

INFORMATION BULLETIN 05

RESIDENCES IN THE ALR

Revised: June 13, 2024 Issued: February 25, 2019

**5. NEW CONSTRUCTION OF AN ADDITIONAL RESIDENCE AFTER DECEMBER 31, 2021
WHERE THERE IS AN EXISTING RESIDENCE**

No application is required to the Commission in order to construct an *additional residence* for which construction begins after December 31, 2021 if:

- a. at the time that construction begins, the parcel has located on it only one residence, whether or not a permitted secondary suite is located in the residence;
- b. neither residence will be attached to, nor be part of, the other residence;
- c. when constructed, one of the following applies to the residences:
 - i. if the parcel is 40 ha or less, there will be:
 1. one residence, the total floor area of which is 500 m² or less; and
 2. one residence, the total floor area of which is 90 m² or less;
 - ii. if the parcel is more than 40 ha, there will be:
 1. one residence, the total floor area of which is any size permitted under the ALCA; and
 2. one residence, the total floor area of which is 186 m² or less.

The ALR Use Regulation does not prescribe the form of an *additional residence*; however, a local government may regulate types of additional residences. The permitted *additional residence* may be a standalone structure such as a garden suite, manufactured home, etc. Or, it may be combined with a permitted structure (see Section 10 “Structures Necessary for Residential Use”) in the form of a carriage house where a single level of living space is constructed above a detached garage for the principal residence (see Section 12 “Glossary”, for the definition “*total floor area of an additional 90 m² or 186 m² residence*”). For clarity, the floor area for a detached principal residence garage does not count towards the total floor area for the additional residence (i.e., carriage house) above. However, if the additional residence wishes to have its own attached garage below or beside it, that garage area counts towards the total floor area of the additional residence. See Section 10 “Structures Necessary for Residential Use” for more information on “accessory structures”.

Permission of the Commission is required to alter the size of a residence constructed under this section of the ALR Use Regulation unless the alteration does not increase the total floor area of the residence beyond what is permitted as set out above. See the Section 12 “Glossary”, found at the end of this bulletin, for the definitions of “total floor area for a principal residence” and “total floor area of an additional 90 m² or 186 m² residence”

Section 12. GLOSSARY

“total floor area of an additional 90 m² or 186 m² residence” of 90 or 186 m² permitted in the ALR Use Regulation, pursuant to Commission Resolution No. 106N/2023, is measured to the inner surface of exterior walls, to account for prefabricated construction methods, including corridors, hallways, landings, foyers, staircases, stairwells, enclosed or partially enclosed (covered roof and/or sidewalls) balconies (Commission Resolution No. 109N/2024), enclosed porches or verandas, basements, attached garages and unenclosed carports as part of the total floor area, with the following exceptions:

- (a) attached garages are excluded from the total floor area calculation if the additional residence occupies the second storey above a one storey garage (i.e., a carriage house) if:
- i. the garage is for the storage or parking of motor vehicles for the principal residence;
 - ii. the garage is one large space accessed by garage doors;
 - iii. the TFA of the garage located on the first storey must be no greater than the maximum allowable TFA of the additional residence located on the second storey (90 m² for parcels less than 40 ha or 186 m² for parcels greater than 40 ha);
 - iv. There is no internal connection between the garage and an additional residence (i.e., the garage must not be intended for the additional residence); and,
 - v. the additional residence when above a garage must be clustered close to the principal residence (i.e., next to the principal residence) (Commission Resolution No. 110N/2024), and
- (b) attics, with attic meaning the unfinished space between the roof and the ceiling of the top storey of a building or between a partial wall and a sloping roof. This exception only applies if this unfinished space is created by the use of roof trusses. The unfinished attic space created by the use of attic trusses or rafters in the construction of a residence is **not excluded from the calculation of total floor area**, and