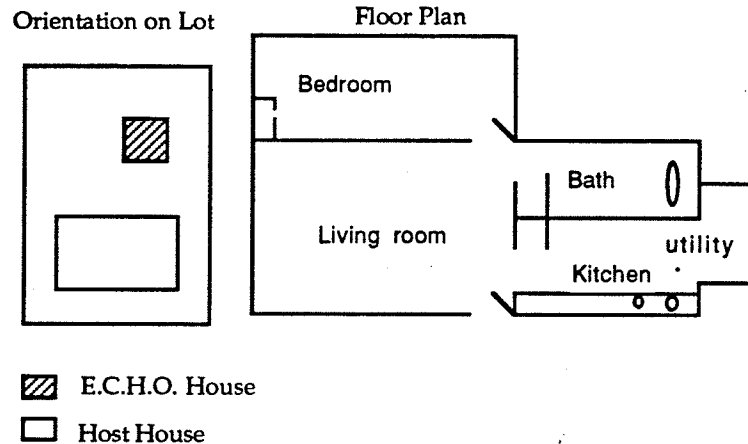
1. When the elderly person no longer requires the use of the Annexe, the entire host family must move out of the house in order for other hosts and occupants to move in. The family may not be able to afford, nor wish to move out of their home. As a result, the host occupants may allow non-relatives, or individuals who are not elderly to move into the flat.
2. A similar problem occurs when the host family moves out of the home and leaves the elderly occupant in the Annexe. The principal unit may be rented to another family. Once again the original intent of the unit is not realized because the elderly person and their family are not together.
3. When the family is above or beneath the elderly person's room, the elderly occupants often complain about the noise created by the children. In addition, it may be difficult for the elderly person to climb stairs to an upper level.

Tinker concludes the Granny Annexe concept is successful because it may prevent or delay the elderly person from having to enter an institution. The primary problem stems from the difficulties involved in having to rent both units simultaneously when one of the units becomes empty.

3.3 THE AMERICAN EXPERIENCE: E.C.H.O. HOUSING

In the United States, Elder Cottage Housing Opportunity (E.C.H.O.) is defined as a small, free standing, barrier free, energy efficient and removable housing units that are installed adjacent to existing single family homes (See Figure 3).⁹

9. Michael Lazorowich, "Granny Flate: Thier Practicality and Implementation", Canada Mortgage and Housing Corporation, Ottawa, 1982, 28.



Source: Michael Lazorowich, *Granny Flats: Their Practicality and Implementation*, Canada Mortgage and Housing, Ottawa, 1982. Appendix C.

Figure 3. E.C.H.O. House

In this program, families are expected to provide support for each other and help with home maintenance and expenses. Either an older or younger relative can live in the unit depending upon the situation.

Although the problems of having the units attached is alleviated, new problems are created. These problems stem from lack of Government involvement. This is significant because the United States Government does not have much involvement in the delivery of social services as compared with their Canadian counterparts. Susan Corke suggests that the experience in the United States points to a number of pitfalls which must be avoided. The most important lesson from the E.C.H.O. experience is that there must be a strong government role to absorb the development costs and the initial risk, regardless of whether the concept becomes the property of government.¹⁰

10. Susan Corke, "Granny Flats: A Housing Option for the Elderly", Report No.13, Institute of Urban Studies, Winnipeg, 1986, 5.

Generally efforts in the U.S.A. have floundered because of lack of funds and a unwillingness to try a new idea.¹¹ Guion identifies three problems that have occurred in the implementation of E.C.H.O. housing in Pennsylvania. First, many of the residential lots were too narrow, and there was not enough room to move the units in between suburban houses. Secondly, adult children did not appear to be as interested as their elderly parents about living on the same lot with one another. Finally, the most difficult aspect was that zoning regulations prohibit the installation of this form of housing in a single family neighbourhood.¹²

The American Association of Retired Persons (A.A.R.P.) is very interested in this form of housing and have developed a model ordinance for municipalities that may want to implement an E.C.H.O. program.¹³ To this end, A.A.R.P. has developed a set of installation and removal procedures for the E.C.H.O. houses. These guidelines indicate the national standards which are required in the development of E.C.H.O. houses.¹⁴

Private developers, driven by the motive for profit, search for different ways to make E.C.H.O. houses a success. Guion suggests innovative ways to market the units. First, the units could be clustered to form a small retirement village. This would make the retirement villages more affordable for low to moderate income groups. Secondly, the units could be adjacent to nursing homes. In this way, individuals that have mates residing in the home can be close to their partners. Thirdly, large industries with a social conscience could purchase a number of units and install them on company owned land. The units would be rented to retired employees.¹⁵

11. Granny Flats Australia: Year four, Urban Liason", 1980

12. Edward W. Guion, "Elder Cottages A New Feature on the Housing horizon", Aging, Dec.1983-Jan.1984, 11.

13. Patrick H. Hare and Linda E. Hollis, " A Model Ordinance for E.C.H.O. Housing", Program Department, American Association of RETired Persons, Washington, 1983.

14. Ronald Mace and Ruth Phillips, "Recommended Construction and Installation Standards, American Association of Retired Persons, Washington, 1984.

15. Edward W. Guion, "Elder Cottages A New Feature on the Housing Horizon, Aging, Dec.1983-Jan.1984, 11.

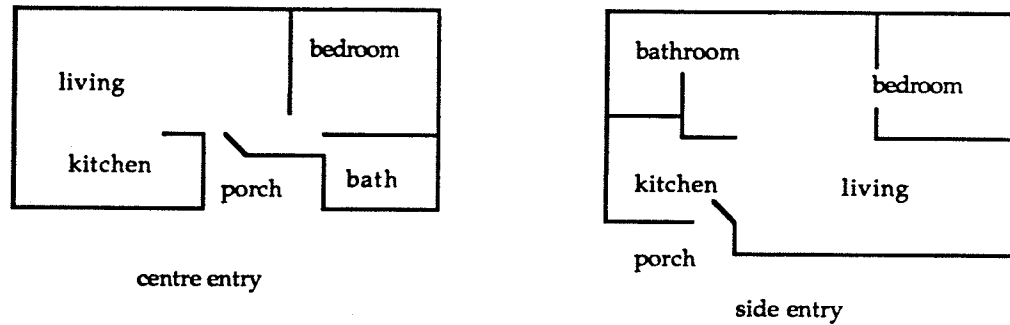
Although the implementation of E.C.H.O. housing has come from the private sector, there has been co-operation from public jurisdictions. In several regions, zoning changes have been implemented to improve the ability to install the units. Recently, the State of California has passed a Bill that declares E.C.H.O. houses an authorized prototype for seniors. Similarly, the Town of North East in New York State has passed an amendment to the zoning by-law that allows E.C.H.O. housing provided that certain conditions are met.

3.4 THE AUSTRALIAN GRANNY FLAT

Granny Flats were developed in the State of Victoria, Australia to fulfill a need in seniors housing. This program was implemented because of a lack of housing for seniors who desired independence yet required limited support services. The Granny Flat program began in 1974, and was officially called the Movable Units Programme. The purpose of the program was to permit the elderly person and their family to live close enough to each other to provide services such as housework, cooking, bathing and shopping.¹⁶

The units are self-contained except for laundry facilities, and are comprised of a bedroom, bathroom and living room with kitchen facilities. Both one and two bedroom styles are available. The needs of the elderly occupants are kept in mind as the homes are adapted with special features (See figure 4).

16 Michael Lazorowich, "Granny Flats: Their Practicality and Implementation", C.M.H.C., 1982, 33.



Source: Michael Lazorowich, "Granny Flats: Their Practicality and Implementation", Ottawa, 1987. Appendix

Figure 4. Granny Flats

Granny Flats consist of prefabricated panels which can be carried through relatively narrow access points to the flat site.¹⁷ Granny Flats are re-usable since the units are easily dismantled and moved to another site.

The type of construction of the Flats vary from steel-framed sandwich paneled insulated construction to lumber framed asbestos-cement and plaster board panel construction¹⁸. Completely pre-fabricated units were not built because of transport problems, and the costs associated with placing the unit in a residential lot by use of a crane.

When the program began in 1974, the only persons eligible for occupancy were aged parents of the host property. In 1975, the regulations were changed to allow just one parent. In 1979, non-relatives were allowed to reside in the units with special permission. By 1981, the units could be erected in the rear yard of a friend or relative of the individual wishing to reside in a flat. The occupants of the unit had to receive a pension, and those individuals whose

17. Ibid., 34.

18 The author does not advocate the use of asbestos materials.

income exceeded a set amount were not granted a unit from this program.¹⁹

Wealthier individuals could obtain a unit through a privately funded program administered by the Ministry of Housing. This was done to alleviate long waiting lists of applicants, and the units were privately purchased by the host occupant. Once the unit was installed, the occupants paid the Ministry \$1.00 per year for rent. After the unit was no longer needed, it had to be sold back to the Government at approximately one-fifth of the original price paid. The Ministry of Housing then re-issued the unit to the next person on the waiting list. By 1984, 20% of the units had been financed in this manner.²⁰

Zoning problems were overcome by designating these flats as "temporary hired buildings". This made it possible to allow more than one dwelling per lot. As a result, "temporary hired buildings" were exempt from the zoning by-laws. However, the major problem with this approach is that it does not allow any mechanisms for neighbour participation. The Australian Parliament decided the benefits of the homes outweighed any negative impacts on the neighbours.²¹

Overall, the Australian experience has been termed a success primarily because the units are owned and operated by a public body. The benefits of this control includes occupancy, rent, removability, and design and construction opportunities.

3.5 PORTABLE LIVING UNITS FOR SENIORS IN ONTARIO

In Ontario, Garden Suites are officially termed P.L.U.S. (Portable Living Units for Seniors). The neighbourhood is diversified because the units are temporary infill, and use existing sewer, water, and support programs.²²

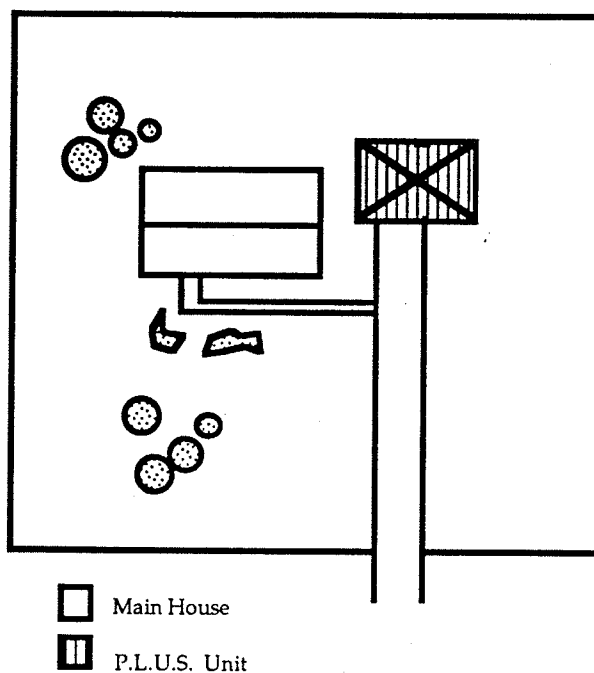
19. Weir et al "Portable Living Units for Seniors Evaluation Part 4: Planning/Regulatory and Legal Assessment" draft report. 1987, 66.

20. Ibid., 66.

21. Ibid., 67.

22. Susan Corke "Granny Flats: A Housing Option for the Elderly", Report No. 13, Institute of Urban

P.L.U.S. units are defined as self-contained, detached and portable units which are restricted to an elderly relative of the host (see Figure 5). Moreover, the units must be aesthetically compatible with both the host house and the neighbourhood.



Source : Michael Lazorowich "Granny Flats: Their Practicality and Implementation, Ottawa, 1982. Appendix

Figure 5. Orientation of P.L.U.S. Unit

The Ontario Ministry of Housing began a demonstration project in 1985 through encouragement of Michael Lazorowich, a professor at the University of Waterloo who felt it may be applicable in Canada. The reason for heavy Government involvement was to avoid the development problems and unrealized expectations experienced in the United States²³ Another goal of

²³ Susan Corke "Granny Flats: A Housing Option for the Elderly", Report No 13, Institute of Urban Studies, Winnipeg. 1986, 13.

this demonstration project was to determine the interaction between the Government and the private sector.

To date, twelve units have been installed, and all occupants are still living in them. The units are distributed with four units in each of the Ottawa-Carlton, Sudbury and the City of Waterloo municipalities.

The project was to achieve four specific objectives: ²⁴

1. Demonstrate an innovative housing alternative for independent seniors, and establish both technical and regulatory details.
2. To examine the risks in establishing an option that is acceptable to the local community, emphasize the need to control occupancy and ensure relocation after the unit is no longer required.
3. Evaluate the costs and impacts associated with the housing option.
4. Examine the future potential for such an alternative.

The units were owned and maintained by the Provincial Government's Ministry of Housing. Furthermore, dwellings were rented at a rent equivalent to the nearest market alternative (usually between \$300-336 a month). Applications were received on a first-come first serve basis. If a set of basic criteria were met, the applicants were placed on a waiting list.

Zoning issues were handled by implementing a temporary use by-law (further explained Chapter 6). The municipality was responsible for processing the applications, record keeping and zoning changes. The Ministry of Housing was responsible to provide and install the units and enter into a license agreement with the host. This measure was required to ensure the temporary nature of the unit and restrict occupancy.²⁵

Studies, Winnipeg. 1986, 5.

²⁴ Ibid., 3.

In the interim, a series of studies were being conducted to examine the effectiveness of the demonstration project. These studies included social, technical and legal aspects. The preliminary findings indicate the project has been a success in almost all aspects except for the actual price of each unit.²⁶

In this Garden Suite program, neighbours were given an opportunity to participate before the site was approved. These gatherings were termed "Tea Party" meetings, and were held in informal settings which allowed the neighbours to voice their opinion.²⁷ Even with this procedure, a number of complaints and fears were voiced by neighbours concerning reduction in property values.

A visit to one of the P.L.U.S. houses in the City of Nepean, Ontario revealed the elderly individual was very happy with the unit.²⁸ Her major complaint was about drafts that blew through the cracks in the walls during the winter. Her major perceived benefit of living in the unit was that she felt useful. She also remarked that she could no longer cope with her old large house, and hoped she could continue to live in the unit for a long time.

25. Gregory S. Romanick in "Granny Flats: A Housing Option for the Elderly" by Susan Corke et al. Report No. 13, Institute of Urban Studies, Winnipeg, 1986, 23.

26. Personal communication, Mark Esley, Communications Officer, Ontario Ministry of Housing, April, 1989

27. Gregory S. Romanick in "Granny Flats: A Housing Option for the Elderly" by Susan Corke et al. Report No. 13, Institute of Urban Studies, Winnipeg, 1986, 19.

28. Personal communication, Mrs. Kojnecki, Nepean, Ontario, February 1989

3.6 SUMMARY

There is a connection between the success of the units that had government involvement and those that were funded privately. Government involvement in Australia and now in Ontario has resulted in a greater degree of control over main issues such as occupancy, removability and standards in installation. In addition, each jurisdiction has dealt with the legal aspects in a manner which is applicable to the country in which it was implemented. Finally, wherever the Garden Suite concept was introduced, the idea of housing elderly individuals near their relatives was accepted and considered to be beneficial.

Chapter 4: SOCIAL ASPECTS OF GARDEN SUITES

4.1 INTRODUCTION

The implementation of a Garden Suite program has many social and psychological implications. Both positive and negative interactions between the elderly person, the host family, and/or the neighbours are likely to occur. Care is usually given to the elderly resident by the family, neighbours, and support services.

4.2 THE FAMILY

Part of the success of Garden Suite programs is attributable to the support the family is willing and able to provide. The term "family" usually refers to parents and their young children. The concept of an "extended" family is broader in scope and may also include grandparents, aunts, and uncles. In certain circumstances some people refer to close friends or neighbours. The success of Garden Suite programs indicate the extended family is still strong in certain situations.

There is a common belief in North American society that the elderly are alienated from their families. This belief is based upon unfounded ideas.²⁹ These unfounded ideas are as follows:

1. Geographic mobility has resulted in the elderly living at great distances from their families.
2. There is a generation gap between the young and the old.

29. Jean Miller, *Family Focused Care*, McGraw Hill, New York, 1980, 34.

3. The predominance of the nuclear family over the extended family has resulted in the elderly not seeing their relatives.
4. The existence and availability of services make it appear that the elderly are cared for and the family need not care.

Springer and Brubaker concur with Miller stating that, on the whole, the role of family relationships is important to both the elderly person and their family.³⁰ Family members provide an extraordinary amount of assistance to their older family members. Moreover, family caregivers are pivotal in determining whether an older dependent person will remain in the community or will be institutionalized.

Freer believes the changes in family size and structure combined with an increase in population mobility have reduced the opportunities which families have to provide support for elderly relatives.³¹ More importantly, Freer believes that although the opportunities for care have been reduced, there is no evidence in a decrease in the willingness of the families to care.

Miller also believes the changes in family structure will influence the nature of family involvement in the care of the elderly. Factors that indicate the nature of family involvement in the care of the elderly are: ³²

1. The change in the dependency ratio.
2. The elderly will not be able to use economic controls to influence their offspring to care for them in times of need. Young people no longer depend as much on the transfer of their parents wealth in return for support of their parents.

30. Diane Springer and Timothy Brubaker, *Family Caregivers and Dependent Elderly*, Sage Publications, Beverly Hills, 1984, 34

31. Wells, Nicholas and Charles Freer, *The Ageing Population, Burden or Challenge?*, Macmillan Press Ltd, 1988. 214

32. Jean Miller, *Family Focused Care*, Mc Graw Hill, New York, 1980, 35.

3. The role of women is changing. Women who are working are not as readily available to care for aging relatives.

4. Elderly persons are living longer. The children of elderly persons are now becoming elderly themselves and require support.

Despite these changes, the primary caregiver is usually a female in the home. The daughter, daughter-in-law, or grand-daughter of the elderly person is the member of the family upon whom they rely upon for support. Although the role of women in our society is changing, they remain an important factor in the care of the elderly.

In addition to the benefits received by the elderly from a Garden Suite arrangement, there are also many benefits to the family. One of the greatest benefits is that the adult children need not worry about the elderly person living alone. However, it should also be mentioned that certain stresses will arise since the elderly person will put additional demand on the family including laundry, transportation, and so on. As a result, the family must be willing and able to adapt to the changing needs of the elderly person because they will most likely become increasingly dependent. Gallup discovered these duties were not generally considered a burden on the family, and these activities were viewed as a normal part of life and a source of pleasure.³³

Another benefit that accrues to the family from an elderly person in a Garden Suite is help around the house. These jobs may include tasks such as caring for the grandchildren, walking the family pet or watering the house plants. As well, a strong bond will often develop between grandparents and grandchildren providing an excellent opportunity for the children to relate to another caring adult.

³³ D.P.A. Management Consulting, "Social Assessment Component of the Portable Living Units for Seniors Demonstration Project", Draft Report, October 1987, 25.

4.3 THE NEIGHBOURS

Neighbours have both positive and negative perceptions when Garden Suites are installed in their neighbourhood. The positive aspects involve the active role neighbours play in caring for the elderly. Neighbours often check daily with elderly residents to ensure they are safe, and may take them to appointments or shopping.

On the other hand, there were six general re-occurring concerns expressed by neighbours in the Ontario P.L.U.S. Demonstration Project.³⁴ These concerns are as follows:

1. 'Unit would adversely affect the resale value of neighbourhood properties.'

Residents of Waterloo appealed to the Ontario Municipal Board and argued that Garden Suites installed in their area would lower property values. This perception was unfounded. Kevin Hicks prepared a report on the effect of Garden Suites on neighbouring property values. He concluded there was no difference in prices between the houses sold near the units and those sold elsewhere in the area. In the cities of Waterloo and Nepean, Hicks stated that the units appeared to have "no impact on the buyer or seller" of neighbouring homes.³⁵

2. 'That the unit would be an eyesore.'

Design standards can ensure the units will not be an eyesore. As well, proper orientation on the lot can ensure the units will have no adverse affect on the neighbours.

3. 'That the temporary zoning would become permanent.'

In Ontario, the temporary zoning for the specific lot was enacted for a limited time. At the end of this limited time, the temporary zoning was reviewed and a decision was made whether or not to continue the temporary zoning by-law. In all cases legal mechanisms should be in place to ensure the units are

³⁴ Ibid., 42.

³⁵ Kevin Hicks, "Granny Flats Don't Hurt Housing Prices Study", Ottawa Citizen, December 3, 1986.

located on the lot for a specific amount of time, however, this may be very difficult to enforce.

4. 'That a nursing home was next to be located in the community.'

There is no relationship between Garden Suites and nursing homes in an area. Garden Suites are designed to partially decrease the demand for personal care homes, and the development of a nursing home does not necessarily follow.

5. 'That the unit should have been assigned to an elderly person already in the community.'

In the P.L.U.S. project, an elderly individual had come from another city. The residents of the neighbourhood felt the time and money should have been invested on elderly residents in their own neighbourhood. While priority could be given to residents of the area, this may dissuade other individuals from benefitting from such an arrangement.

6. 'That one's backyard is a funny place to put one's granny.'

There was a perception that housing elderly parents in the backyards of their children is equivalent to putting their parents in a dog house. Proper awareness and education of the concept can change this negative perception.

Finally in the P.L.U.S. demonstration project, all but one neighbour stated their initial fears had not been realized. Once the units were installed, the neighbours were not disturbed by the elderly residents.

In some instances, the neighbours complained their property was damaged during installation of the Garden Suite unit. Damage included cracked foundations, wrecked turf, a cracked sidewalk, and fences that had to be relocated. Careful planning and a standard set of installation procedures should reduce or eliminate damage to the neighbour's property. ³⁶

It is beneficial for the neighbours to become aware of the proposed installation of the Suites by the owner of the host lot, the media, public

³⁶ Dillon Engineers and Planners, "Portable Living Units for Seniors Technological Research and Assessment" Draft Report, Toronto, 1987, 38.

notice, and a neighbourhood meeting. Informed neighbours complained less about the installation of the unit. In almost all cases in Ontario, the hosts reported their relationship with the neighbours had not changed. If the relationship was good prior to the Garden Suite installation, then it tended to stay that way. However, in one case the relationship with the neighbours started off fair and deteriorated.³⁷

The negative reaction of the neighbourhood to installation of the Garden Suites can be alleviated if the facts are properly and clearly presented. The mechanism used for implementation must ensure that the residents have a chance to ask questions and voice their opinions about the changes in their neighbourhood. Nonetheless, participation will not guarantee acceptance of the Garden Suite program.

4.4 SUPPORT SERVICES

Although family and neighbours are the major caregiver to the elderly, they may not be able to provide all services. Community support services can supplement the role of the family.

The most significant type of services are formal support services. Formal support services include programs which are aimed at the following goals: normalization, optimization of remaining skills, personal care, health assessment, socialization/integration, restoration to community if and when necessary, assessment and treatment as necessary, and easy access to specialized services.³⁸

A support system should consist of both support services and home care.

37. Dillon Engineers and Planners, "Portable Living Units for Seniors Technological Research and Assessment" Draft Report, Toronto, 1987, 39.

38. D.P.A. Management Consulting, "Social Assessment Component of the Portable Living Units for Seniors Demonstration Project", Draft Report, October 1987, 48.

Home care aims at maintaining health by keeping the elderly person at home, and includes personal care therapy, nursing, health counselling and volunteer services. Formal support services are a range of services in activities of daily living which include meal programs, transportation, escorts, and handymen. The type and frequency of services needed for Garden Suites varies with the particular situation of each occupant.

Gallup found that four-fifths of Canadians surveyed believe support services were necessary for the elderly to remain in the community which indicates a need for these support services.³⁹ The services considered to be the most critical were emergency response systems and transportation. Meal preparation was considered as the least important.

The D.P.A. Group study revealed that participants of the P.L.U.S. Demonstration Project were not aware of the full range of programs available.⁴⁰ Availability and information about community support services is a key factor in implementation.

It is interesting to note that formal support services do not replace the care given by the family, it merely supplements it. Taira discovered when support services were utilized, family and friends did not lower their level of care to the person. Moreover, family and friends still provided approximately three times the amount of support as the paid help.⁴¹

Recreational support services should also be available in the community to help the elderly individual remain active and provide companionship. These services include seniors clubs, church activities, community centers, bingo, exercise programs, and so on.

39. Gallup Canada Inc., "Garden Suite National Survey", Ottawa, 1989, 29.

40. D.P.A. Management Consulting, "Social Assessment Component of the Portable Living Units for Seniors Demonstration Project", Draft Report, October 1987, 48.

41. Frances Taira, *Aging: A Guide for the Family*, Technomic Publishing Co. Inc. Lancaster, 1983, 65.

4.5 SUMMARY

Jean Miller best sums up the social aspects of Garden Suites. "Support of the elderly in the future will probably continue to come first from families, then from neighbours and finally from bureaucracies. In order to be most effective in the care of the elderly, these groups must co-ordinate their efforts so that society is ready for the increasing numbers of elderly in the forthcoming years."⁴² Garden Suites enable the family, the neighbours and the bureaucracy an opportunity to work together to improve the lifestyles of the elderly.

⁴² Jean Miller, *Family Focused Care*, McGraw Hill, New York, 1980, 42.

Chapter 5: ZONING AND STATUTORY CONSIDERATIONS

5.1 INTRODUCTION

Zoning is used to regulate the use of land and involves the use of land, the amount of land in each parcel to be covered by structures, and the height of the buildings.⁴³ Zoning issues are critical to the development of innovative housing styles such as Garden Suites because they involve a non-traditional use of land. Similarly, Garden Suites raise several other issues such as occupancy, portability, ownership, landlord and tenant relations, contracts, and assessment for taxation. These issues are examined at the federal, provincial and municipal levels.

5.2 ZONING

Single use zoning divides urban land into separate residential, commercial and industrial zones each with its own activities. Each zone is further divided into categories. For example within residential districts, there is a category of detached single homes and several of multiple dwellings per lot. Single family do not permit a second residential dwelling on a lot. A Garden Suite program requires a zoning method which would allow a second dwelling unit on a lot. Single use zoning is based on safety, health, neatness and comfort.

In one sense, the purpose of zoning is to prohibit someone from doing something on their lot that would make the neighbourhood a less enjoyable place to live, or make a buyer less willing to buy.⁴⁴ In suburban areas, the

⁴³ Gerald Hodge, *Planning Canadian Communities*, Methuen, Toronto, 1986, 130.

⁴⁴ Laszlo Papp, "Zoning Responses to a Maturing population." in *Housing a Maturing Population*. 1983, 240.

perception is that low density makes an area more desirable and maintains the 'quality' of the area. However, Papp argues that 'quality' of an area is determined primarily by the way density is used. For example, low rise housing is more attractive than high-rises, yet they may have the same density.

Since Garden Suites are portable, they would not permanently decrease the 'quality' of an area.⁴⁵ Implementing zoning standards which allow for innovative uses with higher densities (ie. Garden Suites) achieves a goal of better quality housing at a lower cost.

5.3 GENERAL STATUTORY CONSIDERATIONS

A number of other implications are related to Garden Suites. While these legal aspects do not necessarily prevent the implementation of a Garden Suite program, they are required to protect all parties concerned.

5.3.1 Occupancy

Occupancy refers to the specific individuals who reside a dwelling. Garden Suites are targeted specifically for elderly occupants. There are three legal documents which are important when considering a Garden Suite program. These documents are the case of Bell vs. Queen, the Canadian Charter of Rights and Freedoms, and the Human Rights Code.

The case of Bell vs. Queen [1979] 2 SCR 212 sets the precedent that zoning can only regulate the use of land. In this case, Douglas Bell was found to be using a dwelling contrary to the zoning by-law for the area in which he resided. Bell and his room-mates did not conform to the by-law's definition

⁴⁵ Ibid., 236.

of 'family'. The definition used in the by-law was found by the Supreme Court of Canada to discriminate against unmarried couples, elderly widows, students and other individuals. The Supreme Court of Canada ruled that "the device of zoning by reference to the relationship of occupants rather than the use of building is one which is ultra vires (beyond the power) of the municipality".⁴⁶

This ruling is contrary to the concept of a Garden Suite program since the unit is to be occupied only by elderly relatives of the hosts. Although controlling occupancy is beyond the power of the municipality, a provincial or federal initiated Garden Suite program may be able to adequately regulate occupancy of the Garden Suite.

Secondly, the Canadian Charter of Rights and Freedoms protects Canadian residents from discrimination. Section 15(1) states that discrimination cannot occur on the basis of age. Restricting occupancy of Garden Suites to individuals over the age of 65 may be discriminatory.

Section 15 of the Charter of Rights and Freedoms is the specific area of concern for this type of occupancy control:

S.15(1) "Every individual is equal before and under the law and has the right to the equal protection and equal benefit of the law without discrimination and, in particular, without discrimination based on race, national or ethnic origin, colour, religion, sex, age or mental or physical disability. (2) Subsection (1) does not preclude any law, program or activity that has as its object the amelioration of conditions of disadvantaged individuals or groups including those that are disadvantaged because of race, national or ethnic origin, colour, religion, sex, age or mental physical disability."⁴⁷

46 Stanly m. makuch, ed. Municipal and Planning Law Reports, Vol. 9(1980), 107, in Michael Lazorowich, "Granny Flats: Their Practicality and Implementation", C.M.H.C., Ottawa, 1982, 88.

47. Canadian Charter of Rights and Freedoms. Section 15.

On the other hand, Section 15(2) Subsection (1) states that any program for a disadvantaged group is not considered discriminatory. The elderly could be considered a disadvantaged group in our society, and therefore a Garden Suite program would not contradict the Charter of Rights and Freedoms. It must be noted the other groups (handicapped for example) could also argue for the use of the Garden Suite program using Section 15(2) Subsection (1). In essence, restricting occupancy of Garden Suites to the elderly may be contrary to the Canadian Charter of Rights and Freedoms, and if it is not, it may be difficult to ensure that only the elderly will occupy the units.

The final important legal consideration in the development of a Garden Suite program is the Human Rights Code of Manitoba. Garden Suites may be considered discriminatory under this Code. Section (a) of the Human Rights Code of Manitoba states that all individuals will be treated equally:

"..implicit in the above principle is the right of all individuals to be treated in all matters solely on the basis of their personal merits, and to be accorded equality of opportunity with all other individuals". Section (b) states "to protect this right it is necessary to restrict unreasonable discrimination against individuals, including discrimination based on stereotypes or generalizations about groups with whom they are or are thought to be associated, and to ensure that reasonable accommodation is made for those with special needs." 48

All individuals must be treated equally and have the same opportunities. However, since the elderly are a group with special housing needs, a Garden Suite program would not be perceived as discriminatory, rather it is a means of supplying reasonable accommodation for a group with special needs (ie. the elderly).

48 Human Rights Code of Manitoba.

5.3.2 Landlord and Tenant Relations

The Landlord and Tenant Act of Manitoba may be required to settle disputes between the occupant of the host house and the occupant of the Garden Suite. Under this Act, the landlord is defined as a person permitting occupancy of a rental unit. Similarly, a residential premises is defined as a dwelling used for residential purposes including mobile homes. If the Garden Suite units are privately owned, the host land owner becomes the landlord as defined in the Landlord and Tenant Act.⁴⁹

In the case of public ownership of Garden Suites, the permission for occupancy originates from the public body that receives rent, and not the owner of the host property. The owner of the land is not the owner of the Garden Suite. As a result, the owner of the Garden Suite must conform to the Landlord and Tenant Act (ie. the public administrative body).⁵⁰

5.3.3 Contracts

The parties involved in the Garden Suite program may wish to enter into a contract to govern their relationship. If the Garden Suites were privately owned, it would be desirable for a contract to be established between the municipality and the host property owner. If the Garden Suites were publicly owned a contract could be established between the public body and the owner of the host land. Items that should be included on a contract are as follows:

49. Landlord and Tenant Act of manitoba

50. Weir et al, "Portable Living Units for Seniors Evaluation Part 4: Planning/Regulatory and Legal Assessment", Draft Report, Toronto 1987, 14.

- insurance
- preparation of site
- rights of inspection
- removal of unit
- consequences of default
- rent to be paid for the unit
- termination of agreement
- utility and service costs
- responsibility
- noting unit not a fixture
- qualifications for occupancy
- restoration of site
- provision of services
- easements
- realty tax
- repair and maintenance of unit

A standard form of contract could be introduced to deal with each of these items to guarantee equal treatment for all elderly occupants and their hosts.⁵¹

Lazorowich believes that contracts are superior to zoning as a method to control occupancy.⁵² The primary reason is that zoning regulations are generally not enforced until a neighbour complains. In addition, the courts are more lenient on those who break zoning regulations than those who break contracts. Thus, in a contract situation, there may be a greater incentive to conform because of greater legal authority.

5.3.4 Assessment for Property Taxation

Another important issue to be considered in the development of a Garden Suite program is assessment for property taxation. The assessment and taxation of land and buildings is a matter of direct property tax. The taxation of land is both a provincial and municipal jurisdiction. Legislation concerning taxation originates from the provincial government, and the municipality is responsible for collecting the taxes.

51. Ibid., 15.

52 Lazorowich, "Granny Flats: Their Practicality and Implementation", C.M.H.C., Ottawa, 1982, 94.

In Australia, the Government exempted Granny Flats from assessment and therefore taxation. The units were deemed not to constitute improvements in relation to the land upon which it is situated.⁵³ The Flat is not a permanent improvement because it is temporary and portable. Public ownership readily enables this type of exemption.

In addition, a tax exemption for the unit is also likely to exist because property owned by the province or municipalities are not usually taxed. A grant-in-lieu of taxes are generally given to the municipalities from the other levels of government.

The disadvantage of privately owned Garden Suites is that they would not likely be exempt and the unit would be assessed as a residential structure.

In Winnipeg a Garden Suites would be assessed as a second small house. Although the units are temporary structures, they must be assessed if used as a residential dwelling.

5.3.5 Ownership

Garden Suites may be owned publicly, privately or owned by a non-profit agency. Public ownership refers to Garden Suite units that are owned by a public body such as a Ministry of Housing which are then rented to elderly. Private ownership refers to Garden Suites which are bought from a contractor by an elderly person or their family. Ownership by a non-profit group is similar to that of public ownership because the units are rented and then returned, however, the non-profit group arranges construction, development and distribution.

Distribution, use, tenancy and architectural standards are difficult for a municipality to control for a Garden Suite program. Private ownership of

⁵³ State of Victoria, The Victoria Housing Act, P.43 in *Granny Flats: Their Practicality and Implementation*, 100.

Garden Suites would make it extremely difficult to control these factors. On the other hand, non-profit ownership would marginally enhance control, while public ownership would have the highest degree of control over these factors.

A related issue is the change in Garden Suite ownership when ownership is transferred. For example, since Garden Suites are portable, they should be registered at the Land Titles Office as a chattel. Chattels are goods which are not permanently attached to the land. Similarly, fixtures are goods attached to the land which become part of the property and is transferred with the land upon sale.⁵⁴ Harvey suggests a chattel can become a fixture. "A chattel which is attached ever so slightly is to be considered a fixture unless the circumstances are such as to show that it is intended to continue as a chattel, the onus being on those who so assert".⁵⁵ Under private ownership, a Garden Suite is attached to the host property, and therefore becomes a fixture of the host property. This is not desirable because the Garden Suite transfers with ownership of the land, and the unit is no longer considered portable. On the other hand, public ownership would ensure the Garden Suites remain a chattel because it would be designated as a temporary rented unit.

Table 1 compares the type of ownership with a number a variables: motive, legal issues, public participation, access to social services, economic, construction, and ongoing administration. These variables are important to the development of a Garden Suite program, and the Table describes the relative significance of each of the variables. The variables are defined as follows:

54 Weir et al, "Portable Living Units for Seniors Evaluation Part 4: Planning/Regulatory and Legal Assessment", Draft Report, Toronto. 1987. 9

55. Cameron Harvey, "Planning Law", University of Manitoba, 1983. 45

1. Motive. The motive for development may or may not serve society's best interest.
2. Legality.
 - a. Occupancy control. In order to be successful Garden Suites must regulate 'who' can use the units.
 - b. Assurance of removal. This is necessary to maintain the integrity of the neighbourhood and to ensure individuals other than the elderly do not reside in the units after the occupant moves or dies.
3. Public participation. It is important in any planning or housing process to have input from the adjacent landowners and neighbours.
4. Access to social services. Awareness and accessibility to social service programs can ensure the elderly individual has the medical, recreation, home care and similar services to lead a full independent life.
5. Economics.
 - a. Obtaining. The means for obtaining a unit can be a factor in whether the elderly person will be able to afford a unit.
 - b. Rent. The ability of maintaining a Garden Suite depends greatly on making the units affordable.
 - c. Disposal of units. The removal of the units depends upon the ability to dispose of the units easily and in an economically feasible manner.
6. Construction. The standards of construction must be safe, healthy, and accessible for elderly individuals.
7. Ongoing administration. To ensure the units continue to be occupied by elderly individuals ongoing administration must take place. The two factors of cost and effectiveness indicate the success of the administration.

Table 1. Types of Ownership

<u>Variable</u>	<u>Type of Ownership</u>		
	<u>Private</u>	<u>Public</u>	<u>Non-profit</u>
Motive for development	Profit of seller	political/social	social/non profit
Legality:			
a. occupancy control	difficult	possible	possible
b. assurance of removal	difficult	possible (public agency can control three aspects)	possible (can create own strategy for dealing with zoning)
Public participation	yes	yes	depends upon the legal method used
Access to social Programs:	up to the individual to participate	awareness could be part of entire program	can advise occupants of existing programs
Economics:			
a. Obtaining	purchase	all or partially funded	lease
b. Rent:	eligible for provincial subsidies	rent a percentage of income	affordable rent/ arrange capital financing
c. Disposal of Units	difficult to sell	purchase or return	purchase or return
Construction	standards of construction in building code	standards of construction in building code	standards of construction in building code
Ongoing administration	low cost	costly	low cost

Overall, public and non-profit ownership of Garden Suites appears to be more beneficial since there is a greater general degree of control over occupancy and removal. As well, if the units are distributed by a public body, all of the elderly and their families may have access to a Garden Suite. Private ownership may result in the least amount of control over occupancy and removal of the Garden Suites. Garden Suites may be expensive for many elderly individuals and their families to purchase, and as a result, may prevent individuals who wish to reside in a unit from doing so.

Although public ownership may be more desirable from a regulatory standpoint, a municipality should also be able to accommodate private ownership situations. However, some form of regulatory control is still required. An appropriate regulatory option is required for both private and public ownership.

5.4 SUMMARY

Traditionally, zoning has served a very useful purpose to ensure the quality of suburban neighbourhoods. As the population ages, however, innovative zoning approaches must be implemented if a Garden Suite program is to be successful. Issues of occupancy, landlord and tenant relations, contracts and taxation are very important when considering Garden Suites. It is difficult for a civic government to control occupancy and removal of the units through land use by-laws. Public ownership appears to be the most effective way to regulate and control these issues.

Chapter 6: METHODS OF IMPLEMENTATION

6.1 INTRODUCTION

A regulatory method of implementation refers to a legal mechanism which controls the use of Garden Suites. There are several methods of implementation, and they are usually instituted by a municipal government. Since there is a variety of alternatives, a municipality will choose a specific method of implementation which will best serve their needs.

6.2 METHODS OF IMPLEMENTATION

The regulatory methods of implementation include as-of-right zoning, site plan control, temporary use by-laws, licensing, Garden Suite legislation, variances, and conditional use permits. The advantages and disadvantages are discussed for each of the following regulatory methods. These methods are both practical and theoretical in nature because some have been utilized in some municipalities while others are still experimental.

6.2.2 As-of-Right Zoning

As-of-Right zoning enables individuals the right to install a Garden Suite in specific zoning categories when a set of established criteria are met. Amendments are made to the official development plan of a city to allow for Garden Suites.⁵⁶ Then the zoning by-law is amended to specify the situations in which a Garden Suite could be installed. These specific requirements may

⁵⁶ Weir et al "Portable Living Units for Seniors Evaluation Part 4: Planning/Regulatory and Legal Assessment. 1987, 17.

include setbacks, lot coverage, occupancy and building codes.

The main advantage of this method is the short approval period once amendments to the official plan and zoning by-laws are adopted. On the other hand, the disadvantage is that public participation is restricted to a general level. Although there may be an opportunity for public hearings on a general zoning by-law change, there is no direct means of participation for the neighbours of each Garden Suite installation.⁵⁷

6.2.3 Site Plan Control

Site plan control is similar to as-of-right zoning, however, there is a greater degree of public participation. In this situation, official plan and by-law amendments are combined with a public participation mechanism for each Garden Suite site. Once the criteria in the zoning by-law are achieved, the adjacent landowners are notified. Site plan meetings are then held, and the neighbours have input into where the unit is to be located on the lot.⁵⁸ In other words, site plan control deals with how a use is implemented, and not whether a use is permitted.

The advantage of this method is that public participation is possible for each installation. Moreover, the units are installed with the unique features of each site having been considered. The disadvantage is that the installation process is lengthened and uncertainty about the suitability of the site is created. The neighbours may request the owner of the land to provide parking, shrubs, or easements for utilities. Another disadvantage is that adjacent property owners may be disgruntled to find they cannot influence the acceptance of the Garden Suite in principle. Rather, the neighbours may only help decide the most desirable location of the unit on the lot.⁵⁹

57. Ibid., 19.

58 Weir et al "Portable Living Units for Seniors Evaluation Part 4: Planning/Regulatory and Legal Assessment. 1987, 20.

6.2.4 Site Specific Temporary Use By-Laws

A site specific temporary use by-law authorizes the temporary use of a building on a certain lot for a specified purpose and length of time. The length of time can either be strictly limited or tied to occupancy qualifications. In the latter case, the rental period is for as long as the individual is qualified for the unit. In this scenario, a separate by-law must be enacted by council for each Garden Suite.

The advantage of the temporary use by-law is the assurance of neighbourhood participation. Lot coverage and size of the unit are considered on a site-by-site basis. Control of the use of the units can also be established as part of the by-law. As well, each by-law would include criteria for site specifications and buffering from adjacent properties. The disadvantage of this mechanism is the delay and uncertainty associated with the length of the procedure. Moreover, there is likely to be a long period of time from the initial application to the final consent of the city councilors.⁶⁰

6.2.5 Licensing By-laws for Garden Suite Installations

All lots are generally zoned for Garden Suites, however, each applicant must apply for a license to install a unit. This method requires a licensing by-law which first has to be passed by council to create these licenses. Each applicant would receive individual treatment based upon a set of guidelines. Control of occupants, design, removal, and number units in the area could be specified in these guidelines. A licensing commission would likely be

59. Ibid., 21.

60. Ibid., 22.

required to administer the licenses.⁶¹

An advantage of this method is that the licensing commission can develop expertise and efficiency in processing applications. Each license would be reviewed annually and renewed or rejected according to the criteria, and the decision of the commission would be final.

The disadvantage of licensing by-laws is there would not be any public participation unless specified in the licensing procedure. If participation was to occur, it would involve hearings in respect to each license application.

6.2.6 Garden Suite Installation Legislation

Under this method of implementation the Provincial Legislature would introduce specific legislation for Garden Suites to which a city must adhere. This legislation could be either very broad or narrow in scope depending upon the perceived needs of the municipality.⁶²

The advantage of this method is that a provincial government would introduce the program if they feel it is required, and Provincial funding would likely be available for the program. The disadvantage is that the program would occur at the expense of local autonomy, and overrule official plans and zoning and licensing schemes. Weir believes this is a method of 'last resort' which should be utilized only if local autonomy becomes overly self-serving and restricts access to Garden Suites.⁶³

61. Ibid., 25.

62 Ibid., 27.

63 Ibid., 27.

6.2.7 Variances

A variance is used to modify the application of a zoning by-law. A variance is usually required to change the height and set back requirements of a building. Variances are meant to add flexibility to the application of the by-law, and are supposed to create only minimal effects on surrounding properties.⁶⁴ Variances do not increase the density of an area.

An advantage is that variances are commonly used, and a variance system would not have to be established.

6.2.8 Conditional Use Permit

A conditional use is an 'allowed' use of a building for a particular use which is normally prohibited. An amendment to the zoning by-law is required to implement a Garden Suite as a conditional use. These permits are issued to successful applicants, and allow for a conditional use as long as a set of pre-defined criteria are met. These criteria may include unit size, lot coverage, occupancy, parking, removability, compatibility with aesthetics, and concentration.

The advantage of this method is that regulation is strictly defined and more controllable. The disadvantage of conditional use permits is that public participation must be specifically written into the conditional use permit.

⁶⁴ Gerald Hodge, *Planning Canadian Communities*, Metheun, Toronto, 1986, 131.

6.3 COMPARISON OF METHODS

Table 2 describes six specific issues which are related to each of the regulatory methods of implementation established by the local government. These issues were determined from the literature review as important considerations when implementing a Garden Suite program. The type of option chosen is also influenced by several factors including public sector involvement and the type of ownership. For the purpose of this comparison, all of the issues were treated with equal importance.

The issues include the following:

1. Occupancy control - ensures Garden Suites are not used by individuals other than the elderly.
2. Assurance of removal - ensures Garden Suites do not become a permanent fixture on the lot after the elderly person no longer requires its use.
3. Public participation - allows the neighbours to have input and gain an understanding of Garden Suites.
4. Standards for installation, maintenance and removal - these standards ensure that safety, health and comfort for the elderly are attained.
5. Speed of application process - the speed of the application process is important to the families since they usually apply for a Garden Suite with a sense of urgency.
6. Meets intent of by-law - the intent of the existing by-law should be met so as not to contradict the overall planning goals.

Table 2. Comparison of Criteria for Methods of Implementation

	<u>As-of Right</u>	<u>Site Plan Control</u>	<u>Temporary Use By-Law</u>	<u>Licensing By-Law</u>	<u>Variance</u>	<u>Conditional Permit</u>
Occupancy Control	difficult	difficult	easier	specified in licence	difficult	specified in permit
Assurance of removal	difficult	difficult	easier	specified in licence	difficult	specified in permit
Public participation	general	site specific	site specific	specified in licence	site specific	site specific
Standards for Installation/Maintenance and removal	difficult	difficult	specified in by-law	specified in licence	difficult	specified in permit
Speed of Application Approval	quick	slow	slow	quick	quick	quick
Meets Intent of By-Law	yes	yes	yes	yes	yes	yes

Table 2 suggests that conditional use permits are possibly the best regulatory method of Garden Suite implementation. The second best alternative appears to be licensing by-laws. Licensing by-laws are not as desirable as conditional use permits because there is not as great an opportunity for citizen participation. Variances and as-of-right zoning are the least desirable regulatory method of implementation since many categories such as occupancy control and assurance of removal rated poorly.

assurance of removal rated poorly.

6.4 SUMMARY

The regulatory methods of implementation of Garden Suites differ from one another, however, each achieves the same goal. A municipality may consider a number of these alternatives with respect to their own specific needs. Nonetheless, conditional use permits and licensing by-laws appear to be the most effective regulatory mechanism for implementation of a Garden Suite program.

Chapter 7: THE CITY OF WINNIPEG

7.1 INTRODUCTION

The implementation of a Garden Suite program in the City of Winnipeg involves several related issues. A strong belief in family values combined with a large elderly population indicate a potential demand for a Garden Suites. Moreover, several existing legal and planning documents have a direct impact on the implementation of a Garden Suite program in the City of Winnipeg. Finally, the method of implementation and support services of a Garden Suite program are other critical factors for consideration of a Garden Suite program in the City of Winnipeg.

7.2 BACKGROUND

The City of Winnipeg is located in southern Manitoba and contains over half of the total population of the province. Of the total population of Winnipeg 11% are over the age of 65 years which is slightly higher than the Canadian average of 10.6%.

As well as being the centre of the population in the Province, Winnipeg has a mixture of ethnic cultures. The City has traditionally been characterized by people of British, French, Native, Ukrainian and German heritage. Recently, this diversity has expanded to include numerous other cultural groups. Many of these cultures has cared for their elderly in a somewhat different manners. However as each group assimilates into Canadian society, these cultural differences have appeared to disappate over time. In each of these cultures, the elderly have remained an integral part of the family. The

elderly are now becoming a distinct group in our society.

7.3 POTENTIAL DEMAND

The potential demand for Garden Suites in the City of Winnipeg will come from two related groups referred to as the occupants and the hosts. An occupant is defined as an elderly person who requires semi-independent support and has a family that resides in a home suitable for a Garden Suite. Similarly, hosts are defined as relatives that reside in a home that can accommodate a Garden Suite. Potential demand primarily originates from these two large and mutually dependent groups.

Since specific statistics are not available on the relationships of these two dependent groups, it is difficult to predict the quantitative demand for a Garden Suite program. Nonetheless, the potential demand for Garden Suites in the City of Winnipeg can be extrapolated through a number of concrete indicators. These indicators include demographics, present living arrangements, the demand for semi-independent housing, and individuals on waiting lists to enter a personal care home.

First, there are approximately 68,000 individuals in the City of Winnipeg over the age of 65 years who are potential candidates for a Garden Suite program. In addition, the primary potential hosts for a Garden Suite are individuals between the ages of 30-49 years with 3-4 people living in their residence.⁶⁵ Winnipeg has an estimated 200,000 people or 18,000 families that are potential hosts for a Garden Suite. Although this information indicates the number of occupants and hosts who could potentially demand a Garden Suite, it is not comprehensive. For example, there is no indication of the

65. Gallup Canada Inc. "Garden Suites National Survey", Canada Mortgage and Housing Corporation, Ottawa, 1989, 10.

number of individuals/families who have elderly relatives living in Winnipeg and vice versa.

Secondly, the current living arrangements of the elderly in Winnipeg include those living alone (58%), living with family (34%), living in a personal care home (6.5%), and living with non relatives (1.5%)⁶⁶ (see Table 3).

Table 3. Living Arrangements of the Elderly

<u>Living Arrangements</u>	<u>Number</u>	<u>Percentage of Population</u>
Family	39,936	58%
Alone	23,411	34%
Personal Care Home	4,475	6.5%

Source: Statistics Canada 1986 Census Profiles 95-173 Table 1

Table 3 reveals that most elderly people are living with their families. Since the elders living alone or with relatives comprises 92% of the existing situations, the demand for Garden Suites are most likely to come from this group.

Thirdly, and more specifically, a demand may develop from those elderly who currently live in their own homes (as shown in Table 3). Of the total occupied single private dwellings in Winnipeg (141,335), 22% (31,094) have household heads aged 65 years and older. When these individuals can no longer support themselves, Garden Suites may be viable housing alternative.

Fourthly, demand is demonstrated in the number of elderly currently searching for semi-independent types of housing. Senior citizen apartment

⁶⁶ Statistics Canada 1986 Census Profiles 95-173

blocks may be used as a gauge for this type of housing, and these blocks are fast approaching capacity or have long waiting lists.⁶⁷

Fifthly, there are 4,475 (6.5%) individuals residing in personal care homes, and 764 individuals on waiting lists to enter a personal care home. Not all of these individuals on the waiting list may need to reside in an institution.

Finally, Winnipeg's elderly population, like the rest of Canada, is rapidly increasing in numbers. It is estimated that the number of elderly will double by the beginning of the next century. Thus alternative forms of housing must be considered today in order to accommodate the large number of elderly in the future.

Although these factors are indicative of the demand for Garden Suites, they do not reveal the desire and/or capability of the elderly and their families to install a Garden Suite. However, these indicators do show a demand that may now exist and may exist in the near future.

7.4 LEGAL AND PLANNING DOCUMENTS WHICH PERTAIN TO GARDEN SUITES

There are several legal and planning documents which pertain to the development and implementation of a Garden Suite program in the City of Winnipeg. These documents include the General Development Plan (Plan Winnipeg) and the 13 zoning by-laws which apply to each area of the city and the additional zones.

67. Survey of Senior Citizen Apartment Blocks, conducted by author, November 1989.

7.4.1 The Winnipeg General Development Plan - Plan Winnipeg

Plan Winnipeg is the overall development plan for the City of Winnipeg. All zoning by-laws must meet the intent of this plan. Plan Winnipeg may be interpreted in numerous ways regarding a Garden Suite program.

1) "What is the most effective strategy for encouraging the maintenance and revitalization of older established neighbourhoods?" ⁶⁸

Comment: In order to maintain and revitalize a neighbourhood, individuals of all ages must be encouraged to remain in the community. Garden Suites can maintain the elderly's active participation in the community.

2) "The proposed infill/revitalization strategy requires the City to commit itself to the maintenance and revitalization of older neighbourhoods as a priority in meeting local government responsibilities to housing and community development. This commitment to the support of older neighbourhoods has two major policy implications:

1. direct municipal involvement; and
2. development of incentives to attract private sector investment in older neighbourhoods." ⁶⁹

Comment: Municipal and private sector investment is required to install Garden Suites. The private sector may become involved by either being awarded the contract for construction of the unit for a public body, or by

68. Plan Winnipeg Summary and Recommendations of the Study Team Department of Environmental Planning, 1980, 4.

69. Plan Winnipeg Summary and Recommendations of the Study Team Department of Environmental Planning, 1980, 10.

selling the units directly to the market. In either case, the private home builder becomes involved in the revitalization of existing neighbourhoods.

3) "To maximize utilization of the City's investment in infrastructure and services."⁷⁰

Comment: Garden Suites would be located in areas with existing municipal services. A Suite would be connected to existing sewer, water, and electrical lines. As there would not likely be many Garden Suites in an area, the existing services would not require upgrading. Population density would increase without additional strain on existing infrastructure.

7.4.2 Zoning By-Laws

There are numerous zoning by-laws that are in effect within the City of Winnipeg. Existing by-laws are remnants from when the municipalities were not amalgamated into one city. New zoning by-laws are created by City Council through the City of Winnipeg Act. This Act allows the City to regulate a number of issues including the number of dwellings per lot. The East Kildonan- Transcona Zoning By-Law #4440 will be examined as an example of a zoning by-law in the City of Winnipeg. This particular by-law was chosen because it is the most recent (1987). The residential component of the by-laws are very similar in nature.

There are several sections of this By-law which may pertain to Garden Suites. Most importantly, the zoning By-law prohibits two principal residential buildings on a lot in a single family district.

70. Plan Winnipeg Summary and Recommendations of the Study Team Department of Environmental Planning, 1980, 32

"In the single family districts no principal use may occupy more than one (1) principal building and its accessory buildings on one (1) zoning lot..." 71

In order to circumvent the provision of the by-law that only one principal building on a lot, it would be necessary to describe a Garden Suite as an accessory structure.

An accessory structure is defined in the By -law as follows:

"Accessory building, structure or use means a building, structure or use which is subordinate to, incidental to, and serves the principal building, structure or use, and is located on the same zoning lot as the principal building, structure or use served."72

A Garden Suite could be described as an incidental use to the main house since the Garden Suite is not a primary structure.

Moreover, the By-Law contains a list of permitted accessory structures for a single use residential area. Garden Suites are not currently on that list, however, they could be added. Garden Suites would also have to conform to the requirements for accessory structures for setbacks and distances from the principal building.

Although at present, Garden Suites are not permitted by this By-Law, they could be included by defining a Garden Suite as an Accessory structure.

71. East Kildonan-Transcona Zoning By-law # 4440, Winnipeg, 1987. VII-17

72. East Kildonan-Transcona Zoning By-law # 4440, Winnipeg, 1987. I-2

7.5 REGULATORY METHOD OF IMPLEMENTATION

One of the most important considerations of the Garden Suite program is the regulatory method of implementation that is used. The most suitable method of implementation of Garden Suites in the City of Winnipeg is likely the Conditional Use Permit. This method is suitable for a number of reasons that include existing mechanisms, related issues, and public or private ownership.

First, a number of mechanisms for this method presently exist in the East Kildonan-Transcona By-Law #4440. Although conditional uses are presently being used, the By-law would have to be amended to include special use permits as part of the procedures for conditional uses. As well, Garden Suites would be included on the list of permitted conditional uses as an accessory structure. The issuance of the permits could be handled by the zoning officers who currently approve the conditional uses.

Secondly, Conditional Use Permits enable closely regulated control over occupancy control, removal, public participation, standards of maintenance, time considerations, and meeting the intent of Plan Winnipeg. This type of control is necessary to ensure a Garden Suite is used properly. At present when a conditional use is implemented public notice and hearing must occur. These procedures for public participation would continue using Conditional Use Permits.

Finally, this system can be used by the local government whether or not the units are privately purchased or publicly owned. The implementation method is similar, however, the permit applicant for the Garden Suite would change.

The Conditional Use Permit method is a complete mechanism for the

implementation of a Garden Suite. The variables the City may wish to control can be detailed within each permit. For example, the Town of North East, New York specifies a number of variables for conditional use permits which may be used to establish a framework for the City of Winnipeg. These variables include the following:

1. Definition of a Garden Suite.
2. Occupancy - minimum age of the occupant;
-relations of host and occupant (blood, marriage, adoption);
-number of occupants of a Garden Suite; and
- to whom the special permit is issued (owner of the host lot or public body).
3. Construction - conformity to building codes.
4. Minimum and maximum size of unit.
5. Placement - ie. rear or side yard only.
6. Lot coverage - the maximum amount of lot which can be covered.
7. Access - front access to Garden Suite for wheelchair and stretcher.
8. Parking - number of spaces per lot.
9. Maximum number of Garden Suites per lot.
10. Removability - must be portable;
- foundation must not be permanent;
- no permanent fencing which obstructs removal.
11. Clean and adequate water and sewer removal.
12. Clearly defined application process.
13. Renewal - time frame for renewal;
- conditions which have to be met.
14. Termination - assurance of removal when unit no longer needed within a given time.
- time frame for renewal or warning process when conditions of permit no longer met.

The next best choice for a regulatory method of implementation for a Garden Suite program in the City of Winnipeg is licensing by-laws. This mechanism could be implemented with little difficulty and would be effective in controlling occupancy and removal. Moreover, this method could

be utilized for either private or public ownership of the Suites. The main problem with this method is the lack of a proper mechanism for citizen participation.

7.6 MUNICIPAL SERVICES

The existing municipal services include water, sewer, gas, and electricity. Each would need to be connected to a Garden Suite (see Appendix B). Since it is unlikely that a large concentration of Garden Suites would occur in any given area, these services would not be overburdened and no additional service capacity would be required. However, special code regulations will be needed for connections.

7.7 SUPPORT SERVICES

In Winnipeg, services for the elderly are generally divided into home care and support services. Home care aims at maintaining health through keeping the elderly person at home and includes homemaking, personal care, nursing, health counselling and volunteer services. These programs are available if the qualification criteria are met. Examples of these services include Meals on Wheels, Community Home Services and Seniors for Seniors.

In addition, there are a variety of adult day programs which provide an opportunity for socialization and recreation in a supportive environment. Transportation and other assistance is usually provided. Age and Opportunity, Senior Centres, and Klinik are some of the groups offering many of these activities.⁷³

73 Manitoba Senior Citizen's Handbook, Manitoba Council on Aging, Winnipeg, 1987. 60

7.8 SUMMARY

The demand for Garden Suites in the City of Winnipeg would originate from those elderly people and families who would find the arrangement beneficial. As a result, the target population is probably relatively small. The installation of a Garden Suite can be prudently achieved because the intent of Plan Winnipeg is not contradicted and the zoning by-laws can be easily amended. The most suitable regulatory method of implementation is probably conditional-use permits since they offer very strict control and existing mechanisms. Another benefit of a Garden Suite program in the City of Winnipeg is that existing support services can be readily made available to complement this program.

Chapter 8: SUMMARY, CONCLUSIONS, AND RECOMMENDATIONS

8.1 SUMMARY

As the elderly population in Canada continues to grow, the demand for elderly housing will also increase. This future housing situation should include alternatives to the present housing options. The elderly are a diverse group and will demand choice in housing to compliment their individual needs.

A Garden Suite program is a viable method of housing a certain segment of the elderly population. The primary problem with the Garden Suite alternative is that it is restricted to families who own a home with a suitable yard. The benefits of this option range from increasing the quality of life for families to revitalizing neighbourhoods. In other words, Garden Suites allow the elderly and their families a chance to live near and support one another.

A Garden Suite program in Winnipeg requires two basic characteristics. First, it should be available to all interested families. To restrict access to a segment of the elderly population will result in an inequitable situation. Secondly, the Garden Suite program should enable both public or private ownership of the Suites.

A Garden Suite program in the City of Winnipeg requires the co-operation of several groups. These parties include the occupants, the hosts, the neighbours, civic government and the implementing body such as a public or non-profit organization. This co-operation must take place to ensure the implementation of the Suites does not conflict with the concerns and needs of the groups.

8.2 CONCLUSIONS

1. The majority of the elderly in Winnipeg are presently residing in private homes, however, a relatively large segment live with relatives or in institutions. Alternative forms of housing such as Garden Suites can act as a bridge between living alone and institutionalization. Some elderly individuals may not have to enter a personal care home, and may continue to remain in the community with the aid of their families.

2. Garden Suites have been implemented in Great Britain, Australia, United States and Ontario. There has been varying degrees of success for these programs. All of these programs are based on the idea of the elderly living independently with family support. These examples illustrate the need for public sector involvement. With that involvement, greater control over occupancy and removability can occur.

3. The support and care of the elderly will come from families, neighbours and formal support services. The family plays the most important role in the care of the elderly, and the willingness to maintain this role has not decreased in recent years. Garden Suites allow the elderly a reasonable level of care while still maintaining their independence.

4. Zoning systems were initially developed to separate conflicting land uses, and their lack of flexibility acts as a deterrent to the establishment of a Garden Suite program. Innovative forms of zoning should be developed which will allow people of all ages to live together in these new forms of housing.

5. There are several issues that must be considered when implementing a Garden Suite program. These issues of occupancy, landlord and tenant relations, contracts and ownership are crucial to the successful implementation of a Garden Suite program in an equitable and legal manner.

6. The regulatory method of implementation which the City of Winnipeg selects must reflect the aims of the Garden Suite program. These aims may include affordable housing and helping families stay together. Moreover, there are number of regulatory methods available from which the City can choose.

8.3 RECOMMENDATIONS

1. Based on the information available, it is recommended that Garden Suites be developed with public or non-profit ownership. This implementing body can control the occupancy and removal of the units more effectively than the civic government in the event of private ownership. In addition, public ownership may be able to ensure that the Suites are affordable and therefore more readily accessible to all residents of Winnipeg. Nonetheless, private ownership should not be discouraged. A regulatory mechanism should be implemented to allow for private ownership should no public or non-profit body be interested in installing Garden Suites in the City of Winnipeg.

2. It is recommended that a system of conditional use permits be employed to regulate a Garden Suite program. This system can be effectively used at both the public and private levels. It should be noted that a public program is more desirable since the control of occupancy and removability may not be as effective in a private situation.

3. It is recommended that a detailed study of the potential demand for Garden Suites be conducted. The purpose of this study is to discover the exact numbers of potential users and their characteristics.

4. It is recommended that a pilot project be established. The purpose of this pilot project is to allow City officials to become accustomed to the procedure, test the reaction of the neighbourhood, and increase awareness of the concept. The success or failure of the program can be assessed and the appropriate changes can be made.

Appendix A

DESIGN AND CONSTRUCTION

1. INTRODUCTION

The design and construction techniques of Garden Suites are important for a number of reasons. First, the design often influences the reaction of the neighbourhood. If the design is compatible with the neighbourhood, the adjacent landowners are less likely to complain. Secondly, the units must be designed and constructed to ensure portability. In order for the concept to be acceptable, the units must not be permanent. Finally, the design and construction method will dictate the difficulty associated with installation and removal procedures.

2. DESIGN

There are several issues regarding the design of the Garden Suite. These issues include size of the unit, exterior finish, windows, doors, storage, special design features and safety and security. Each issue can determine whether the dwellings are safe, secure, and enjoyable for the elderly person.

a) Size

The size of a unit is based upon number of occupants, size of the host unit, size of the lot, placement on the property, and portability. The space must be adequate for safe and sanitary conditions, and must accommodate the everyday activities of daily living.⁷⁴ The size of a Garden Suite varies from 280 sq. ft. to 720 sq. ft. and contains a living room, a bathroom, a utility nook, a kitchen and a bedroom.

b) Exterior Finish

The exterior finish is important for the units to be attractive. The Suites should not be unattractive to the hosts or neighbours, nor should they make a bold architectural statement. As well, the exterior finish must be sturdy so it will not appear worn after several relocations. The P.L.U.S. units have cedar faced plywood. Cedar is more socially acceptable than aluminum siding because it does not have a utility shed appearance. An attractive 'cottage' look is achieved with this exterior, however, this may not blend in with the host dwelling. A range of natural coloured opaque stains should be adapted as the

⁷⁴ Ronald Mace and Ruth Phillips, "E.C.H.O. Housing Recommended Construction and Installation Standards", American Association of Retired Persons, Washington, 1984, 10.

standard exterior feature.⁷⁵ White paint on the fascia, doors and windows makes a unit appear brighter and more cheerful. As host houses have the trim a different colour than the exterior walls, different stains and trims on the Garden Suite enable the unit to easily fit into the character of the neighbourhood.

c) Windows and Doors

The type and placement of windows in a unit must be carefully considered. Too few windows make the interior of the Suite dark, while too many windows may reduce the privacy of neighbours. At least one exterior side wall should be windowless to permit placement closer to the lot line. Windows are very desirable for the elderly because they may spend a great deal of time in their homes.⁷⁶

Windows should be easy to open for frail and wheelchair bound persons. The 'hopper style' with lever handles at the bottom is the most suitable. Windows should be triple paned or thermal.

Storm doors allow natural ventilation, prevent snow accumulation, and allow natural light to enter making the dwellings brighter.⁷⁷

d) Storage

Adequate storage space is required to store the elderly person's possessions. Closets should be provided in the foyer and bedroom. There is a need for storage space for large seasonal items such as lawn chairs and barbeques. A small garden shed is also recommended as an alternative to utilizing space in the host dwelling.⁷⁸

e) Special Design Features

A standard set of features may be required to meet the needs of individuals with disabilities. Canada Mortgage and Housing and the Province of Manitoba have elderly and standard handicapped guidelines that should be followed.

Lighting levels should be kept high, but glare should be avoided. Because individuals with hearing impairment can be disturbed by background noise, air supply ducts should be dampened, and materials with acoustic qualities and good sound installation should be utilized. Other features include lever handled plumbing fixtures, grab bars, wheelchair accessible switches, front

75. Dillon Engineers and Planners, "Portable Living Units for Seniors Technological Research and Assessment" draft report, 1987, 12.

76. Ibid., 14.

77. Ibid., 15.

78. Ibid., 15.

control stoves (to eliminate the need to reach across elements), side by side refrigerator/freezer (to eliminate high reaches), low cupboards and wide doors and hallways.⁷⁹

f) Safety and Security

Elderly persons are often concerned about their safety and security because of the potential of crime and for health reasons. These fears include burglars, falling and/or becoming ill.

For security, strong door jambs, views to the outside and good outdoor lighting is recommended. Smoke detectors should be mandatory and finishing materials such as paint and panelling should be above the minimum standards of flame spread for fire safety standards. Similarly, secure mounting of interior features such as cabinet doors, towel bars, and paper dispensers is important because the elderly may lean or pull upon these features for mobility or balance. An intercom system which would connect the main house or an outside health unit to the Garden Suite should be installed in each room of the house.⁸⁰

3. CONSTRUCTION

The type of construction method is an important factor in the success of a Garden Suite program. It is essential that the method of construction ensure portability and be aesthetically compatible with the neighbourhood.

a) Portability

The need to have the units relocatable has been recognized as being more of a political than a practical solution. In other words, the unit itself does not need to be portable to function properly, but neighbour acceptability dictates that the unit must be portable.

The two main factors that affect portability are the foundation and attachment. The foundation should ensure ease in removal, and leave the host lot undamaged. Generally, Garden Suites should be securely anchored in accordance with the "Recommended Practice for the Site Preparation, Foundation and Anchorage of Mobile Homes" issued by the Canadian Standard Association and the Standards Council of Canada.

The foundation should be easily installed and not disruptive, provide for adjustment from settlement and frost, and ensure the frame is attached.⁸¹

⁷⁹ Ibid., 16.

⁸⁰ Ibid., 16.

There are several different types of foundations that can be used, and it varies according to the type of soil. For example, areas with a heavy clay soil need a deeper foundation for stability compared to yards with other soil types.

In severe climates, attachment of the Suite to the main house may be desirable. The unit can be attached by a temporary sealant which should not leave a mark on the host house or the Suite.⁸²

b) Method of Construction

The construction method can have an impact on the manner in which the neighbourhood accepts the Garden Suites. The advantages and disadvantages of four different methods of construction including the modular, panelized, mobile home and 'high tech' are examined in Table 4.⁸³ These methods of construction are as follows:

1. Modular housing is constructed in sections (usually two) and is transported in these sections. The units are joined together at the site.
2. Panelized construction homes are manufactured in panels and constructed at the site. This is the type used in Australia.
3. A one piece unit transported whole similar to a mobile home.
4. Futuristic forms such as geodesic domes, fibreglass containerized buildings and telescoping style buildings are called 'high tech'.

81. Ibid., 17.

82 Ronald Mace and Ruth Phillips, E.C.H.O. Housing Recommended Construction and Installation Standards, American Association of Retired Persons, Washington, 1984, 12.

83 Dillon Engineers and Planners, "Portable Living Units for Seniors Technological Research and Assessment" draft report, 1987, 102.

Table 4. Construction Methods

<u>Construction</u>	<u>Advantage</u>	<u>Disadvantage</u>
Modular	<ul style="list-style-type: none"> • high quality control • minimal installation time • easily relocated • internal unit services installed in-plant • flexible design • residential finish • suitable for urban and rural locations 	<ul style="list-style-type: none"> • higher transportation costs • cost of a crane
Panelized	<ul style="list-style-type: none"> • lower transportation costs • lower storage costs 	<ul style="list-style-type: none"> • difficulty in providing high insulation values due to number of joints • service connections into the unit • costs for unit installation/removal • higher refurbishment costs
Mobile Home	<ul style="list-style-type: none"> • low installation costs • easily relocated • exterior finishes more durable for relocation 	<ul style="list-style-type: none"> • poor internal climate • higher operating costs due to lower insulation values • public perceptions
High Tech	<ul style="list-style-type: none"> • transportable • easily erected 	<ul style="list-style-type: none"> • mobile home appearance • not suited for severe climates

Source: Dillon: 1987

Table 4 illustrates the modular construction method was found to have the most advantages. Two important criteria for the selection of construction methods are cost and social acceptance. Although the modular method is more expensive than that of mobile homes (in urban environments when used as Garden Suites), mobile homes are generally not acceptable to the neighbours.

The mobile home style was used in Manitoba in the National Garden Suite Demonstration Project sponsored by Canada Mortgage and Housing Corporation (see Figure 6). This style is not as attractive as the modular style used in Ontario P.L.U.S. Project for several reasons including the shape and exterior finish of the units. First, the one piece elongated shape of the home is very similar to those used in mobile home parks. Secondly, the outside panelling of aluminum siding is also similar to siding used on mobile homes. "It is anticipated that units which retain a distinctly 'mobile-home' type character in terms of shape, design details and materials will not find ready acceptance in many municipalities"⁸⁴ The square shape of the modular homes used in the Ontario P.L.U.S. project combined with the cedar siding make the units more visually appealing and possibly more acceptable to the neighbours (see Figure 7).

⁸⁴ Ibid., 102.



Figure 6. Manitoba Unit

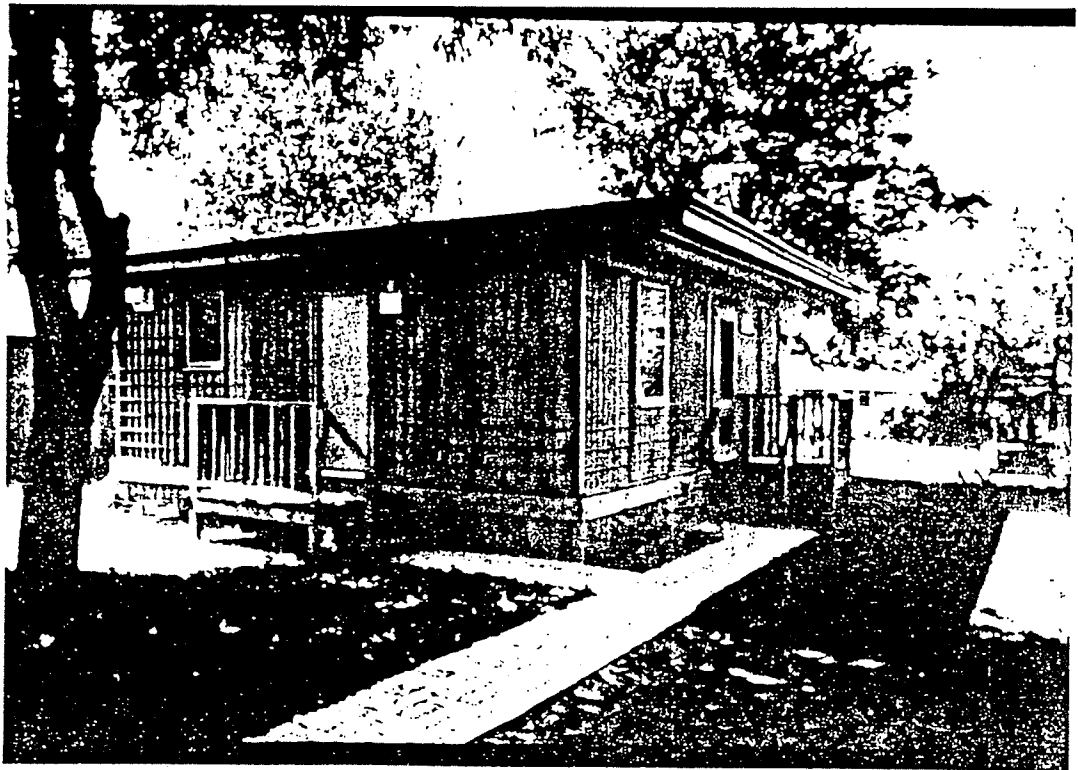


Figure 7. P.L.U.S. Unit

4. SUMMARY

The design and construction of Garden Suites should conform to high design and construction standards. These standards could be established by the manufactured home industry or a public body. If the standards are to be established by the manufactured home industry, this industry would have to regulate the level of compliance or use the C.S.A. standards. Overall, there must be strict standards to ensure safe and sanitary conditions for the occupants of the units.

Appendix B: OBTAINING AND INSTALLING A UNIT

1. INTRODUCTION

The three main considerations when obtaining and installing a Garden Suite are the application process, cost of the unit, and related factors. All of these aspects can ensure the Suites are implemented in an equitable, safe and healthy manner.

2. THE APPLICATION PROCESS

If there is no government or other third party involvement in the distribution of the units, then an individual would purchase a dwelling from a manufacturer. Installation would be granted if the local authority's installation criteria are met.

On the other hand, if a public or non-profit group is involved, the qualifications for obtaining a Suite should be more specific. In Ontario, a first come-first serve basis was used for the application process. Every applicant completed an application form that included a diagram of the lot and the possible placement of the Suite. In addition, a more in-depth analysis of the individuals and their families might be conducted to ensure suitable situations. A panel of professionals including planners and social workers may be used to determine the suitability of this project for the applicants. As well, individuals whose need is determined to be more urgent than others can be placed on the top of the waiting list.

3. SOURCES OF FUNDING

Ideally, Garden Suites should be available to all elderly persons. In order to have universal access, government subsidization should occur. There are four sources of funding for Garden Suites that have been identified by Lazorowich.⁸⁵ These four sources include private funding/no rent subsidy, public funding/no rent subsidy, public funding/rent subsidy, and combination public-private funding with or without rent subsidy. Each type of funding is described as follows:

⁸⁵ Michael Lazorowich, "Granny Flats: Their Practicality and Implementation", C.M.H.C., 1987, 73.

A. Private Funding/No Rent Subsidy: The units are constructed and sold by the private sector. This restricts eligibility to a select portion of the elderly population, since few senior citizens can afford this type of housing.

B. Public Funding/No Rent Subsidy: The capital costs of the units are paid by a grant from government or other organizations while the operating costs are covered by the rent paid to the sponsoring organization. The rents are relative to the rental market for units of comparable size.

C. Public Funding/Rent Subsidy: The construction of the unit is funded in whole, and the rent is geared to approximately 20% of the individuals old age pension. This type of funding enables all elderly people access to this type of housing.

D. Combination Public-Private Funding/ With or Without Rent Subsidy. The units are purchased, a nominal rent is paid and then the flat is sold back to the government.

The ideal type of funding is that of the Public Funding /Rent Subsidy because it ensures Garden Suites are available to all elderly persons. However, the most practical type of funding is Combination Public-Private Funding/With or Without Rent Subsidy. This type of funding could only occur with government involvement to ensure the removal of the units from the host property. The cost to the government would be minimized while the the individual owners would recover some their initial cost. However, this would eliminate those individuals who desire Suites but could not afford them.

4. COST OF THE UNIT

Economics will invariably influence the pricing of the Suites as it does for any real estate. The demand will be price elastic (demand responding to changes in the price structure) because it is just one form of housing from which the elderly will have to choose. Fluctuations in interests rates will also influence the demand. Market conditions and affordability can be compiled into an index. Any pricing and funding decisions could be based on this index. This would ensure that the prices would be based upon affordable levels for the hosts and occupants.⁸⁶

In Ontario, the cost of construction and installation of the units was one of the most prohibitive aspects of the demonstration project. The cost of each Suite ranged from \$35,000 to \$ 61,000. The average cost (which includes construction and installation) was \$50,200 or \$95 per sq. ft. for a 1 bedroom, and \$555,400 or \$82 per sq. ft. for a two bedroom unit.⁸⁷ The high cost was due to climatic factors (insulation costs) and concern for aesthetics. Moreover, the special features of a Garden Suite were relatively expensive. Dillon compared mobile homes, modular homes, prefabricated homes, Australian Granny Flats and ECHO houses for cost per square feet.

Table 5. Cost Of Homes

<u>Type of home</u>	<u>Installed Cost (per. ft.)</u>
Mobile home (<100 sq. ft.)	\$50-57
Modular home 1200-2400 sq.ft.	\$56-63
Prefab. Pre-cut homes 1200-2400 sq. ft.	\$60-65 (owner as contractor)
Australian Granny Flat	\$32 (general contractor)
ECHO housing U.S.A.	\$60-80

Source: Dillon(1987)

Currently, there is only one modular home builder in Manitoba. The type of unit built is a 'mobile home' which is shipped and installed in one piece. This Suite costs approximately \$25,000 for a one bedroom and \$26,000 for a two bedroom unit. Installation costs are approximately \$5,000 which includes transportation, permit to haul oversize loads, and the loading and unloading

86. Gallup Canada Inc., "Garden Suites National Survey" Canada Mortgage and Housing Corporation, Ottawa, 1989, 38.

87. Dillon Engineers and Planners, "Portable Living Units for Seniors Technological Research and Assessment", 1987, 105.

fee. 88

These units are designed to withstand Winnipeg's harsh winter, and are insulated to equivalent of R2000. The service lines are located along pipes along the surface of the ground. In order to prevent freezing the lines are electrically heated. The homes are electrically heated.

Modular homes cost approximately two and a half times as much as the mobile style. This substantial increase in price over the 'mobile home' style is due to the increased costs of shipping and installation.⁸⁹

5. INSTALLATION

The installation of a Garden Suite on an urban residential lot is dependent upon several factors. These factors include lot area, lot configuration, grade, setbacks, lot coverage, the size of the unit, visibility and accessibility. The major factor influencing the installation of a Garden Suite is the shape and dimensions of the unit compared to area and dimension of the host lot.⁹⁰

These factors are both practical and political in nature. "The units are usually delegated to the backyard for political rather than physical reasons."⁹¹ The servicing of the units would be easier if the units were located on the front yard because this is usually where the services enter the yard. However, the dwellings must be located behind the host house in order to be acceptable to the neighbours.

a) Lot Size/Coverage

While it is easier to locate Garden Suites on large lots, not all of the residential lots in urban areas are capable of hosting a Suite. Some lots are too small while others are large enough, but are being used for other purposes such as large garages and swimming pools. The Dillon report suggests a minimum lot size of 40 ft. by 50 ft. However, lot coverage is a better indicator of a suitable site rather than lot size. Lot coverage generally refers to the ratio between the square feet of the buildings compared to the square feet of the lot (usually expressed as a percentage figure).⁹²

88. Peter Buhler, Personal Interview, Grandeur Homes, Winkler, Manitoba, January 1989.

89. Ibid.

90. Dillon Engineers and Planners, "Portable Living Units for Seniors Technological Research and Assessment", draft report, 1987, 3.

91. Patrick Hare and Linda Hollis, "E.C.H.O. Housing A Review of Zoning and Other Considerations", American Association of Retired Persons, Washington, 1983, 7.

92. Ibid., 7.

b) Lot Configuration

The configuration of the lot can influence the amount of space available on the lot. Generally, these lots come in several shapes. The most common forms are rectangle, pie-shaped with large rear lot and narrow front, and reverse pie-shaped with large fronts and a narrow back. In older areas of a city, the most common shape is rectangular. These lots are often narrow making it difficult to provide adequate front access to the units. Similarly, reverse pie-shaped lots do not provide sufficient space for a Garden Suite. On the other hand, pie-shaped lots are particularly adaptable to the Garden Suite concept.

c) Site Placement

Generally, Garden Suites must be placed within the side and rear yard set back limits. These limits are established in the zoning by-laws. Setback requirements serve two purposes. First, clear access to the Suites enables large equipment to place and remove the unit. Access must also be left for pedestrian routes to the front for fire and ambulance access, garbage collection, and meter reading. Secondly, setback requirements allow privacy to the occupants of each house on the street.

Zero lot line coverage would allow the units to fit onto the lot, but exceed the rear or side yard set back limits. Window placement is particularly important with zero lot line coverage to ensure privacy.⁹³

d) Parking

Additional occupants on a lot usually means additional parking requirements. However, the intended occupants are the elderly, and they may not own or drive a car. As well, transportation may be provided by the relatives. It does not seem necessary or prudent to require a property owner to provide additional off-street parking for the occupant of an Garden Suite.⁹⁴ Parking should be considered individually with each application.

e) Slope

Ideally the lot should slope away from the unit and the main house. The drainage of the unit should not affect the surface drainage of the lot. If the drainage of the lot is affected by the installation of the Garden Suite, landscaping may be required. Proper slope of the yard can also prevent pooling of water under the Garden Suite.⁹⁵

⁹³ Ibid., 8.

⁹⁴ Ministry of Housing Portable Living Units for Seniors, "Site Preparation and Unit Installation Guidelines" Draft Report, No author listed. 1989. 17

⁹⁵ Ibid., 19

f) Electricity

The electrical connection to the Garden Suite is similar to that of most homes. Generally a 60 amp. 120/240v. service is required. The power can be connected to the source utilized by the main house. If underground wiring is possible, then the electrical service can be attached to the nearest above ground utility box. Similarly, if the neighbourhood is serviced by overhead wiring, then the wiring is connected from the nearest utility pole to the unit, and a meter is installed.⁹⁶

An alternative method is to connect the Garden Suite to an electrical line from the host house, however, the house may not be able to adequately supply the Suite with electricity.

g) Water

There are three methods of obtaining a supply of water to a Garden Suite. First, connection to the supply to the main house is possible. The new pipe is connected to the cold water line which has an exterior hose connector. In cold climates special care should be taken to prevent the lines from freezing. The pipes can be buried to eight feet, or placed on the surface using electrical heat tracing and insulation. Electrical fees can be lessened by intermittently heating the pipes.⁹⁷

Secondly, a new service can be brought in from the main watermain servicing the street. This would involve the installation of new pipes and may be time consuming, expensive and difficult to remove.

Thirdly, a separate well can be dug for the Suite. This may only be applicable in a rural area.

h) Sewage

Similar to the methods of connecting water, sewage can be either be connected to the host house, the main line, or through a separate system. The direct connection method is the easiest and least expensive because the cost of installing a separate sanitary service for such a small dwelling may not be economically justifiable.⁹⁸ The sewage can flow by gravity from the unit toward the main house, or a pump arrangement can be utilized. Again, care should be taken to avoid the lines from freezing in harsh climates.

i) Telephone

This connection is simple because new services can be installed or the

96 Ibid., 21

97 Ibid., 24

98 Ibid., 29

existing services extended. For areas with underground services, a shallow underground trench can be used. This can be installed by the local telephone company.

j) Crane Transportation

Once the site is prepared, the unit must be moved onto the foundation. The portable units can either be wheeled on to the foundation by a series of rollers or lifted on by a crane. A crane is used if access is obstructed by the main house, a garage, trees, or overhead wires.⁹⁹ The disadvantages of using a crane include damage because of its weight. Damage may also occur to the host house, garage, trees, landscaping and overhead wiring through contact with the overhead boom of the crane.

k) Landscaping

Once the Garden Suite is installed the surrounding area should be landscaped. First, the area should be graded and resodded as necessary. Secondly, stairs, decks and ramps may be installed. They should be installed with non-skid surfaces, and should not end in surfaces that are not conducive to the easy movement of wheelchairs.

l) Identity of the Unit

A Garden Suite should be clearly identified from the front street. Proper identity of the units is imperative for ambulance, fire fighters and police to locate the site. This will also assist visitors, taxis and delivery services. An address should be placed both on the unit and on the street. Even a personalized handcrafted sign would serve this purpose. A separate mail box attached to the main house can serve as the mail box for the occupant of the unit.

99. *ibid.*, 35

6. SUMMARY

Many factors contribute to the successful installation of a Garden Suite. These factors combined make the finished product safe, healthy and aesthetically pleasing. If there is no implementing body to regulate the installation then this process of obtaining and installing the homes should be clearly detailed by the municipal zoning office. On the other hand, if the government or non-profit organization is to be involved, a set of standard procedures should be developed.

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