Minutes – Executive Policy Committee – May 16, 2012

Minute No. 257
Report – Standing Policy Committee on Property and Development – May 8, 2012

Item No. 5 Review of Existing Secondary Suite Zoning Regulations

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

The Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Property and Development and submits the following to Council:

1. That the Winnipeg Public Service be directed to prepare amendments to the City of Winnipeg Zoning By-law 200/2006 pertaining to Attached and Detached Secondary Suites as follows:

    A. That the definition of a secondary suite be changed to "secondary suite, attached" and be further amended by adding the following sentence: "Only one secondary suite, either attached or detached, shall be allowed per zoning lot".

    B. That where the existing term 'secondary suite' occurs in the Zoning By-Law, it be replaced with the term "secondary suite, attached".

    C. That a new term 'secondary suite, detached' be added to the Zoning By-law and be defined as follows: "means a dwelling unit that is accessory to, but not attached to a single family residence and provides basic requirements for living, sleeping, cooking and sanitation. Only one secondary suite, either attached or detached, shall be allowed per zoning lot".

    D. That Section 5. B. of the Development Procedures By-law no. 160/2011 be amended to include secondary suites as a use that the Director of Planning, Property and Development consider as a "B" Conditional Use.

    E. That the conditions of Use Specific Standard, Section 120 be replaced with the following and apply to all 'secondary suites, attached':
        i. Only one entrance to the dwelling from the street may be located on the facade that faces the street, unless the dwelling contained an additional street-facing entrance prior to the creation of the secondary suite;
        ii. Lots containing secondary suites must contain a minimum of 2 off-street parking spaces;
        iii. The maximum size of the secondary suites at or above grade may be no more than 33 percent of the living area of the dwelling, or 800 square feet, whichever is less;

        iv. No secondary suite shall have a floor area less than 350 sq. ft.;

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F. That 'secondary suites, detached' be added to the Accessory Use Table 4-2 as a conditional use subject to a new Use Specific Standard (C*) in the following zoning districts:

i. 'R1-S' Residential Single Family Small District
ii. R1-M' Residential Single-Family Medium District
iii. 'R1-L' Residential Single-Family Large District
iv. 'R1-E' Residential Single-Family Estate District
v. 'R2' Residential Two-Family District

G. That a new Use Specific Standard identified as section "120 (a) be added to the by-law, and apply to all "secondary suites, detached" as follows:

i. The lot must be a 'through lot' or abut an improved public lane;
ii. The minimum site area shall be no less than 3,500 sq. ft. ;
iii. The maximum height of the suite, if provided at grade shall be no greater than 15 ft.. If the suite is located above the garage, the maximum height shall be 25 feet;
iv. The maximum floor area of the secondary suite shall be 600 sq. ft.;
v. No Secondary Suite shall have a floor area less than 350 sq. ft.;
vi. The suite must be separated from the principal dwelling by a minimum of 10 ft.;
vii. The minimum side yard setback shall be the same as for the principal dwelling;
viii. The minimum rear yard setback shall be 5 ft. for that portion of the accessory building used as a secondary suite;
ix. Lots containing secondary suites must contain a minimum of 2 off-street parking spaces;
x. The secondary suite must be no greater than 150 feet from the nearest curb on the front street and an unobstructed pathway must be provided between the front property line and the secondary suite;
xi. No condo conversion, stratification and/or subdivision of the secondary suite is allowed;
xii. No roof decks are allowed above the living area of the secondary suite;
xiii. No suite shall be utilized as a home based business, a care home, or a neighbourhood rehabilitation home; and

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xiv. A site plan shall be included with the application submission and must provide the following: a lot grading plan, the location and details of the proposed sewer and water connections, the location and design of the proposed secondary suite, including building elevations, floor plans, materials, exterior lighting, windows, doors, balconies, patios, outdoor space, fencing, parking and landscaping to the satisfaction of the Director of Planning, Property and Development for plan approval prior to the issuance of any building or development permit, and thereafter to be maintained to the satisfaction of the Director of Planning, Property and Development.

xv. That the maximum lot coverage of the site, including the secondary suite, shall be no greater than the applicable zoning district allows.

H. That section 142 (2) of Zoning By-Law 200/2006 be amended as follows:

i. That the words "except detached secondary suites" be added after the words "detached accessory structures".

2. That the Standing Policy Committee on Property and Development schedule a public hearing to consider the draft amendments to the City of Winnipeg Zoning By-law 200/06,

3. That the Public Service ensures that secondary suites are assigned an address that is separate from that of the principal dwelling. The secondary suite address will be identified by adding an "A" after the address number of the principal dwelling,

4. That the Public Service report back to Council after 3 (three) years or 100 (one hundred) projects, whichever is first, regarding all detached secondary suite applications / projects including, but not limited to; location, size, height, massing, design quality, servicing, parking provided, public input, conclusions and policy recommendations going forward.

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DECISION MAKING HISTORY:

Moved by Councillor Browaty,

That the recommendation of the Standing Policy Committee on Property and Development be concurred in and forwarded to Council.

Carried

STANDING COMMITTEE RECOMMENDATION:

On May 8, 2012, the Standing Policy Committee on Property and Development concurred in the recommendation of the Winnipeg Public Service with the following amendment,

- Delete Recommendation 1.0 4) and replace with the following:

  "D. That Section 5. B. of the Development Procedures By-law no. 160/2011 be amended to include secondary suites as a use that the Director of Planning, Property and Development consider as a "B" Conditional Use."

and submitted the matter to the Executive Policy Committee and Council.

On April 10, 2012, the Standing Policy Committee on Property and Development laid over the matter for thirty (30) days.

COUNCIL DECISION:

On January 12, 2012, Council concurred in the recommendation of the Standing Policy Committee on Property and Development and adopted the following:

1. That the Winnipeg Public Service be requested to report back to the Standing Policy Committee on Property and Development within 100 days on the following:

   A. A cross-jurisdictional analysis of the existing land-use regulations for both attached and detached secondary suites (such as laneway housing) in other Canadian cities.

Report – Standing Policy Committee on Property and Development – May 8, 2012

DECISION MAKING HISTORY: (continued)

COUNCIL DECISION: (continued)

B. A summary of existing land-use regulations in Winnipeg governing secondary suites.

C. An examination of the current trends in Winnipeg regarding secondary suites.

D. Recommendations regarding changes to zoning regulations governing secondary suites in Winnipeg.

E. Public consultation to obtain citizen feedback on detached secondary suites (such as laneway housing).

2. That the Proper Officers of the City be authorized to do all things necessary to implement the intent of the foregoing.

On June 22, 2011, Council concurred in the recommendation of the Standing Policy Committee on Property and Development and directed the Winnipeg Public Service to review the City's existing secondary suite zoning regulations and recommend changes to encourage their development and report back to Council in six months.

ADMINISTRATIVE REPORT

Title: **Attached and Detached Secondary Suites Report**

Issue: Winnipeg Public Service to report back to the Standing Policy Committee on Property and Development as per Minute #29 SPCPD January 10, 2012

Critical Path: Standing Policy Committee on Property and Development

AUTHORIZATION

Author	Department Head	CFO	CAO
P. Regan	B. Thorgrimson	N/A	M Ruta o/b Phil Sheegl

RECOMMENDATIONS

1.0 That the Winnipeg Public Service be directed to prepare amendments to the City of Winnipeg Zoning By-law 200/2006 pertaining to Attached and Detached Secondary Suites as follows:

1) That the definition of a secondary suite be changed to "secondary suite, attached" and be further amended by adding the following sentence: *"Only one secondary suite, either attached or detached, shall be allowed per zoning lot".*

2) That where the existing term 'secondary suite' occurs in the Zoning By-Law, it be replaced with the term "secondary suite, attached".

3) That a new term 'secondary suite, detached' be added to the Zoning By-law and be defined as follows: *"means a dwelling unit that is accessory to, but not attached to a single family residence and provides basic requirements for living, sleeping, cooking and sanitation. Only one secondary suite, either attached or detached, shall be allowed per zoning lot".*

4) In zoning districts where secondary suites are currently Conditional Uses (C*) in Table 4-2: Accessory Use Table, and subject to Use Specific Standard, Section 120, 'secondary suites, attached' shall become a permitted use (P*) subject to Use Specific Standard, Section 120.

5) That the conditions of Use Specific Standard, Section 120 be replaced with the following and apply to all 'secondary suites, attached':

(1) Only one entrance to the dwelling from the street may be located on the facade that faces the street, unless the dwelling contained an additional street-facing entrance prior to the creation of the secondary suite;

(2) Lots containing secondary suites must contain a minimum of 2 off-street parking spaces;

(3) The maximum size of the secondary suites at or above grade may be no more than 33 percent of the living area of the dwelling, or 800 square feet, whichever is less;

(4) No secondary suite shall have a floor area less than 350 sq. ft.;

6) That 'secondary suites, detached' be added to the Accessory Use Table 4-2 as a conditional use subject to a new Use Specific Standard (C*) in the following zoning districts:

- 'R1-S' Residential Single Family Small District
- R1-M' Residential Single-Family Medium District
- 'R1-L' Residential Single-Family Large District
- 'R1-E' Residential Single-Family Estate District
- 'R2' Residential Two-Family District

7) That a new Use Specific Standard identified as section "120 (a) be added to the by-law, and apply to all "secondary suites, detached" as follows:

(1) The lot must be a 'through lot' or abut an improved public lane;

(2) The minimum site area shall be no less than 3,500 sq. ft. ;

(3) The maximum height of the suite, if provided at grade shall be no greater than 15 ft.. If the suite is located above the garage, the maximum height shall be 25 feet;

(4) The maximum floor area of the secondary suite shall be 600 sq. ft.;

(5) No Secondary Suite shall have a floor area less than 350 sq. ft.;

(6) The suite must be separated from the principal dwelling by a minimum of 10 ft.;

(7) The minimum side yard setback shall be the same as for the principal dwelling;

(8) The minimum rear yard setback shall be 5 ft. for that portion of the accessory building used as a secondary suite;

(9) Lots containing secondary suites must contain a minimum of 2 off-street parking spaces;

(10) The secondary suite must be no greater than 150 feet from the nearest curb on the front street and an unobstructed pathway must be provided between the front property line and the secondary suite;

(11) No condo conversion, stratification and/or subdivision of the secondary suite is allowed;

(12) No roof decks are allowed above the living area of the secondary suite;

(13) No suite shall be utilized as a home based business, a care home, or a neighbourhood rehabilitation home; and

(14) A site plan shall be included with the application submission and must provide the following: a lot grading plan, the location and details of the proposed sewer and water connections, the location and design of the proposed secondary suite, including building elevations, floor plans, materials, exterior lighting, windows, doors, balconies, patios, outdoor space, fencing, parking and landscaping to the satisfaction of the Director of Planning, Property and Development for plan approval prior to the issuance of any building or development permit, and thereafter to be maintained to the satisfaction of the Director of Planning, Property and Development.

(15) That the maximum lot coverage of the site, including the secondary suite, shall be no greater than the applicable zoning district allows.

8) That section 142 (2) of Zoning By-Law 200/2006 be amended as follows:

a. That the words "except detached secondary suites" be added after the words "detached accessory structures".

2.0 That the Standing Policy Committee on Property and Development schedule a public hearing to consider the draft amendments to the City of Winnipeg Zoning By-law 200/06,

3.0 That the Public Service ensures that secondary suites are assigned an address that is separate from that of the principal dwelling. The secondary suite address will be identified by adding an "A" after the address number of the principal dwelling,

4.0 That the Public Service report back to Council after 3 (three) years or 100 (one hundred) projects, whichever is first, regarding all detached secondary suite applications / projects including, but not limited to; location, size, height, massing, design quality, servicing, parking provided, public input, conclusions and policy recommendations going forward.

REASON FOR THE REPORT

On January 25, 2012 the City of Winnipeg Council concurred in the recommendation of the Standing Policy Committee on Property and Development and adopted the following;

The Standing Policy Committee on Property and Development recommends to Council:

1. *That the Winnipeg Public Service be requested to report back to the Standing Policy Committee on Property and Development within 100 days on the following:*

    a. *A cross-jurisdictional analysis of the existing land-use regulations for both attached and detached secondary suites (such as laneway housing) in other Canadian cities.*

    b. *A summary of existing land-use regulations in Winnipeg governing secondary suites.*

    c. *An examination of the current trends in Winnipeg regarding secondary suites.*

    d. *Recommendations regarding changes to zoning regulations governing secondary suites in Winnipeg.*

    e. *Public consultation to obtain citizen feedback on detached secondary suites (such as laneway housing).*

2. *That the Proper Officers of the City be authorized to do all things necessary to implement the intent of the foregoing.*

IMPLICATIONS OF THE RECOMMENDATIONS

The City of Winnipeg Zoning By-law 200/06 would require a series of amendments to add *'Detached Secondary Suites'* as a conditional use including Use Specific Standards governing their establishment, as well as changing *'Attached Secondary Suites'* from a conditional use to a permitted use with expanded Use Specific Standards.

DISCUSSION

- Recent forecasts for the City of Winnipeg estimate that our population will increase by approximately 180,000 persons over the next 25 years. The challenge will be to provide a variety of housing options for these Winnipeggers. Secondary suites can offer an affordable housing choice and form a part of this housing strategy.

- The Canada Mortgage and Housing Corporation (CMHC) housing market forecast predicts low vacancy rates throughout Manitoba over the next few years. The vacancy rate as of April 2011 was 0.7% (CMHC). Recent conversions of apartments to condominiums puts increased pressure on an already tight rental market.

- *OurWinnipeg*, the City's new Development Plan, emphasizes infill development, maximizing existing infrastructure, compact urban form, multi-modal transportation and increased residential densities with safe, affordable housing. The concept of allowing a wider range of secondary suites within our low-density residential housing stock acknowledges and responds to this objective.

- The *Complete Communities Direction Strategy* forming part of the City's new Development Plan *OurWinnipeg*, directs the Public Service through an Enabling Policy under Direction 1 in the Section 0.3 Areas of Stability to;
    - *'Review by-laws and policies to reduce barriers to the provision of accessory dwelling units such as secondary suites, and carriage houses.'* (p.80 *Complete Communities*)

- Neighbourhood Acceptance - The City of Winnipeg has allowed attached secondary suites to be established by way of Conditional Use since early 2008 when the new Zoning By-Law was adopted. The twenty-four applications processed for attached secondary suites in the past three years have not been met with any significant neighbourhood resistance.

- The Province of Manitoba has recently announced a secondary suite grant program that would offer a monetary incentive to participating home-owners: The program expects most of the uptake will occur in Winnipeg. Some effort should be taken to align City of Winnipeg secondary suite regulations and the Provincial program, where possible.
    - Currently, secondary suites are subject to development approval fees and a public hearing. In Winnipeg, secondary suites must also be located within a residential structure whereas the provincial incentive program is extended to detached secondary suites as well.

FINANCIAL IMPACT

Financial Impact Statement Date: March 21, 2012

Project Name:

Attached and Detached Secondary Suites Report

COMMENTS:

The recommendations included in this report include that the Winnipeg Public Service be directed to prepare amendments to the City of Winnipeg Zoning By-law 200/2006 pertaining to Attached and Detached Secondary Suites.

There are no financial implications associated with the recommendations.

"Original Signed By"
Mike McGinn, CA
Manager of Finance

CONSULTATION

In preparing this report there was consultation with:

Internal Consultation

Water & Waste
Public Works
Planning, Property & Development

- Fire Prevention
- Plan Examination
- Development & Inspections
- Housing Development

External Consultation

Neighbourhood Revitalization Corporations (Spence, West Broadway, North End, Central, Daniel Macintyre)
Right to Housing Coalition
Province of Manitoba (Local Government Department & Housing Community Development Department)
Chair of the Housing Steering Committee – Winnipeg.
General Public Open Houses (February 22 & 23, 2012 Millennium Library)

SUBMITTED BY

Department	Planning, Property & Development
Division	Urban Planning
Prepared by:	James Veitch, Senior Planner
Date:	March 22, 2012
File No.	

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List of Schedules and Attachments

1. Appendix ‘A’ Planning Discussion
2. Appendix ‘B’ Secondary Suite Regulations in Other Cities
3. Appendix ‘C’ Public Consultation Results

APPENDIX 'A'

Planning Discussion
Introduction

Communities are constantly being challenged to address housing affordability and make communities more inclusive. More and more localities are adopting policies and regulations to promote secondary suites as a mechanism to assist in these goals. In fact:

"Municipalities across Canada are recognizing secondary suites as a viable source of rental housing. They can also provide extra revenue or mortgage support for families looking to buy a home." (City of Edmonton)

The purpose of this report is to identify the current City of Winnipeg rules and regulations governing the creation of secondary suites; investigate the best practices in other Canadian cities; determine whether the existing City of Winnipeg policy framework/ regulation should be amended to make the provision of secondary suites easier; and consider whether regulations should include a more exhaustive range of secondary suite housing types.

The Province of Manitoba has recently introduced a grant program to assist in the development of all types of secondary suites. The program expects significant uptake will occur within the City of Winnipeg.

Purpose of the Report

The purpose of this report is to evaluate and provide opportunities for enhancing existing City of Winnipeg secondary suite regulations. A review of secondary suite regulations and best practices from other Canada cities forms the basis from which to provide direction on the creation of secondary suite policies that are more 'enabling'. In producing this report we have considered the following:

- The Policy Environment
- Common Benefits and Challenges Associated with Secondary Suites
- Best practices in Establishing Secondary Suites
- Secondary Suite Types
- Existing Secondary Suite Regulations in the City of Winnipeg Zoning By-law 200/06
- Applications for Secondary Suites in Winnipeg
- Review of Secondary Suites in other Canadian Cities (Appendix 'B)
- City of Winnipeg Secondary Suite Public Consultation (Appendix 'C')

Secondary Suite – Working Definition

For the purpose of this study, the working definition of a secondary suite is an additional dwelling on the same zoning lot, either within the existing dwelling or as a separate detached dwelling unit. In either case, the secondary suite is seen as subordinate in size, or accessory, to the main dwelling unit. Other common names for secondary suites include carriage houses, lane way houses, garage suites, garden suites and granny flats.

The Policy Environment
Winnipeg's new municipal development plan, *OurWinnipeg* and its companion the *Complete Communities Direction Strategy* validate secondary suites in their commitment to provide a wide range of housing opportunities. Our development plan encourages sensitive infill development within our existing neighbourhoods with a range of housing size, form and tenure capitalizing on the existing infrastructure and services already in place.

OurWinnipeg

01-4 Housing (p.54 *OurWinnipeg)*

Direction 1: 'Support diverse housing options in each neighbourhood or neighbourhood cluster throughout the city.'

Enabling Strategies
- 'With guidance from Complete Communities, encourage the development of safe and affordable housing throughout the city.'
- 'Support the creation of a range of sizes, forms and tenures of housing. Tools include applying zoning by-laws and processes for approval. Standards should be flexible enough to reflect the unique identity and character of each neighbourhood.'

Direction 2: 'Collaborate with other levels of government and other partners to renew and regenerate Winnipeg's housing stock.'

Enabling Strategies
- 'Continue to use initiatives to facilitate housing rehabilitation in reinvestment neighbourhoods and infill housing in mature neighbourhoods.
- 'Enhance the reinvestment efforts of existing neighbourhoods by supporting the assembly of strategically located, vacant land that can be redeveloped.
- 'Support contextually-sensitive infill development that builds complete and inclusive communities in Areas of Stability.'

Direction 3: 'Establish partnerships with the private, not -for-profit and government sectors to provide affordable housing throughout the city, with a particular focus on locations near a variety of transportation options.' (P.56 *OurWinnipeg)*

Enabling Strategies
- 'Encourage new and infill development, as well as the redevelopment of existing properties to incorporate affordable housing that is integrated with market housing.'
- 'Continue to move towards more flexible zoning policies regarding the creation of secondary suites and/or accessory residential units while protecting the existing character of neighbourhoods.'

Complete Communities

04 Areas of Stability (p.80 *Complete Communities)*

Direction 1: 'Support the completion of Areas of Stability.'

Enabling Strategies
- 'Support low to moderate change in low-density neighbourhoods through development and redevelopment that is complementary to the existing scale, character and built form.'

- ‘Focus housing growth to areas that have municipal service capacity to support intensification, in addition to commercial and recreational amenities.’
- ‘In order to meet the full life-cycle of housing needs within the community, promote a mix of housing type and tenure, such as duplexes, low rise apartments, **secondary suites**, semi-detached homes, townhouses.’
- ‘Review by-laws and policies to reduce barriers to the provision of accessory dwelling units such as **secondary suites**, and carriage houses.’

Common Benefits and Challenges Associated with Secondary Suites
In contemplating the direction for secondary suites in any municipality, it is useful to understand the common benefits and challenges associated with them.

Benefits of Secondary Suites
Secondary suites provide a range of benefits which are realized by the owners, their tenants and the community as a whole. Benefits include:

For the Owner:
- Mortgage helper – eases the rising cost of housing to the homeowner by supplementing the mortgage with rental income,
- Allows aging in place – Allows owners to stay in their homes longer on a fixed income,
- Allows families to remain together – the suite can be utilized by a family member such as an elderly relative,
- Early Adult Independence building – allows a first run at living alone, while remaining close to home.

For the Tenant:
- Affordable Housing – secondary suites help expand the supply of lower cost housing available in a community,
- Ground Oriented Housing – provides ease of entry and often the opportunity for yard access,
- Proximity to existing services – As secondary suites are generally introduced in established neighbourhoods, many amenities already exist, such as schools, shopping,
- Ensures safer living conditions – built to specific building code standards which address the health and safety of the tenant.

For the Community
- Abundance of more lower cost rental housing without reliance on government subsidy – since the housing is provided by the homeowner, no government subsidies are required (however, secondary suite programs can encourage their introduction through subsidy),
- Low-impact densification – Secondary suites increase the rental stock available in a community, as well as the number of dwelling units without significantly altering the built form,
- Costs of municipal infrastructure – Secondary suites make the use of existing infrastructure more efficient and therefore contribute to infrastructure retention,
- Complete Communities - Secondary suites provide a diversity of housing types which supports the inclusion of a wide range of income groups as well as the ability to ‘age in place’,
- Promotes smart development - Secondary suites increase density and therefore, could reduce some development pressure for greenfield development,
- Design and Character - Secondary suites do not change the design/ character of existing neighbourhoods. Properties with secondary suites mimic the existing built form,

- Addresses the historical decline in household size – Secondary suites add more people to the community without increasing the land supply. This strengthens the ability for neighbourhood services and amenities to survive, such as schools, libraries, and transit.

Considerations Associated with Secondary Suites

- Community acceptance – Secondary suites are sometimes viewed with suspicion by residents who argue they will erode property values and change the character of the neighbourhood. This opposition to secondary suites is more prevalent in communities where zoning does not allow them. In jurisdictions where secondary suites have always been allowed resistance is not significant. Public consultation and education can improve public acceptance when developing policies to accommodate secondary suites.
- Parking – Residents often feel that secondary suites will create parking problems,
- Impacts on built form – Residents often believe that secondary suites will impact the built form,
- Enforcement – Some local governments have had difficulty in monitoring and enforcing secondary suite programs, thus creating higher administration costs and increased liability,
- Suite registration – Some municipalities require owners to pay a fee on a cost recovery basis to cover administration and inspections, which adds to the cost of their establishment,
- Property Taxes / Property Values
    - For the Homeowner – In terms of property taxes, there are two main factors in property assessments: the building and the land. A homeowner adding a secondary suite will likely see a slightly higher assessment just as if they made any other significant renovation/improvement to their home,
    - For the Neighbourhood - Consultants have indicated that based on several studies recently completed in the greater Vancouver area, existing neighbourhoods with new infill development have never shown any measurable decrease in property values,
- Building code standards – Additional capital costs necessary to address building code compliance has been well documented by other Canadian cities as a barrier to the creation of secondary suites, especially within an existing building. Some municipalities have addressed this by mandating that new developments are built ‘secondary suite ready’, meaning that they are easily adaptable,
- Site Servicing Considerations - The City of Winnipeg would not be responsible to supply service connections to Detached Secondary Suites;
    - The property owner with the help of a municipal engineer would have to determine the servicing requirements for the suite,
    - The cost to extend services is unknown at this time and would be determined on a case by case basis,
    - The existing form of development could pose challenges to the extension of services, especially in cases where side yards are narrow,
    - Tying into the services of the existing residence might be a possibility but it might be necessary to extend new lines.

Potential issues to overcome:

- Community opposition – some level of resistance might be expected from residents who fear that the inclusion of secondary suites will undermine property values and change the character of communities. Public education and communication may address this issue.
- Building Code Compliance – A review of existing building code standards may be required to understand their effect on the economic feasibility of providing secondary suites, both attached and detached.
    - The Canada Mortgage and Housing Corporation commissioned a study in 2004 to compare the impact of different building code requirements across Canada on the cost and relative performance of code requirements on accessory apartments in houses. The

report compared the following building code key issues: Egress and Exiting, Fire Separations (Compartmentalization), Fire Detection, Livability, Heating and Ventilation, and Fire Exposure. The CMHC Report provided a sound basis to compare code provisions across Canada and enabled the National Building Code Task Group to propose changes for accessory apartments in the 2010 NBC.

    - Follow up conversations with some of the applicants who were approved for secondary suites within the last two years cited some issues with meeting the building code. Two of these cases were new home builds whose construction went ahead without the approved secondary suites. Generally these applicants felt unaware of the full code requirements early on. To date, only one of the twelve secondary suites approved has been constructed.

- Service Connections: Consideration will need to be given to how detached suites will be connected to sewer and water. Water and Waste has noted:
    - Potential risks with routing services through the side yard of sites, such as potential for leaks, which could damage the principal dwelling,
    - Potential issues with lot grading and sump pump discharge lines.

Best Practices in Establishing Secondary Suites

- Consult with residents and stakeholders: Secondary suites can be a contentious issue for local communities. Jurisdictions who engaged residents in public consultation benefited from the process as it generally helped to diffuse major concerns. Stakeholder input also led to better programs. Consultation with homebuilders and developers also strengthened programs.
- Be consistent throughout jurisdiction: Treating secondary suites the same throughout the municipality established a global sense of fairness and simplicity. A consistent approach is also easier to understand.
- Provide clear information: Information provided about the rules of secondary suites, such as fact sheets, guidelines and brochures needs to be clear, concise and exhaustive.

Secondary Suite Types
Most Canadian cities offer homeowners the opportunity to develop secondary suites on their property in conjunction with their existing dwelling. The majority of the time, only one secondary suite is allowed per lot.

The range of typologies of secondary suites varies from city to city as does the policy framework governing their establishment. Based on our research to date, secondary suites fall into three general typologies:

- Secondary Suites within the existing dwelling (Attached);
- Stand Alone Secondary Suites, (Detached - often known as Garden Flats);
- Garage Secondary Suites, (Detached - either at grade or above grade).

Secondary Suites within an Existing Dwelling

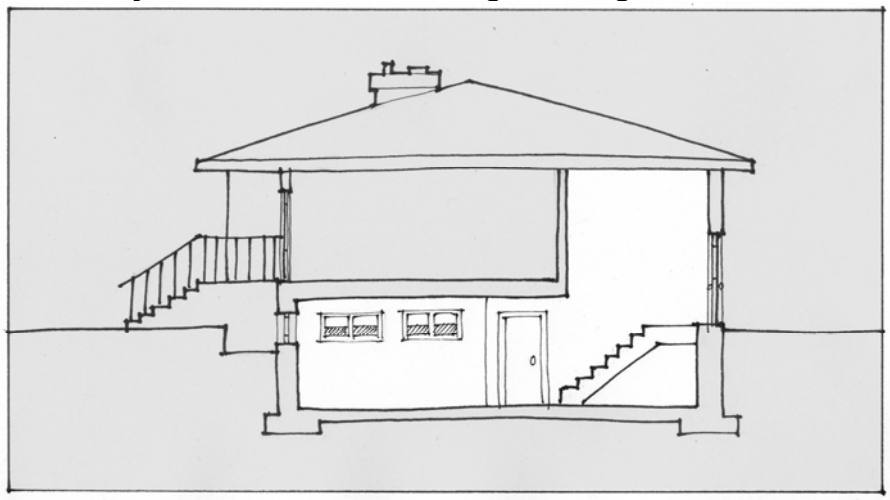


Figure 1: Basement Secondary Suite

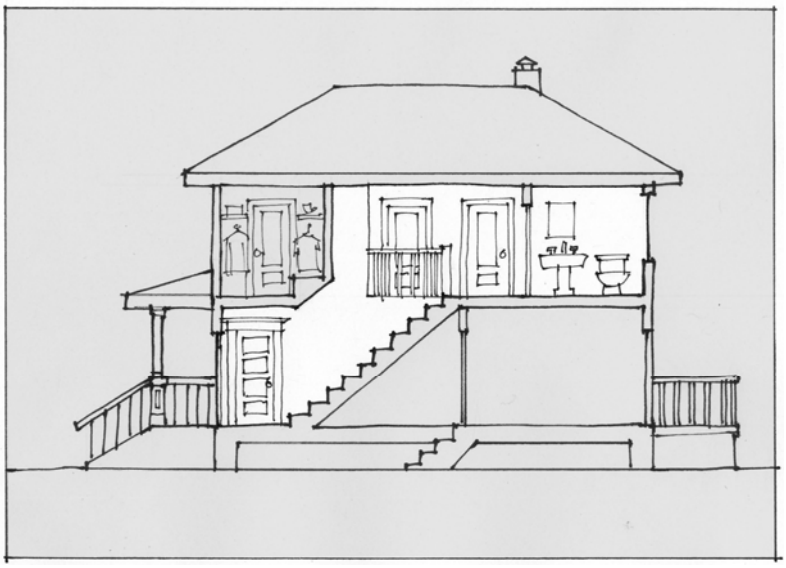


Figure 2: Above Grade Secondary Suite

Stand Alone Secondary Suites (Garden Suite)

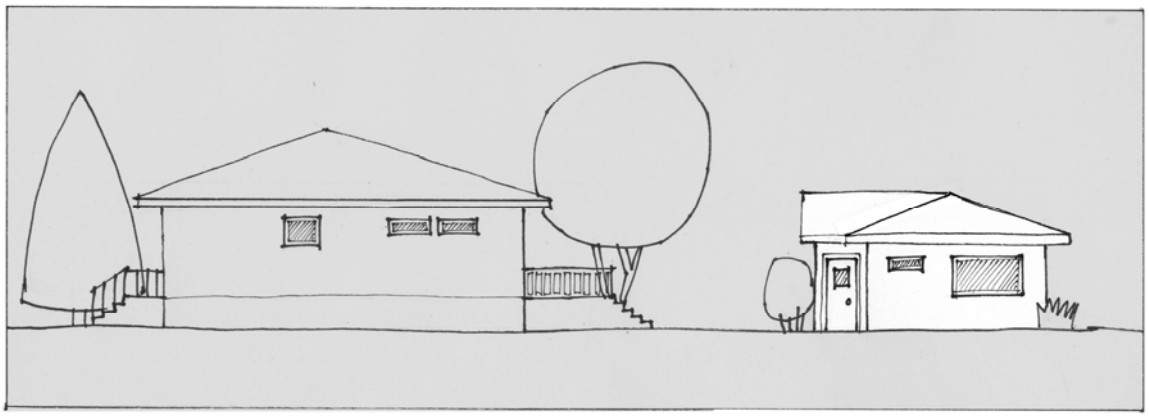


Figure 3: Detached Garden Suite

Garage Secondary Suites



Figure 4: Garage Suite above Grade (Carriage House)

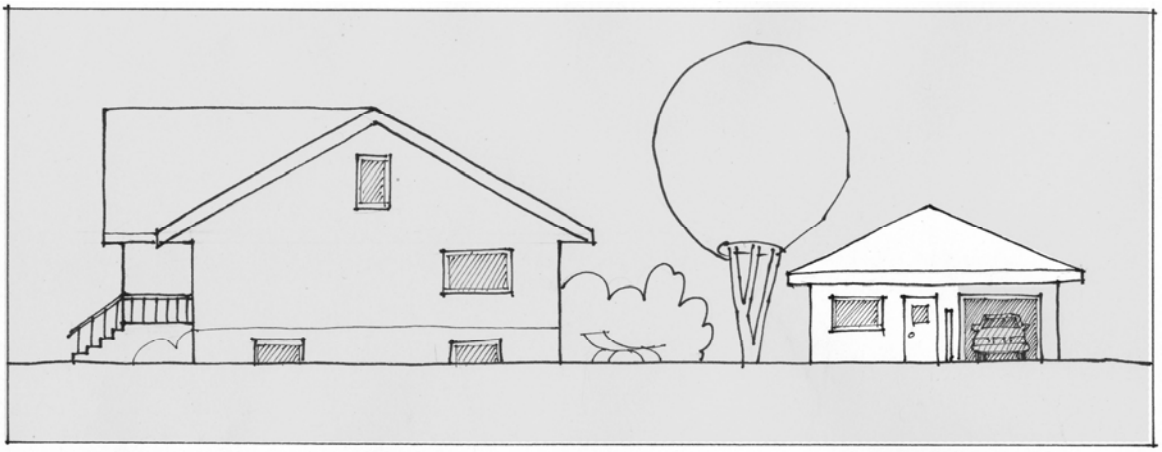


Figure 5: Garage Suite at Grade

Detached Secondary Suite Photo Inventory (source: Google Images)













Existing Secondary Suite Regulations in the City of Winnipeg Zoning By-law 200/06
Secondary suites are relatively new to the City of Winnipeg:

- Prior to the adoption of Winnipeg's current zoning by-law, secondary suites were not allowed.
    - In City of Winnipeg Zoning By-law 6400/94 – effective to March 1, 2008 - Secondary Suites were not a permitted land use;
    - In City of Winnipeg Zoning By-law 200/06 – presently in effect - Secondary Suites within single family dwellings are deemed Conditional uses in nine zoning districts (the section below provides the definition and details of secondary suites under the by-law).

Currently the City of Winnipeg Zoning By-law 200/06 allows Secondary Suites contained within single family dwellings as a Conditional Use under nine (9) of the zoning districts subject to certain Use Specific Standards.

- Definition – '**"Secondary Suite"** means an accessory dwelling unit added to or created within a single-family residence that provides basic requirements for living, sleeping, cooking and sanitation.' (page 33)
- Accessory Use Table (page 71) – Conditional Use (subject to Use Specific Standard, Section 120)
    - 'A' Agricultural
    - 'RR5' Rural Residential 5 Acre
    - 'RR2' Rural Residential 2 Acre
    - 'R1' Residential Single-Family
    - 'R2' Residential Two-Family
    - 'RMF' Residential Multiple-Family
    - 'RMU' Residential Mixed Use
    - 'C1' Commercial Neighbourhood
    - 'C2' Commercial Community

- Use Specific Standard, Section 120 (page 84) – A secondary suite may be created accessory to a single-family dwelling, subject to the following standards:
    (1) Only one entrance to the dwelling from the street may be located on the facade that faces the street, unless the dwelling contained an additional street-facing entrance prior to the creation of the secondary suite;
    (2) Lots containing secondary suites must contain a minimum of 2 off-street parking spaces; and
    (3) The maximum size of a secondary suite may be no more than 33 percent of the living area of the dwelling, or 800 square feet, whichever is less.

- The current approval process for establishing a secondary suite:
    - A Conditional Use application for a Secondary Suite can be made provided that the development meets the use specific standards prescribed in the zoning by-law. Should the proposed development not meet the use specific standards of the by-law, then a Variance must be processed as well.
    - The approval process for a secondary suite includes a public hearing where members of the public may appear and comment on the proposed application. The approving authority (usually the Board of Adjustment, unless there is a concurrent rezoning application, in which case it is heard at the respective Community Committee) makes a decision on the application. After the public hearing has been concluded, there is 17 day period that allows for any appeals to be filed. If the decision is appealed, then it is scheduled for another public hearing at the Appeals Committee. The decision of the Appeals Committee is final.

Applications for Secondary Suites in Winnipeg

Since the adoption of Zoning By-Law 200/2006 and at the time of writing this report, there have been a total of 24 applications for Secondary Suites throughout the City of Winnipeg (See Figure 6 below). All 24 of these applications have been heard at a public hearing at the Board of Adjustment and in all cases the Board has approved them. It is noted that all applications have met the current Use Specific Standards prescribed in the City of Winnipeg Zoning By-law 200/06, which has provided the basis for a positive public service recommendation.

To date the Board of Adjustment has approved all secondary suite applications and none of the decisions regarding these applications have been appealed. (Once the Board of Adjustment makes a decision, there is a 17 day period whereby the applicant or individuals who registered at the public hearing can appeal the decision or a specific condition of approval).

An interesting observation regarding applications for secondary suites is that they have been scattered throughout the city, within newer and older neighbourhoods. The general lack of public opposition to secondary suites suggests that Winnipeggers throughout the city are generally comfortable with this type of housing in their communities. Figure 6 illustrates the locations where secondary suites have been applied for and subsequently approved.



Figure 6: City of Winnipeg Locations for Attached Secondary Suite Applications

Secondary Suite Applications since Adopting of Zoning By-Law 200/2006					
#	**File #**	**Support**	**Opposition**	**Decision**	**Appealed**
1	DCU 11-160897	1	Nil	Approved	No
2	DCU 11-153790	1	Nil	Approved	No
3	DCU 11-147698	3	Nil	Approved	No
4	DCU 11-129271	1	3	Approved	No
5	DCU 11-130765	1	Nil	Approved	No
6	DCU 11-124383	1	Nil	Approved	No
7	DCU 11-120909	2	Nil	Approved	No
8	DCU 11-114331	1	Nil	Approved	No
9	DCU 11-114521	Nil	Nil	Approved	No
10	DCU 11-112532	4	Nil	Approved	No
11	DCU 11-108838	1	Nil	Approved	No
12	DCU 11-101722	1	Nil	Approved	No
13	DCU 10-118047	1	2	Approved	No
14	DCU 10-122985	2	Nil	Approved	No
15	DCU 10-116210	1	Nil	Approved	No
16	DCU 10-108040	Nil	Nil	Approved	No
17	DCU 10-101952	1	Nil	Approved	No
18	DCU 09-167843	1	1	Approved	No
19	DCU 09-159707	1	Nil	Approved	No
20	DCU 09-132817	1	Nil	Approved	No
21	DCU 09-108159	1	Nil	Approved	No
22	DCU 09-108375	1	Nil	Approved	No
23	DCU 08-145852	1	Nil	Approved	No
24	DCU 08-138739	Nil	Nil	Approved	No

Table 1: City of Winnipeg Secondary Suite Applications

Appendix 'B': Secondary Suite Regulations in Other Cities

Review of Secondary Suites in other Cities

CITY	WITHIN DWELLING	DETACHED	PARKING REQUIRED	ABOVE GARAGE
Calgary, AB	discretionary*	discretionary	yes	discretionary
Edmonton, AB	permitted	discretionary	yes	discretionary
Victoria, BC	permitted	no	no	no
Regina, SK	permitted	no	yes	no
N. Vancouver, BC	permitted	no	yes	no
New Westminster, BC	permitted	no	yes	no
Ottawa, ON	permitted	temp. zoning **	no	no
Toronto, ON	permitted	no	yes	no
Arvada, Col.	permitted	yes	yes	no
Vancouver, BC	Permitted/ discretionary***	discretionary	no	yes
EXISTING Winnipeg, MB	**Discretionary (Conditional Use)**	**no**	**yes**	**no**
RECOMMENDED Winnipeg, MB	**Permitted**	**Discretionary (Conditional Use)**	**yes**	**yes**

Table 2: Comparison of Secondary Suite Regulations

* Permitted within 'R2' Two-Family Dwelling district
** Requires site specific temporary zoning by-law
*** Zoning district dependent

Review of Secondary Suites in Canadian Cities
While each city has their own distinct regulations regarding Secondary Suites, there are some commonalities worth noting. Most cities with secondary suites allow them as permitted uses in situations where they are attached to the principal dwelling and meet prescribed standards. In situations where municipalities provide for detached secondary suites, these are generally opened to a discretionary process, such as Conditional Use approval. An exception to this is the City of Vancouver which allows detached secondary suites as permitted uses. In all cases secondary suites are subordinate in size to the principal dwelling. In most cities, secondary suites are required to supply one additional parking stall. Wherever cities provide for detached suites, the lot must be a through lot or have back lane access.

Unique Cases:
Research has also uncovered unique standards associated with Secondary Suites that are worth consideration. These include:

- mandating dedicated on-site amenity space for the secondary suite;
- assigning the secondary suite a separate address;
- that the principal dwelling be at least 5 years old; and
- that all new homes be secondary suite ready;

Some of these unique standards relate specifically to detached secondary suites. These include:

- Minimum lot widths;
- Restricted to properties that are through lots or have laneway access
- Implementation of design restrictions for detached suites to address privacy and animate the lane (balconies, windows, doors);

VICTORIA, BC (Attached Secondary Suites Only)

1.0 Within Dwelling (Secondary Suite)

- A secondary suite must not exceed the lesser of 90 square metres (968 square feet) or 40% of the total floor area of a home,
- Houses must have a minimum of 150 square metres (1615 square feet) of floor area with an existing, or potential, ceiling clearance of 2 metres (6'7").

2.0 Other Regulations

- secondary suites are permitted in single family detached houses in R1-B, R1-A and R1-G zones; and may also be permitted in other zones,
- secondary suites cannot be strata-titled,
- secondary suites must comply with the secondary suite standards of the BC Building Code,
- limited changes to the exterior are allowed in the five years prior to, and after, installing a secondary suite with some exceptions, e.g. an addition that creates more than 20 square metres (215 ft2) of floor area requires a variance permit.

3.0 Other

- The City has developed a set of **Secondary Suites Design Guidelines** to provide helpful design tips that cover the following:
    1. Overall Design of the House
    2. Landscaping and Parking
    3. Private Outdoor Space
    4. Design of Secondary Suite Entrance
    5. Suite Liveability

4.0 Grant Program

- Grant is available to owner occupant homeowners and offers a grant equal to 25% of construction costs of new secondary suites, up to a maximum grant of $5,000.

VANCOUVER, BC (Attached Secondary Suites and Detached 'Laneway')

5.0 Within Dwelling (Secondary Suite)

- "One-Family Dwelling with Secondary Suite" to be permitted in all residential RS, RM, and RT zones,
- One on-site parking space will be acceptable for a house with a secondary suite, if the house was built prior to April 20, 2004,
- Partial sprinkler system will no longer be a requirement for existing non-sprinklered houses (certain conditions apply). Instead, interconnected hard-wired smoke alarms equipped with carbon monoxide detection, battery backup and manual silencing device are to be installed,
- Ceiling height requirement for an existing house reduced to 6'6" over 80% of the suite area and in all areas of exit from the suite,
- Steps to establish:

1. Apply for a Special Inspection and book an appointment for this inspection. A Special Inspection is a coordinated inspection carried out by the Building, Electrical and Plumbing Inspectors. Its purpose is to determine what upgrading work would be required to legalize a suite,
2. Review Upgrading Letter. You will receive a letter listing the permits, plans, and upgrading requirements. Please read the letter carefully and prepare any documents that are required to obtain permits (e.g., Plans),
3. Obtain Permits. Bring the letter to City Hall (453 West 12th Avenue, 2nd floor of the East Wing Building) with the necessary plans as indicated on the letter and apply for a Combined Development and Building Permit. Note: A Combined Development and Building Permit can be obtained by the homeowner. However, Electrical, Plumbing and Gas Permits, if required, will only be issued to licensed contractors,
4. Call for Inspections,
5. Progress inspections are required during the course of the upgrading. Several inspections may be required before a job can be finalized. To book a progress inspection or final inspection for a secondary suite, you or your contractor may phone 311,
6. Suite Approval If the work meets all requirements; your suite will be approved. Staff in the Secondary Suite Office will send you a letter confirming this,
7. Annual Business License. An annual Business License will be required for rental suites. Please see staff in the License Office or phone 311.

6.0 Detached (Laneway House)

- A laneway house is not permissible except on:
    - a site served by an open lane;
    - a site located on a corner served by an open or dedicated lane; or
    - a double-fronting site served by a street at both the front and rear of the site.
- The width of a site on which a laneway house is situated must be at least 10.0 m.,
- The height of a laneway house must not exceed:
    - 6.1 m to the ridge of a gable, hip, or gambrel roof;
    - 5.5 m to the highest point of a flat roof; or
    - 5.8 m to the highest point of a shed or arced or butterfly roof.
- The footprint of a laneway house must not exceed the greater of:

- the allowable floor area of an accessory building under the applicable district schedule; and
- the allowable floor area of the laneway house, not including enclosed or covered parking spaces, if the height of the laneway house does not exceed the allowable height of the accessory building.

- A laneway house must not exceed one storey and a partial second storey that does not exceed 60% of the footprint of the laneway house and does not include exclusions allowed by the Director of Planning under section 11.24.17.
- The location of a laneway house must be:
  a) within 7.9 m of the ultimate rear property line;
  b) at least 4.9 m, measured across the width of the site, from the one-family dwelling or one-family dwelling with secondary suite on the site;
  c) at least 0.6 m from the rear property line at the lane; and
  d) a distance from each side property line equal to the required side yards for the site, except that if the height of the laneway house does not exceed the height limit for an accessory building under the applicable district schedule, the distance from each side property line need not exceed 10% of the lot width.

NORTH VANCOUVER, BC (Attached Secondary Suites Only)

7.0 Within Dwelling
- Minimum size of 400 square feet (38 square metres) and a maximum of 40% of the total floor area of the building, up to 969 square feet (90 square metres);
- Only in single family dwelling, not in duplexes or multi-family residential;
- Only allowed where the owner lives in the building;
- Must be located in the principal structure on the site. Suites are not allowed in accessory buildings such as garages;
- Only one suite per single family dwelling;
- One additional parking space capable of independently exiting the property;

8.0 Other Regulations
- Not permitted in a basement if the floor level of that basement is more than 5 feet below average grade.
- May not be stratified;

NEW WESTMINSTER, BC (Attached Secondary Suites Only)

9.0 Within Dwelling
- Be no smaller than 350 sq. ft. or no larger than 968 sq. ft. or 40% of the total floor space of the house (whichever is smaller) BC Building Code;
- Cannot be stratified, subdivided or otherwise legally separated from the main dwelling unit;
- One off-street parking space (in addition to the one space required for the principal unit.);
- One secondary suite per single detached dwelling;

10.0 Other Regulations
- Conform to City of New Westminster “Design Standards and Guidelines for Houses with Secondary Suites”;

- Comply with the City's Building Bylaw and the Building Department's Technical Requirements for Secondary Suites;
- No habitable space constructed below flood construction level (an issue in the Queensborough neighbourhood, the entirety of which is in a flood plain);
- Covenant incorporating all the requirements and indemnifying against liability in favour of the City must be registered on title;

EDMONTON, AB (Attached and Detached Secondary Suites)

11.0 Within Dwelling (Secondary Suite)

- Max. floor area of secondary suite;
  - Below first storey - no greater than 1st storey floor area;
  - Above or partially above first storey - no greater that 40% of the total floor area above grade of the principal dwelling, or 70 m2, whichever is less;
- Min. floor area not less than 30 m2
- Min. site area 360 m2, (except in RR zone where it shall be the RR zone minimum)
- Suite must have separate entrance from either common indoor landing or directly from side or rear of the structure;
- No condo conversion or subdivision allowed.

12.0 Garden Suite

- Min. site area 525 m2 (except PR zone - same as min. site area for that zone) ;
- Max. height 4.3 m;
- Max. floor area 50 m2;

13.0 Garage Suite (Above or at Grade)

- Min. site area is that area required for the principal Single Detached Dwelling plus 100 m2 (except RPL & RSL Zones – min. site area 460 m2, in PR zone - same as min. site area for that zone) ;
- Max. height 6.5 m or the height of the principal Dwelling whichever is lesser where the building containing the Garage Suite has a roof slope of 4/12 (18.4 º) or greater;
- Max. height 5.5 m or the height of the principal Dwelling whichever is lesser where the building containing the Garage Suite has a roof slope of less than 4/12 (18.4 º);
- Max. floor area 60 m2 for Garage Suite (above grade);
- Max. floor area 50 m2 for Garage Suite (at grade);
- Platform structures allowed on above grade Garage Suites only where the balcony faces the lane or flanking roadway.

14.0 Other Regulations

- Min. floor area Garage or Garden Suite 30 m2;
- Min site width Garage or Garden Suite 15 m, except in PR Zone where it shall be the same width for the zone;
- Min. side yard for detached Garage Suite at grade and Garden Suite is the same as that for the principal Dwelling in the applicable zone;
- Min. distance between Garage and Garden Suite and Principal Dwelling 4 m;
- Windows in Garage and Garden Suites shall minimize overlook yards or windows of abutting properties;
- No roof decks on Garage or Garden Suites;

- Only one Secondary Suite, Garage Suite or Garden Suite may be developed in conjunction with principal Dwelling;
- The number of unrelated persons occupying a Secondary Suite, Garage or Garden Suite shall not exceed three (3);
- Secondary Suite, Garage or Garden Suites shall not be allowed on the same site containing a Group Home or Limited Group Home, or Major Home Based Business unless the Suite is integral part of a Bed and Breakfast Operation in the case of a Home Based Business;
- Where Garage and Garden Suites are discretionary the Development Officer may exercise discretion when considering a Garage Suite having regard to;
    - Compatibility of the use with siting, grade elevations, height, roof slopes and building types and materials characteristic of the surrounding low density ground oriented housing and development;
    - The effect on the privacy of adjacent properties;
    - The policies and guidelines for Garage and Garden Suites contained in a Statutory Plan for the area;
- Secondary Suite, Garage and Garden Suites shall not be subject to separation from the principal dwelling through a condominium conversion or subdivision;
- Secondary Suite, Garage and Garden Suites shall not be included in the calculation of densities in this Bylaw;
- Notwithstanding Secondary Suite, Garage and Garden Suites being listed as Permitted or Discretionary uses within any Zone, they shall be subject to the regulations or the Edmonton - Strathcona County Joint Planning Study Area Secondary and Garage Suites Overlay in section 822 of this Bylaw.

CALGARY, AB (Attached and Detached Secondary Suites)

15.0 Within Dwelling (at grade, above grade & below grade)
- Max. height 5.0 metres for that portion of the building that contains the secondary suite;
- Suite must have separate and direct access to grade;
- Min. building setbacks for secondary suite.

16.0 Detached (stand-alone)
- Max. height 5.0 metres;
- Subject to max. parcel coverage;
- Min. building setbacks for secondary suite – detached garden:
    - Rear setback 1.5 metres
    - Side setback 1.2 metres
- Must be located at least 3.0 metres from principal building.

17.0 Above Rear Detached Garage
- Max. height 7.5 metres;
- Subject to max. parcel coverage;
- Min. building setbacks for secondary suite – detached garage:
    - Rear setback 0.6 metres for that portion of the building used as a private garage; and 1.5 metres for that portion used as a secondary suite;
    - Side setback 1.2 metres
- Must be located at least 3.0 metres from the house.

18.0 Other Regulations

- Secondary Suites are discretionary uses in low density residential zones;
- The Development Authority must post discretionary uses for 7 days prior to making a decision;
- The Development Authority must then advertise approvals of discretionary uses in the local newspaper allowing for a 14 day appeal period;
- Min. parcel width, depth and area requirements;
- One additional parking stall for secondary suite;
- Max. size of secondary suite - 70 square metres (753 square feet);
- Separate direct access to grade;
- Min. 7.5 metres private amenity space (balcony, deck or patio);
- Conform to Alberta Building Code and Alberta Fire Code.

REGINA, SK (Attached Secondary Suites Only)

19.0 Within Dwelling

- The suite must be located within the detached dwelling; they cannot be in an accessory building or structure like a garage.
- The suite cannot occupy more than 40% of the total gross floor area of the building, including the area of the basement.
- There can only be 1 suite per detached dwelling.
- There cannot be more than 2 bedrooms in the suite.
- A parking stall must be provided on the property for the suite in addition to the parking stall required for the detached dwelling.
- The secondary suite must have an exterior entrance that is separate from the entrance(s) to the principal dwelling.

20.0 Other Regulations

- Suite construction must comply with all relevant requirements of the National Building Code, The Uniform Building and Accessibility Standards Act and Regulations, Building Bylaw No. 2003-7, and any other applicable City bylaws.
- The secondary suite will be assigned an address that is separate from that of the principal dwelling. The secondary suite address will be identified by adding an "A" after the address number of the principal dwelling.

TORONTO, ON (Attached Secondary Suites Only)

21.0 Within Dwelling (Second Suite)

- Gross Floor Area of the additional Dwelling Unit including any area below grade, is less than the Gross Floor Area of the remaining Dwelling;
- No addition to, nor substantial alteration to, the exterior appearance of the front of the Dwelling Detached One-Family and in the case of a corner lot, on the side of the Dwelling Detached One-Family facing a street, as a result of the introduction of a second suite, including but not limited to, a new private entrance on any Street Façade;
- None of the Dwelling Units contain roomer or boarders;
- The whole of the Dwelling Detached One-Family, prior to the introduction of the additional Dwelling Unit, is more than five (5) years old;

22.0 Other Regulations

- Secondary Suites allowed within each unit of Dwellings Semi-Detached
- Minimum two (2) parking spaces required

OTTAWA, ON (Attached and Detached Secondary Suites)

23.0 Within Dwelling (Secondary Suite)

- Max. floor area of secondary suite;
    - Below grade – May occupy entire basement, no limit in area;
    - Above grade - no greater that 40% of the gross floor area of the principal dwelling;
- Min. floor area not less than 30 m2
- Min. site area 360 m2, (except in RR zone where it shall be the RR zone minimum)
- Suite must have separate access, that;
    - Must not be located on an exterior wall facing the front yard, and;
    - Is limited to the ground floor unless Building or fire Codes dictate otherwise;
- No condo conversion or subdivision allowed.

24.0 Garden Suite

- Only permitted where a site-specific, temporary zoning by-law allows;
- Max. height 4.6 m and one storey;
- Max. floor area – 65% of the gross floor area of the principal building on site;
- Max. setback;
    - Side lot line – same as principal building;
    - Rear lot line – 2.3 m;
- Max. lot coverage;
    - 35% of the area of the rear yard;
    - Garden Suite not included in any other max. lot coverage calculation;
- Min. distance from any other building on lot – 1.2 m;

25.0 Other Regulations

- Max. one unit per detached dwelling, one in each half of a semi-detached building and only one for the whole of a duplex dwelling;
- No additional parking space is required;
- The new unit must be on the same lot as the principal dwelling unit and must not change the streetscape character along the road on which it is located;
- A secondary unit is not permitted on a lot that is legal non-conforming with respect to lot width or lot areas;
- The creation of a secondary dwelling unit must not eliminate a required parking space for the principal dwelling unit;
- No on-site, non-resident employees are permitted and no customers are permitted in the home based business being operated out of a secondary dwelling unit
- Secondary units must be connected to public services where such services are available
- Where only private services are available, new secondary dwelling units may be connected to private services subject to approvals from the City of Ottawa;

ARVADA, COLORADO, UNITED STATES (Attached and Detached Secondary Suites)

26.0 Within Dwelling or Detached (Accessory Dwelling Unit)

- Unit Size and Configuration. For a principal dwelling unit of 1000 square feet or more of living space, the ADU shall be no larger than 40% of the living space of such principal dwelling unit, or 800 square feet, whichever is smaller. For a principal dwelling unit of less than 1000 square feet of living space, the ADU shall be no larger than 400 square feet. No ADU shall be less than 200 square feet, and all ADUs shall be designed and configured as either studio or one bedroom units. Square-footage calculations, as contained herein, exclude any related garage, porch or similar areas. Gross Floor Area of the additional Dwelling Unit including any area below grade, is less than the Gross Floor Area of the remaining Dwelling;
- No addition to, nor substantial alteration to, the exterior appearance of the front of the Dwelling Detached One-Family and in the case of a corner lot, on the side of the Dwelling Detached One-Family facing a street, as a result of the introduction of a second suite, including but not limited to, a new private entrance on any Street Façade;
- None of the Dwelling Units contain roomer or boarders;
- The whole of the Dwelling Detached One-Family, prior to the introduction of the additional Dwelling Unit, is more than five (5) years old;
- Owner Occupancy. The property owner, as reflected in title records and evidenced by voter registration, vehicle registration or other similar means, must occupy either the principal dwelling unit or ADU;
- Site Plan. A completed site plan showing ADU location, setbacks, parking, square footage, percent lot coverage, entrance location, maximum number of residents.
- Outdoor Areas. The site plan shall provide accessible outdoor space and landscaping for both the ADU and the principal dwelling unit,
- Parking. One on-site (hard surface) parking space shall be required for an ADU. Parking for the ADU is in addition to the required parking for the principal dwelling unit. The required parking space may be in tandem with other required spaces.

27.0 Other

- Conformance to Land Development Code. An ADU must meet the same development standards required for the principal dwelling unit, and a building permit is required.
- Restrictive covenants may apply to a property and affect the owner's ability to construct an Accessory Dwelling Unit

Appendix 'C' – Public Consultation

City of Winnipeg Secondary Suite Public Consultation - February 2012

Open Houses
The Public Service held a series of four open houses to share information with the public about detached secondary suites and gather the public's input on them. The open houses were held at the Millennium Library in the Carol Shields Auditorium at 251 Donald Street. People were invited to drop in Wednesday, February 22, 2012 between 2:00 p.m. and 5:00 p.m. or 6:00 p.m. and 9:00 p.m. or on Thursday, February 23, 2012 between 2:00 p.m. and 5:00 p.m. or 6:00 p.m. – 9:00 p.m.

A brief overview of the concept of secondary suites, the City of Winnipeg's by-laws and secondary suite experiences, examples of how other North American cities treat secondary suites and additional detail regarding detached secondary suites was presented to the public on a series of posters.

- City staff was available to discuss issues and answer questions,
- A space was provided for people to write comments on sickies and post them so that other attendees would be able to read their comments was provided,
- An exit survey was distributed to gather feedback on the concepts presented at the open house and identify their level of support for detached secondary suites,
- Approximately 50 people came to the sessions,
- 30 people filled out a questionnaire.

While the participation was lower than hoped, the expressed support for accommodating detached secondary suites in the City was unanimous. The results of the exit survey and comment summary is attached as Appendix A.

Other Forums
A dedicated e-mail address (ppdsecondarysuites@winnipeg.ca) and website (speakupwinnipeg.com/secondarysuites) were set up to increase opportunities for communication and to access the open house materials. The open house materials and exit survey were made available on the website.

In addition the Public Service discussed detached secondary suites with a number of stakeholder groups:

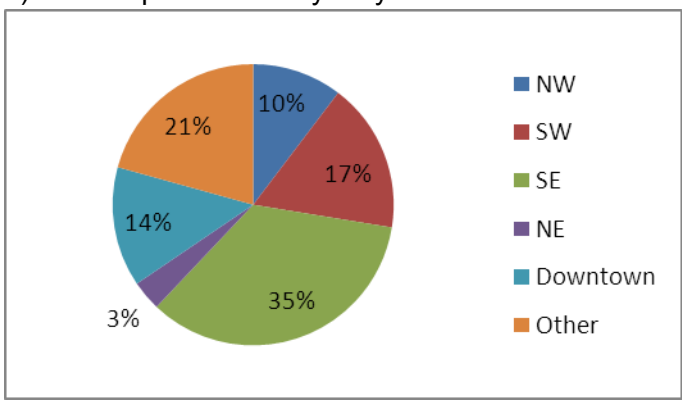
- West Broadway Development Corporation
- Daniel McIntyre / St Mathews Community Association / Renewal Corp
- North End Renewal Corp
- Spence Neighbourhood Association / Renewal Corp
- Central Neighbourhoods Renewal Corp
- Right to Housing Coalition
- Province of Manitoba (Housing and Community Development Department)

All of the groups spoken with were generally supportive of changes to the City's by-laws that would make it easier to establish secondary suites, both attached and detached.

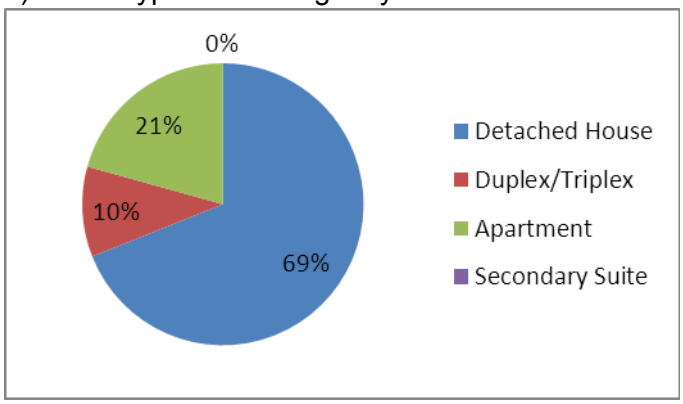
Questionnaire Responses

Please note that these results represent the responses of the 30 people who completed the survey either at the open house or later and submitted them electronically or by fax.

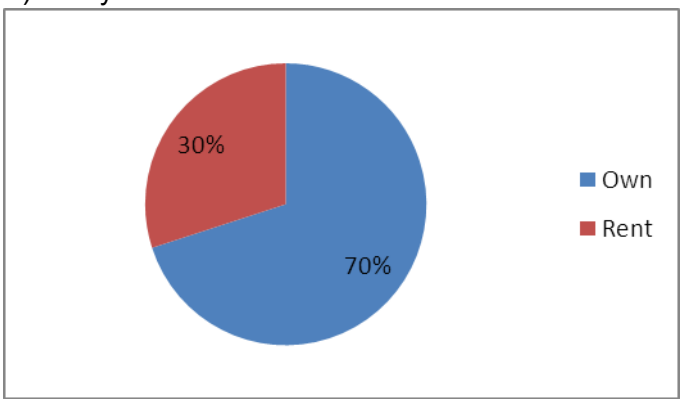
1) Which part of the city do you live in?



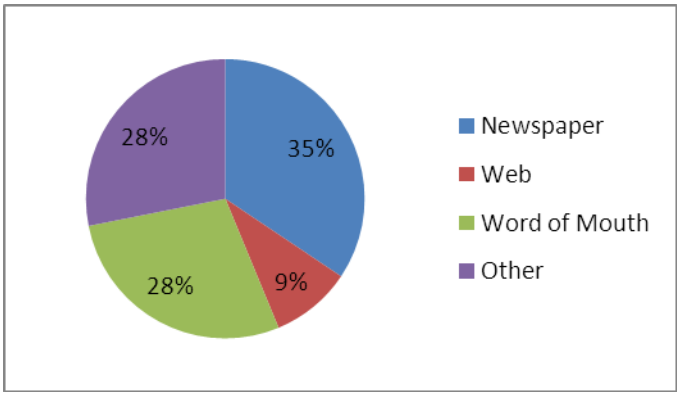
2) What type of dwelling do you live in?



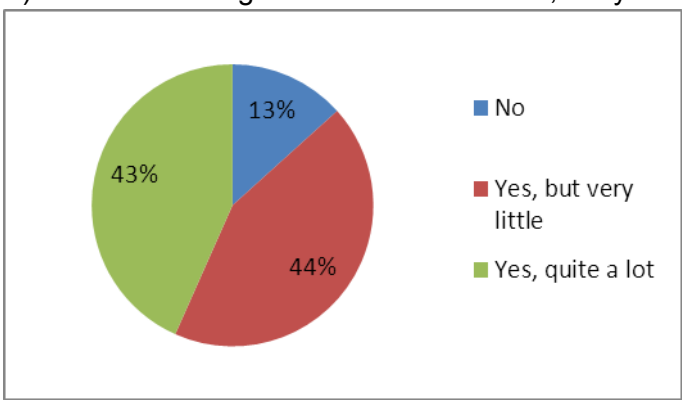
3) Do you:



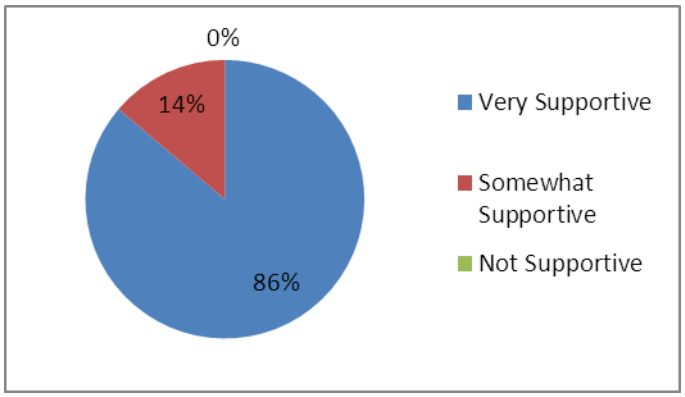
4) How did you find out about the open house?



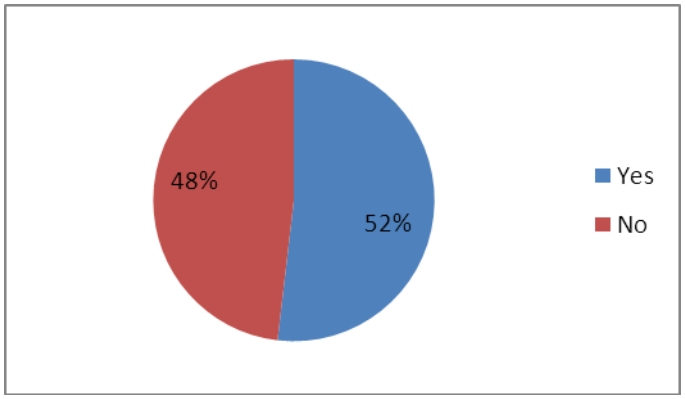
5) Prior to hearing about the consultation, did you know anything about secondary suites?



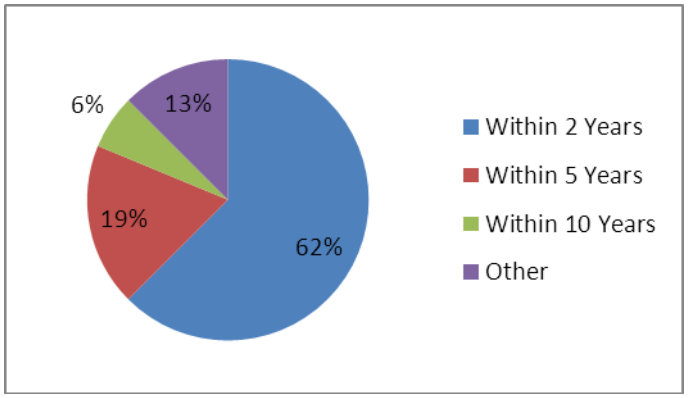
6) What is your level of support for detached secondary suites?



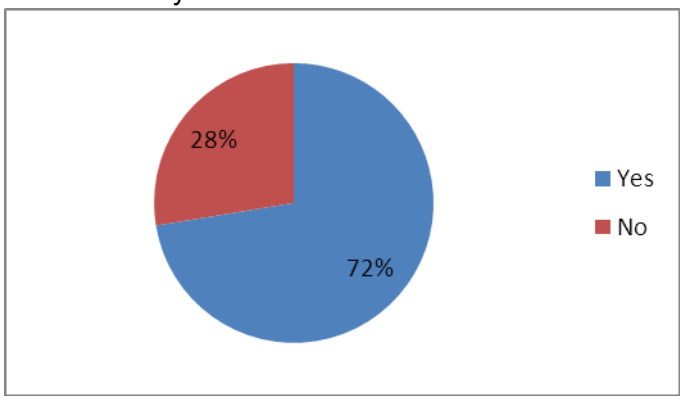
7) Are you considering developing a secondary suite?



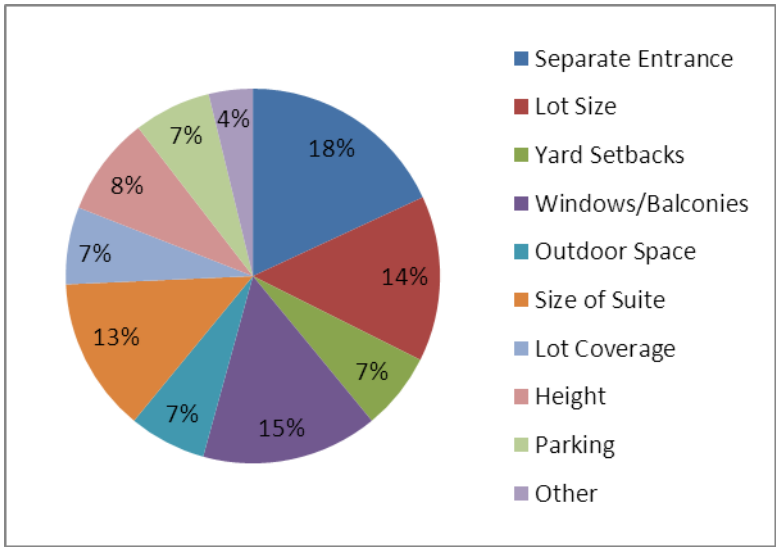
a. If Yes, When?



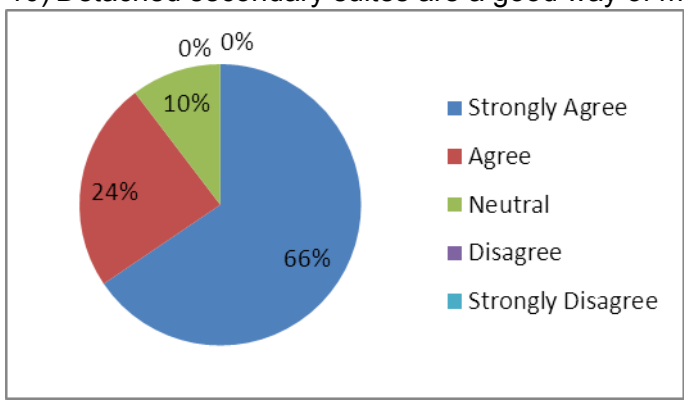
8) Would the availability of tools such as an incentive grant encourage you to consider developing a secondary suite?



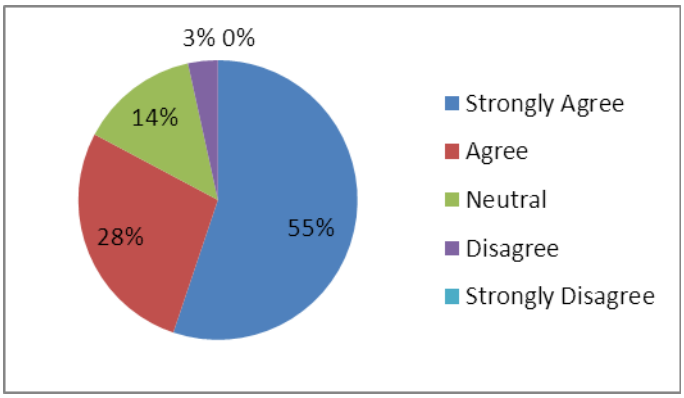
9) What elements, if any, should be considered when constructing detached secondary suites? (check as many boxes as you like)



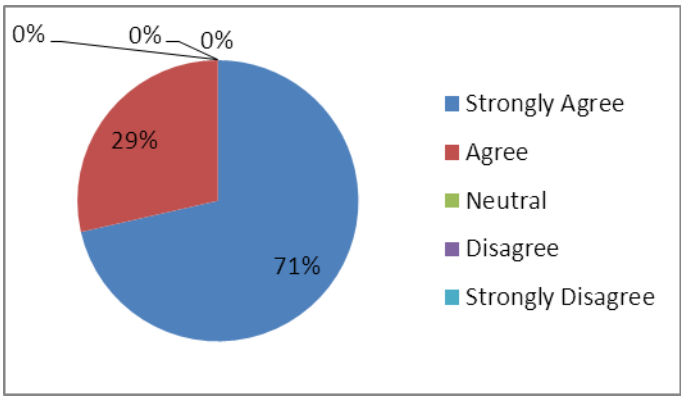
10) Detached secondary suites are a good way of meeting the need for rental housing.



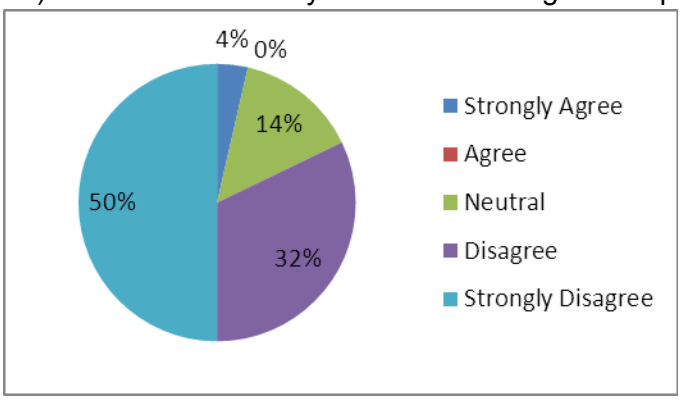
11) Detached secondary suites help make homeownership more affordable for homebuyers.



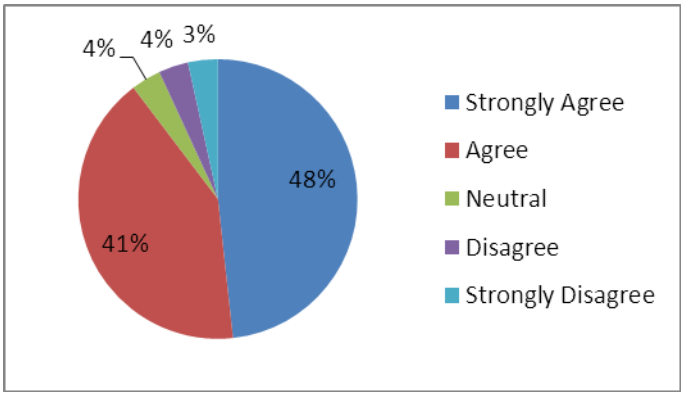
12) Detached secondary suites help families stay together by providing a home for an adult child or elderly relative.



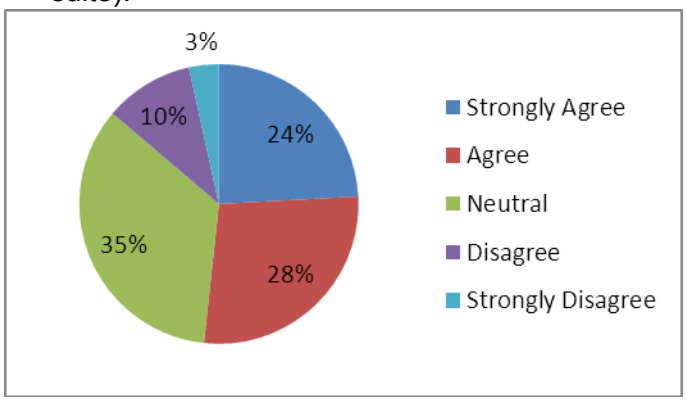
13) Detached secondary suites have a negative impact on the look and feel of local neighbourhoods.



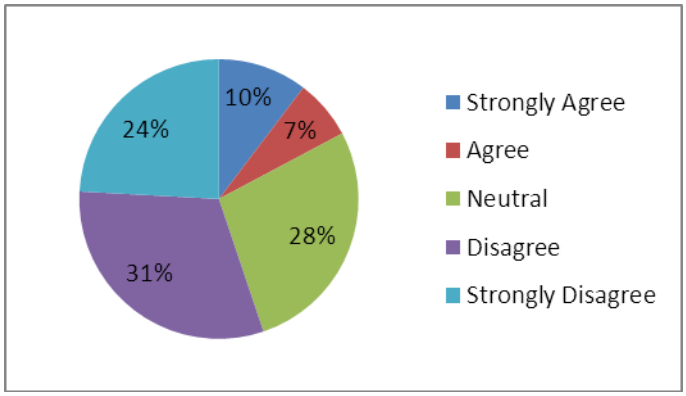
14) Detached secondary suites are a good way of increasing density without changing neighbourhood character.



15) All new single family homes should be secondary suite ready (have plumbing and electrical rough in for a secondary suite regardless of whether or not the homeowner intends to have a secondary suite).



16) Secondary suites should be prohibited in single family homes which also contain a home-based business such as a daycare or salon?



Written Comments from the Public

- Thanks for the education about zoning and secondary suites.
- This is a good idea. Coming from Vancouver and loving Winnipeg for the past 20 years I want more reasons to be proud of this City.
- Encouraging Detached secondary suites seems like and obvious positive for both homeowners their families and also residents seeking rental space. It's win win win.
- I really believe the secondary suite initiative is a good one. It is proactive and I do think it will help in solving the current issue of limited housing.
- My wife and I have been considering building a secondary suite under the provincial grant program and have had preliminary discussions with the city planning department about the suitability of our property to accommodate such a development. Our initial idea was for a detached suite but found that this would not be accommodated within the present guidelines. I believe that adding a provision for detached secondary suites under the current by-laws would be a positive step in the evolution of secondary suites for the city. Also, I wonder if the issue of extending services to secondary suites (waste and water) could be mitigated somewhat by allowing composting toilets and gray water recycling within current by-laws. I understand this is a somewhat separate issue, but considering the current infrastructure deficit, inability to impose any kind of limits to suburban sprawl and reluctance to raise property taxes to address necessary funding gaps I think alternatives should be considered.

- We had been approved to participate in the Province's Secondary Suite Program, but were unable to proceed with their program and our plans due to the current by-laws for Winnipeg. We are very supportive of this progressive move to consider revising the by-laws. Thank you. If there are further consultations or need any 'pilot' locations, please contact us to participate (I learned of this consultation in February after the fact).

- While permitting secondary suites will not solve the city's rental shortage, it will help in the long term especially if they become more common in new developments.

- I strongly support the concept of making all new buildings secondary suite ready. In the long run could really add significantly to the supply of affordable housing.

- I support this idea. Wish that it could be approved within 9-12 months.

- Would like to see more low rent housing for singles

- Necessary to address affordable housing shortage.

- Could encourage use of public transit.

- I think developing a criteria for detached units would be of major benefit to seniors because they could maintain independence and context with family.

- Significant improvement over boarding houses.

- Given the distance between houses would decrease an increase in fire rating of building materials used (I want a higher standard for these buildings than normal so they shouldn't increase fire hazard) because the separation distance will be decreased.

- I think a back lane is a requirement to enable emergency vehicle access.

- Parking should not be a requirement. Many people (students, seniors), don't want or need a car and thus don't need a parking spot. Making it mandatory would severely limit the creation of affordable housing.

- There should not be a parking restriction on attached or detached secondary suites. The number of people living in a house does not determine the number of vehicles they may own.

- The additional parking space requirement discriminates against the young, students, and persons with special needs, none of whom typically require parking, but all of whom may require secondary suite accommodations.

- Parking space should not be mandatory for non-driving senior or older adult who shares the family car e.g. student. There is precedence in the states for granny suites or living in a garage for a member of a family. A new type of non-detached trailer type of facility could be developed with some kind of chemical toilet (because of the expense if plumbing) industry could be challenged to develop something sustainable. Older adults who don't drive don't need parking. They could remain in their own property with a caregiver in the attached building. Important for baby boomer housing challenge.

- I would advocate for relaxation of the requirement for properties with a secondary suite to have two parking stalls. Our neighbourhood is characterized by one of the lowest percentages of car ownership in the city and is an extremely pedestrian friendly area with little need for expanded automobile access/infrastructure. I could see the need for accommodating cars in communities

further from hospitals, schools, and other amenities but in West Broadway the need for car-friendly legislation is an unnecessary potential barrier

- Flexibility on parking requirements as lot sizes are smaller within the inner city.
- There shouldn't be a parking requirement
- There should be no additional Parking for detached suites
- I Think proximity to public transit would be an alternative to parking requirement
- Very supportive of making attached secondary suites permitted.
- Very supportive of making detached secondary suites conditional.
- Good way to increase density, provide affordable housing, keep generations together. May help stabilize "shoulder" neighbourhoods. Parking Challenges will vary from area to area.
- Positive way to increase density.
- Basements: the square foot restriction of 800 sqft should not apply to a basement. A basement should have its own max (e.g. 1500 sqft) as there is no impact on the neighbourhood.
- I support the removal of a requirement for a public hearing if the application is presented without a requirement for a variance.
- Concerned about tying into services (e.g. water and sewer). Parking spaces should be decided by the owner - might not be needed and takes up useful building or gardening space. Should be more lot coverage -allowed than present. But not so much that there is no more breathing room (not too confined). I really think that there is no need to make radical changes to by-laws but rather tweak some of the items to make building more practical. For example, garage should be allowed to be a few feet higher; parking spot should be an option.
- I think this is an excellent idea but think there should be regulations about glare and shadowing neighbourhood properties (some variation of height/size restrictions). Maybe a property tax incentive could encourage their use. I would hope they happen more in mature neighbourhoods so as not to increase through traffic.
- Shade may be an issue due to high buildings.
- A suite above a garage needs more space (height) than is presently allowed. Dormers alone cannot meet this need.
- Composting toilets should be approved for detached suites
- Would it be possible to have alternative services for these units (like composting toilets)?
- Flexibility in regard to the thirty-three foot lot size requirement for building detached suites (For instance, most lots in the inner city are twenty-five feet in width, however, some lots this width, particularly on Burnell and Arlington are over one-hundred and twenty-five feet in length).
- Flexibility on building code requirements (For instance, building a secondary suite in a basement of an older home will be cost-prohibitive).

- Flexibility on the single front door entrance requirement for attached secondary suites (A secondary suite program may be ideal for new infill housing within the inner city and the homeowner may want the privacy associated with a second front entrance).
- It's about time

- Great idea !!

- Corydon Ave no. Mulvey Ave Warsaw Ave no.

- I really hope the zoning by-law can be amended in the next week or two in regards to building detached secondary suites. The sooner this by-law is amended the sooner I can get started on the plans for this project. This is of course if Manitoba Housing approves my secondary suite application. Spring and summer is fast approaching and it would be great to get my structure built this summer 2012.

- It would be great to have secondary suites permitted in all neighbourhoods and required in new ones, especially given Winnipeg's aging and growing newcomer populations