Agenda – Council – July 23, 2020

Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – July 13, 2020

Item No. 14 Detached Secondary Suites – Five-Year Review

STANDING COMMITTEE RECOMMENDATION:

On July 15, 2020, the Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Property and Development, Heritage and Downtown Development and submitted the following to Council:

1. That the Winnipeg Public Service be directed to prepare a text amendment to the Winnipeg Zoning By-law No. 200/2006 to allow detached secondary suites as a permitted use.

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

Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – July 13, 2020

DECISION MAKING HISTORY:

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On July 15, 2020, the Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Property and Development, Heritage and Downtown Development and submitted the matter to Council.

STANDING COMMITTEE RECOMMENDATION:

On July 13, 2020, the Standing Policy Committee on Property and Development, Heritage and Downtown Development did not concur in the recommendation of the Winnipeg Public Service and recommended:

1 That the Winnipeg Public Service be directed to prepare a text amendment to the Winnipeg Zoning By-law No. 200/2006 to allow detached secondary suites as a permitted use.

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

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

On May 21, 2020, the Standing Policy Committee on Property and Development, Heritage and Downtown Development granted an extension of time to its July 13, 2020 meeting for the Winnipeg Public Service to report back with the five-year review of the Detached Secondary Suite application and approval process, including the associated development proposals.

COUNCIL DECISION:

On May 27, 2015, Council concurred in the recommendation of the Standing Policy Committee on Property and Development and adopted the following:

1. That the Planning Discussion Report attached as “Appendix A” be received as information.

Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – July 13, 2020

DECISION MAKING HISTORY (continued):

COUNCIL DECISION (continued):

2. That the Winnipeg Public Service continue to monitor the Detached Secondary Suite application and approval process including the associated development proposals and report back to Council in 5 (five) years from this report's date.

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

ADMINISTRATIVE REPORT

Title: Detached Secondary Suites 5 Year Follow-up Report

Critical Path: Standing Policy Committee on Property and Development, Heritage and Downtown Development - Executive Policy Committee - Council

AUTHORIZATION

Author	Department Head	CFO	CAO
J. Veitch	J. Kiernan	N/A	M. Ruta, Interim CAO

EXECUTIVE SUMMARY

Pursuant to the directions of Council on May 27, 2015, and the Standing Policy Committee on Property and Development, Heritage and Downtown Development on July 5, 2016, the Public Service is reporting back with an update on Detached Secondary Suite applications and processes related to Detached Secondary Suites approved by way of Conditional Use.

There have been 28 Detached Secondary Suite applications processed and approved through the Board of Adjustment public hearing process over the past five-year span. Of these, 26 have been built or are currently under construction.

Overall, applicants have indicated satisfaction with their decision to build a Detached Secondary Suite on their property while citing minor challenges navigating the application process.

Of the 28 Detached Secondary Suite Conditional Use applications heard by the Board of Adjustment, there was opposition registered against only four applications. Two Board of Adjustment decisions to approve applications were appealed but both appeals were denied by the Appeal Committee.

RECOMMENDATIONS

That this report be received as information.

REASON FOR THE REPORT

On May 27, 2015, the City of Winnipeg Council concurred in the recommendations of the Standing Policy Committee on Property and Development with respect to a report submitted by the Public Service entitled *'Detached Secondary Suites 3 year Follow-up'*, which outlined a detailed review of secondary suite zoning regulations. Council directed the Winnipeg Public Service to continue to monitor the Detached Secondary Suite application and approval process, including the associated development proposals, and report back to Council in 5 (five) years.

Further, on July 5, 2016, Standing Policy Committee on Property and Development, Heritage and Downtown Development concurred in the recommendation of the Winnipeg Public Service:

1. That the Winnipeg Public Service continue to monitor zoning regulations for Detached Secondary Suite applications and report back in 5 (five) years with any recommended changes.

This report fulfills both 5 (five) year report back directions.

IMPLICATIONS OF THE RECOMMENDATIONS

There are no implications to receiving this report as information. The Detached Secondary Suite Conditional Use process including application requirements will continue “as is” with no modifications to the Zoning By-law 200/2006 regulations at this time.

HISTORY/DISCUSSION

On May 30, 2012, Council approved changes to the City of Winnipeg Zoning By-law 200/06 allowing the introduction of ‘Detached Secondary Suites’ as a Conditional Use as well as streamlining the approval process for ‘Attached Secondary Suites’ by making them a permitted use.

Condition 4 of that Council decision required a 3 (three) year or 100 (one hundred) project report back by the Public Service outlining details related to ‘Detached Secondary Suite’ applications / projects.

On May 27, 2015, the City of Winnipeg Council concurred in the recommendations of the (then titled) Standing Policy Committee on Property and Development with respect to a review of secondary suite zoning regulations. These recommendations included that the Public Service provide an additional report back to Council after 5 (five) years regarding any recurring challenges including recommended changes to the existing policy environment.

Concurrent to the above direction, at its May 2015 meeting, the Standing Policy Committee on Property and Development, Heritage and Downtown Development (SPC PDHDD) directed the Winnipeg Public Service to consult with various industry groups to determine what can be done to eliminate any barriers and improve the Detached Secondary Suite Program in terms of marketing, logistics, implementation requirements, etc., and report back.

On July 5, 2016, the SPC PDHDD concurred in the Public Service recommendations as follows:

1. That the Winnipeg Public Service continue to monitor zoning regulations for Detached Secondary Suite applications and report back in 5 (five) years with any recommended changes.

The full Planning Discussion regarding Detached Secondary Suites is attached to this report as Appendix A. In summary, the Public Service received and processed 28 applications for Detached Secondary Suites during the specified review period of 2015 to 2019. Based on our applicant interviews and our analysis of the public hearing results, it appears that the Detached Secondary Suite Use and process is functioning as intended, and no changes are required.

The Winnipeg Public Service has supported 100% of the applications filed and there has been minimal opposition from the public. Of the 28 applications filed, 26 have been built or are currently in process. One applicant, whose approval lapsed, has reapplied and been approved for the same proposal. One application was approved but did not proceed with construction as the applicant moved.

The Urban Planning Division will continue to monitor the Detached Secondary Suite Use and process to ensure it continues to meet two goals. First, that it remains a good option for homeowners looking to provide an additional subordinate dwelling unit on their property. Second, that it fulfills the policies of O*urWinnipeg* and *The Complete Communities Direction Strategy* by adding a minor density increase within the City's neighbourhoods.

For reference, several items are attached to this report. Appendix B presents the portion of the Zoning By-law 200/2006 related to Use Specific Standards for Detached Secondary Suites.

A summary of Detached Secondary Suite Applications from 2015 to 2019, inclusive, is attached as Appendix C.

The Planning, Property and Development Department's Detached Secondary Suite Brochure is attached as Appendix D.

FINANCIAL IMPACT

Financial Impact Statement Date: June 12, 2020

Project Name:

Detached Secondary Suites 5 Year Follow-up Report

COMMENTS:

There are no financial implications associated with this report.

Mike McGinn June 12, 2020

Mike McGinn, CPA, CA
Manager of Finance

CONSULTATION

This Report has been prepared in consultation with:

Internal Consultation
Water & Waste

External Consultation
Fifteen applicants of Detached Secondary Suites

OURWINNIPEG POLICY ALIGNMENT

Complete Communities Direction Strategy - 04 Areas of Stability

- **Direction 1: Support the Completion of Areas of Stability:**
  - 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.

WINNIPEG CLIMATE ACTION PLAN ALIGNMENT

Strategic Opportunity #4: Facilitate Compact, Complete Development and Increase Density

- **Key Direction 4.2:** Ensure new areas of growth are designed according to the principles of Complete Communities.

SUBMITTED BY

Department:	Planning, Property & Development
Division:	Urban Planning & Design
Prepared by:	Simi Jerez, Urban Planner
Date:	June 16, 2020
File No:	N/A

Attachments:
1. Appendix A Planning Discussion
2. Appendix B Zoning By-law 200/2006 Use Specific Standards for Detached Secondary Suites
3. Appendix C Detached Secondary Suite Applications to 2015 to 2019 Inclusive
4. Appendix D PPD Detached Secondary Suite Brochure

APPENDIX A - PLANNING DISCUSSION

Purpose of the Report

- On May 27, 2015, Council concurred in the recommendation of the Standing Policy Committee on Property and Development, Heritage and Downtown Development that the Public Service report back to Council after 5 (five) years regarding any reoccurring challenges for Detached Secondary Suite applications.
- The subject report fulfills the 5 (five) year report back requirement.

Detached Secondary Suite Applications to Date

- The report provided to the Standing Policy Committee on Property and Development, Heritage and Downtown Development (SPC P&D) in 2015 regarding Detached Secondary Suites stated that analysis was limited as there had only been a total of 3 applications since the use was added to the City of Winnipeg Zoning By-law in 2012.
- Following that 2015 3-year report, the SPC P&D requested that the Winnipeg Public Service launch a public information campaign to raise the profile of secondary suites among the general public.
    - Highlights of the public information campaign include the design and publication of a detailed Secondary Suite Informational Brochure (see Appendix D) available at the Zoning & Permits Office as well as posted online at Winnipeg.ca.
    - Secondary Suites in the City of Winnipeg was a key topic at one of our Planning 101 sessions hosted by the Public Service for the general public.
    - Secondary Suites was the topic of one of our Speaker Series events educating the public on planning and housing topics.
- Since 2015, there have been 28 applications for Detached Secondary Suites, of which 26 have been built or are currently in process. One applicant whose approval lapsed has reapplied and been approved for the same proposal. One application was approved but did not proceed with construction as the applicant moved.

Trends and Observations

As part of the information gathering process for the subject report, key Informant Interviews were conducted by phone with 16 of 28 applicants. Some interviewed applicants were in the construction industry, while most were homeowners.

Detached Secondary Suite Totals and Location

- From 2015 to 2019 inclusive there were 28 Detached Secondary Suites applications,
    - 12 in the Riel Community,
    - 10 in the City Centre Community,
    - 3 in the Lord Selkirk - West Kildonan Community,
    - 2 in the Assiniboia Community, and
    - 1 in the East Kildonan – Transcona Community.

Application and Public Hearing Process

- We heard a reoccurring theme that there could have been improved communication or coordination from the Public Service to help guide them through the process.
- Several applicants indicated the desire for a clearly delineated timeline and application process with better coordination between departmental stakeholders. One applicant suggested assigning a designated officer to have secondary suites as one of their specialties with knowledge of servicing, electrical, and plumbing requirements.
- Overall the main theme was that it was somewhat confusing however three of those interviewed spoke of having had a smooth process and supportive staff, with five describing a positive experience with staff particularly from Planning, and from Zoning and Permits.
- Two applicants, both homeowners rather than contractors, described their anxiety with the application expense of $3,000-$3,500 accrued prior to submitting a Conditional Use application without knowing whether or not their proposed Detached Secondary Suite would be approved.
- None of the applicants interviewed described the public hearing process as difficult or adversarial, having consulted with neighbours ahead of time, stating that most neighbours were supportive. Most indicated having many questions and some minor concerns articulated by neighbours. Only one mentioned having difficulties with a neighbour who was concerned about privacy as that neighbour had a pool in their rear yard.
- Applicants typically heard about secondary suites by word of mouth, or happened to see a completed secondary suite in their neighbourhood. Two applicants spoke about their experience having people knock on their doors to ask about how to establish a Detached Secondary Suite.

Zoning By-Law 200/2006 Regulations & Use Specific Standards

- Seven of the applicants interviewed expressed a desire for greater flexibility in the floor area of the Detached Secondary Suite, a few stating that by including exterior walls rather than interior space in the calculation of area the space became considerably less given the limited permitted area.
- A common theme was that while the permitted square footage was manageable, interest was expressed in establishing moderately larger suites, perhaps based on lot area. One applicant specified that an extra 50 to 100 square feet would facilitate easier design and greater liveability. Two stated that varying this limit provided them with greater maneuverability for family members with limited mobility. Another explained that if he and his wife wanted to downsize and move into a Detached Secondary Suite, with family members residing in the principal dwelling, 600 square feet would be a bit too small. This theme arose with a few of the applicants interviewed, with the suggestion that a greater permitted floor area would result in greater uptake in developing secondary suites.
- A few commented that the limited permitted floor area and lot coverage determined whether they located stairs interior or exterior to the structure, and whether or not they provided an outdoor amenity space such as a covered balcony/deck, some stating that the details and quality were impaired by this parameter.
- It is noteworthy that there is some flexibility in the regulations by way of variance. Sixteen applicants applied for variances to the permitted floor area and/or lot coverage.

- The idea arose in a number of interviews to permit greater flexibility in the Use Specific Standards while meeting the intent to take into account factors such as location on a corner lot, repurposing an existing structure, and accommodating for differences in construction materials. Key examples of what was described as a "technical variance" were as follows:
    - One applicant expressed that he felt penalized with a number of variances for establishing a 'Green' energy efficient structure for his garage and Detached Secondary Suite, as he exceeded requirements for floor area and lot coverage due to using double stud walls for insulation and energy efficiency, and for roof height due to the slope of his roof required for solar panels.
    - The requirement to provide a pathway to connect to a front public sidewalk when none exists on a corner lot where a side street is closer was described as redundant, adding an extra cost for the variance.
    - On a corner lot where the applicant upgraded the existing garage to develop a Detached Secondary Suite above, the need to vary the requirement that the unit be no further than 150' from the front street seemed unnecessary given the proximity of the structure and access to the side street.
- Several applicants criticized the different height restrictions between garages and Detached Secondary Suites, stating that this was challenging for the design process and felt like an unnecessary variance and additional cost.

Design and Site Specific Details

- While some applicants expressed having a positive design process, two expressed confusion with arriving at a mutually agreeable design stating that they did not understand the rationale for enhanced exterior treatment and landscaping.
    - As Detached Secondary Suites area newer form of housing, the Public Service aims for a good quality fit, particularly within mature neighbourhoods, to align with the *Complete Communities Direction Strategy* in promoting the form of buildings and spaces that are sensitive to the community context and that address the transition between new and existing development. To support this policy and encourage that this type of development is liveable, the Public Service stresses the importance of aesthetics and site design.
- A number of applicants cited difficulties and the expense associated with compliance with the Manitoba Building Code as related to required fire ratings and inconsistencies with code interpretations. Two mentioned that inconsistencies between Residential Inspectors made code requirements appear discretionary.
- Applicants outlined inconsistent or irrelevant requirements such as that of a lot grading plan when changes proposed to their site did not require one. Two applicants explained that they challenged this and did not have to undertake this approximately $3,000 expense, while one other questioned whether this should have been a requirement for their project.
- While expenses associated with site servicing requirements for a Detached Secondary Suite were generally described as considerable, they were generally not unexpected. However, some applicants expressed frustration with whether or not they could connect the sewer and water to the main house rather than to the street.

Province of Manitoba Secondary Suites Program

- The Province of Manitoba provided a grant program which covered up to 50% of the cost of a new suite to a maximum of $35,000 for both Attached and Detached Secondary Suites. The program has not been accepting applications since 2018.
- A significant portion of the applicants surveyed had accessed the Provincial Assistance Program for Secondary Suites, stating that the funding of up to $35,000 was a considerable incentive and that they would not have likely proceeded without this support.

Purpose of the Suite

- Many of the suites were constructed for the purpose of rental income, but several applicants stated that the suite was important to be able to support an elderly or disabled family member.
- Two applicants praised the socio-economic benefits of permitting Detached Secondary Suites as an alternative dwelling type. Five applicants overtly stated that Detached Secondary Suites should be a permitted use.

Opposition and Complaints

- Opposition was registered for 4 of 28 applications, and 2 of these applications were appealed with appeals ultimately denied. Three of the applications had 3 or fewer individuals registered in opposition however an early application from 2015 had 11 individuals opposed and was one of the two appealed.
- Of the 27 applications since 2016, two have received complaints to 311. One address had complaints related to concerns with dimensional standards and building code requirements and the other complaint was related to a series of ongoing neighbourhood matters regarding to the number of tenants on the subject site.

Summary

- Detached Secondary Suites are a Conditional Use in all ‘R1’ Single Family Residential zones with detailed Public Service review, a public hearing, and an appeal process.
- Due to the complexities of this site specific use, the Public Service suggests that the related Use Specific Standards of Zoning By-law 200/2006 remain unchanged.

Recommendations

That the subject report be received as information.

APPENDIX B - Use Specific Standards for Detached Secondary Suites

120. A secondary suite may be created accessory to a single-family dwelling, subject to the following standards:

(2) Secondary suite, detached

(a) The lot must be a corner lot, “through lot” or abut an improved public lane;
amended 148/2016

(b) The minimum site area shall be no less than 3,500 square feet;

(c) If the suite is at grade, the maximum height of the building containing the suite is 15 feet. If the suite is located above the garage, the maximum height of the building containing the suite is 25 feet;

(d) The maximum floor area of the secondary suite shall be 600 square feet;

(e) No secondary suite shall have a floor area less than 350 square feet;

(f) A secondary suite must be separated from the principal dwelling by a minimum of 10 feet;

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

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

(i) A lot containing a secondary suite must contain a minimum of 2 off-street parking spaces;

(j) A secondary suite must be no greater than 150 feet from the nearest curb on the front street and an unobstructed pathway, a minimum of 30 inches in width, must be provided between the front property line and the secondary suite;

(k) Subdivision of land which results in a separate land title for the secondary suite will not be permitted;

(l) No roof decks are allowed above the floor area of a secondary suite;

amended 148/2016

(m) A secondary suite shall not be utilized as a home based business, a care home, or a neighbourhood rehabilitation home;

(n) The owner must include a site plan with the application to the City, which site plan must provide the following:

(i) a lot grading plan,
(ii) the location and details of the proposed sewer and water connections, and
(iii) 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;
and

(o) The maximum lot coverage for all accessory structures on the site, including the detached secondary suite, shall be no greater than (i) 484 square feet or (ii) 12.5% of the total lot area, to a maximum of 880 square feet.
amended 1/2013 (all of subsections 1 and 2); 148/2016

APPENDIX C - Detached Secondary Suite Applications 2015 to 2019 Inclusive

	ADDRESS	WARD	NEIGHBOURHOOD	ASSOCIATED VARIANCES
1	361 & 361A Avalon RD	St. Vital	Minnetonka	To vary the "R1-M" dimensional standards of Zoning By-Law No. 200/2006 for the construction of a detached garage with upper level secondary suite to permit as follows: a) a floor area for the detached garage of 1044 square feet (97.0 square metres) instead of 880 square feet (81.8 square metres) b) a secondary suite floor area of 1044 square feet (97.0 square metres) instead of a maximum floor area of 600 square feet (55.7 square metres). c) a property which does not abut an improved public lane.
2	454 & 454A Dubuc ST	St. Boniface	Norwood East	None
3	590A Montrose ST	River Heights - Fort Garry	Central River Heights	For the construction of a detached secondary suite with a 5% tolerance granted to the floor area.
4	456A Dubuc ST	St. Boniface	Norwood East	To vary the "R2" dimensional standards of Zoning By-Law No. 200/2006 as follows: 1) for the construction of a detached garage to permit a floor area of 600 square feet (55.7 square metres) instead of 484 square feet (45.0 square metres); 2) for the establishment of a detached accessory secondary suite use located above the detached garage to permit a minimum site area of 3000 square feet (278.7 square metres) instead of 3500 square feet (325.2 square metres);
5	56A Springside DR	St. Vital	Elm Park	To vary the "R1-M" Dimensional Standards of Zoning By-law No. 200/2006 for the construction of a detached secondary suite to permit: 1) a floor area of 651 square feet (60.48 square metres) instead of 600 square feet (55.74 square metres); 2) a lot coverage of 12.8% instead of 12.5%.

6	87A & 87 Keats WAY	Tuxedo - Westwood	Westwood	To vary the "R1-L" dimensional standards and use specific standards of Zoning By-Law No. 200/2006 for the construction of a detached secondary suite, accessory to a single family dwelling, to permit: a) a separation space to the principal dwelling of 5.4 feet (1.65 metres) instead of 10 feet (3.05 metres) b) a west side yard of 2 feet (0.61 metres) instead of 4 feet (1.22 metres) c) no parking space for the detached secondary suite instead of 2 off-street parking spaces for both the principal dwelling and the secondary suite.
7	242 Thurso ST	River Heights - Fort Garry	Rockwood	To vary the "R1-M PDO-1 Airport Vicinity Protection Area" dimensional standards of Zoning By-Law No. 200/2006 for the construction of a detached garage with above secondary suite to permit the following: a) a west side yard of 2 feet (0.61 metres) instead of 4 feet (1.22 metres) b) a rear yard of 2 feet (0.61 metres) instead of 5 feet (1.52 metres).
8	299A Rosedale AVE	Fort Rouge - East Fort Garry	Lord Roberts	To vary the "R1-M" dimensional standards of Zoning By-Law No. 200/2006 for the construction of a detached garage with secondary suite to permit a lot coverage of 13.5% instead of 12.5%.
9	152 Hebert ST	St. Boniface	North St. Boniface	To vary the "R2" dimensional standards of Zoning By-Law No. 200/2006 for the construction of a detached garage/shed with above secondary suite to permit as follows: 1) a lot coverage of 18% instead of 12.5%; 2) a building height of 26.75 feet (8.15 metres) instead of 25 feet (7.62 metres); 3) a rear yard of 4 feet (1.21 metres) instead of 5 feet (1.52); 4) a secondary suite floor area of 855 square feet (79.43 square metres) instead of 600 square feet (55.74 square metres).

10	253A & 253 Lindsay ST	River Heights - Fort Garry	Lord Roberts	To vary the "R1-M PDO-1 Airport Vicinity Protection Area" dimensional standards of Zoning By-Law No. 200/2006 for the construction of a detached secondary suite, a roof-top deck over the detached carport, and a detached garage to permit as follows: 1) for the roof-top deck to permit a rear yard of 8 feet (2.44 metres) instead of 25 feet (7.62 metres); 2) for the detached secondary suite to permit a floor area of 624 square feet (64.47 square metres) instead of 600 square feet (55.74 square metres); 3) for the detached garage and carport to permit a total lot coverage of 18.1 % instead of 12.5 %.
11	133A Claremont AVE	St. Boniface	Norwood East	None
12	153A Eugenie ST	St. Boniface	Norwood East	To vary the Use Specific Standards and the "R2" dimensional standards of Zoning By-Law No. 200/2006 for the construction of a detached garage with a detached secondary suite to permit the following: 1) a floor area of 644 square feet (59.83 square metres) instead of 600 square feet (55.74 square metres) and; 2) a lot coverage of 14.13% instead of 12.5%.
13	638A Elm ST	River Heights - Fort Garry	Central River Heights	None
14	742A Kildonan DR	North Kildonan	Kildonan	To vary the "R1-L" dimensional standards of Zoning By-Law No. 200/2006 as follows: 1) For the establishment of a detached secondary suite in an existing detached garage to permit: a) A floor area of 664 square feet (61.7 square metres) instead of 600 square feet (55.7 square metres); b) A distance greater than 150 feet (45.72 metres) from the nearest curb on the front street to the secondary suite; 2) For the construction of an addition to a detached secondary suite to permit a north side yard of 2 feet (0.61 metres) instead of 4 feet (1.22 metres).
15	71A Crawford AVE	St. Boniface	Norwood East	None

16	123A Clare AVE	Riverview	Fort Rouge - East Fort Garry	To vary the "R1-L" Dimensional Standards of Zoning By-law No. 200/2006 for the maintenance of a detached secondary suite to permit: 1) a west side yard of 2.4 feet (0.73 metres) to the building and 3.9 feet (1.19 metres) to the deck instead of 4 feet (1.22 metres); 2) a rear yard of 3.35 feet (1.02 metres) instead of 5 feet (1.52 metres); 3) a total lot coverage for all accessory buildings of 13% instead of 12.5%.
17	6 River RD	St. Vital	Pulberry	To vary the "R1-M" dimensional standards and the Use Specific Standards of Zoning By-Law No. 200/2006 for the construction of a detached secondary suite above an existing detached garage to permit as follows: 1) said suite not on a 'through lot' or abutting an improved public lane; 2) a south side yard of 3 feet (0.91 metres) instead of 4 feet (1.22 metres); 3) a floor area of 1000 square feet (92.9 square metres) instead of a maximum floor area of 600 square feet (55.7 square metres).
18	1195A Grosvenor AVE	River Heights - Fort Garry	Crescentwood	To vary the "R1-L PDO-1 Airport Vicinity Protection Area" dimensional standards of Zoning By-Law No. 200/2006 for the construction of a detached secondary suite to permit: a) an open second storey deck with a rear yard of 5 feet (1.52 metres) instead of 25 feet (7.62 metres) b) a floor area of 612 square feet (56.9 square metres) instead of 600 square feet (55.7 square metres).
19	487A Rosedale AVE	Fort Rouge - East Fort Garry	Lord Roberts	To vary the "R1-M" Dimensional Standards and the Use Specific Standards of Zoning By-Law No. 200/2006 for the construction of a detached secondary suite and a roof-top deck over the detached garage to permit as follows: 1) a rear yard of 5 feet (1.52 metres) to the deck instead of 25 feet (7.62 metres); 2) a building height of 19.5 feet (5.94 metres) instead of 15 feet (4.57 metres).
20	96A Fifth AVE	St. Vital	Glenwood	None

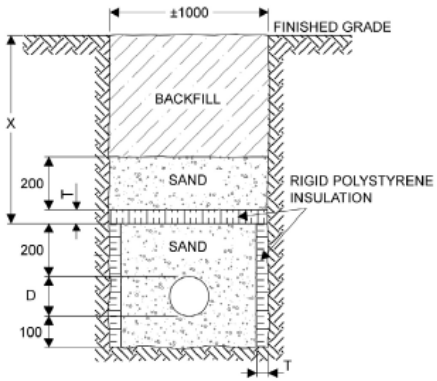
21	307 Strood AVE	North Kildonan	River Park East	To vary the "R1-L" dimensional standards of Zoning By-Law No. 200/2006 for the construction of a detached secondary suite to permit as follows: 1) a floor area of 840 square feet (78.04 square metres) instead of a maximum floor area of 600 square feet (55.7 square metres). 2) a deck with a rear yard of 20 feet (6.10 metres) instead of 25 feet (7.62 metres). 3) a total lot coverage for all accessory structures of 959 square feet (89.09 square metres) instead of 880 square feet (81.75 square metres).
22	609 Elm ST	River Heights - Fort Garry	Central River Heights	To vary the "R1-M PDO-1 Airport Vicinity Protection Area" dimensional standards of Zoning By-Law No. 200/2006 for the construction of a detached secondary suite to permit a floor area of 624 square feet (58.0 square metres) instead of 600 square feet (55.7 square metres).
23	450A Thompson DR	St. James	Booth	To vary the "R1-L PDO-1 Airport Vicinity Protection Area" dimensional standards of Zoning By-Law No. 200/2006 for the construction of a detached garage with a second storey secondary suite to permit the following: 1) a building separation distance to the principal dwelling of 5.0 feet (1.52 metres) instead of 10 feet (3.05 metres); 2) a separation space between the eave projections of the detached garage and principal building of 1.5 feet (0.46 metres) instead of 3 feet.
24	108A Hallet ST	Mynarski	North Point Douglas	To vary the "R2" dimensional standards of Zoning By-Law No. 200/2006 for the construction of a detached accessory secondary suite use located above the detached garage to permit as follows: 1) a site area of 3169 square feet (294.4 square metres) instead of 3500 square feet (325.2 square metres); 2) an east side yard of 2 feet (0.61 metres) instead of 3.2 feet (0.98 metres).
25	741A Martin AVE E	Elmwood-EK	Talbot	To vary the "R1-S" dimensional standards of Zoning By-Law No. 200/2006 for the construction of a detached garage with secondary suite to permit a lot coverage of 14.9% instead of 12.5%.

26	158A Ferndale AVE	St. Boniface	Norwood East	None
27	393 Lariviere ST	St. Boniface	Norwood West	To vary the "R2" dimensional standards of Zoning By-Law No. 200/2006 for the construction of a detached secondary suite to permit as follows: a) to permit a rear yard of 3 feet (0.91 metres) instead of 5 feet (1.52 metres) b) to permit an east side yard of 2 feet (0.61 metres) instead of 4 feet (1.22 metres).
28	675A Garwood AVE	Fort Rouge - East Fort Garry	Earl Grey	To vary the Use Specific Standards of Zoning By-Law No. 200/2006 for the establishment of a detached secondary suite, accessory use to a single family dwelling to permit a lot size of 2709 square feet (251.7 square metres) instead of 3500 square feet (325.2 square metres). – Approval lapsed. Reapplied and approved in 2019.

APPENDIX D – PPD Detached Secondary Suite Brochure

https://www.winnipeg.ca/ppd/permits/Residential/SecondarySuites.stm#1

If the above specifications cannot be met then the following diagram applies:



If X = 900 to 1,200 mm then T = 100 mm
If X = 1,500 to 1,800 mm then T = 75 mm
If X = 2,100 or more then T = 50 mm

INSULATION DETAIL FOR PIPE IN AN EXCAVATION

Note: For information on attached secondary suites, please see the Attached Secondary Suites brochure.

Financial Assistance:
The Province of Manitoba supports secondary suites through the Municipal Planning Guidelines for Secondary Suites: www.gov.mb.ca/ia/plups/pdf/mpgss.pdf.

The Province of Manitoba offers a financial incentive program for the construction of new secondary suites. For information, call **204-945-5566** or **1-866-689-5566**.

Every effort has been made to ensure the accuracy of information in this brochure. In the event of a discrepancy between this booklet and the governing City of Winnipeg By-law, the By-law will take precedence.

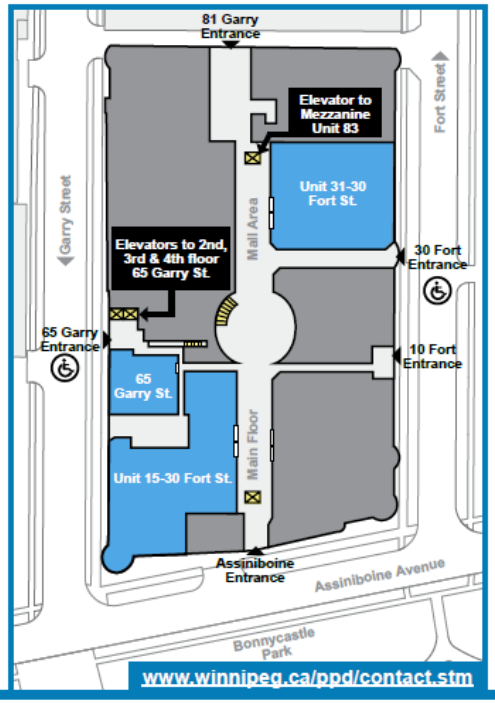
June 2017

Winnipeg

Please call the Plan Examination Branch
Phone: **204-986-5268**

Planning, Property & Development Department
83 - 30 Fort Street Winnipeg, Manitoba R3C 4X7

www.winnipeg.ca/ppd



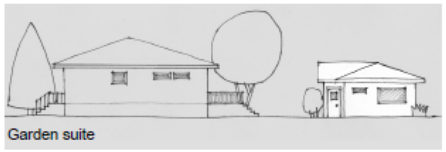
www.winnipeg.ca/ppd/contact.stm

Winnipeg

Planning, Property and Development Department

DETACHED SECONDARY SUITES

Zoning and Construction Requirements


Garden suite


Garage suite (above)


Garage suite (adjacent)

A detached secondary suite (also known as a laneway house or granny flat) is a self-contained living space located adjacent to a single-family residence. It can be an independent structure or located over or attached to a detached garage. It provides the basic requirements for living, sleeping, cooking, and sanitation. Only one detached secondary suite is permitted on any single-family property.

A detached secondary suite can be occupied by a family member, or it can be used as a rental unit. It is only permitted on a property where the primary house is a single-family dwelling.

Approval Process – Zoning

A Conditional Use 'C' approval is required and a variance application may be required if the following criteria are not met:

- The property must be a minimum of 325 m² (3,500 ft²).
- The property must be a 'through lot', corner lot or abut an improved public lane.
- Floor area of the suite must be no smaller than 32.5 m² (350 ft²) and no larger than 55.7 m² (600 ft²).
- The height of the secondary suite is limited to 4.57 m (15'-0") if it is situated on grade and 7.62 m (25'-0") if it is situated above a detached garage.
- It can be no closer than 3.05 m (10'-0") from the primary dwelling.
- Minimum side yard must be the same as the primary dwelling and the rear yard setback must be no less than 1.5 m (5'-0").
- It must be no greater than 45.7 m (150'-0") from the nearest curb on the front street and an unobstructed pathway. A minimum of 762 mm (2'-6") in width must be provided between the front property line and the secondary suite.
- No roof decks are allowed above the floor area.
- The maximum lot coverage of the property shall be no greater than the applicable zoning district allows.
- The maximum lot coverage for all accessory structures on the property shall be no greater than 44.9 m² (484 ft²) or 12.5% of the total lot area, to a maximum of 81.75 m² (880 ft²).
- It cannot be used as home-based business, care home or neighbourhood rehabilitation facility.
- Properties with detached secondary suites must provide a minimum of two off-street parking spaces. A secondary suite may not be subdivided from the principal building.
- Detached secondary suites are only permitted in R1 and R2 zoning districts with single family dwellings.

To determine your zoning district, call the Zoning and Permits Branch at 204-986-5140 or go to https://cms00asa1.winnipeg.ca

Approval Process – Building Permit

A building permit application is required to develop a detached secondary suite. Your application needs to include two copies of:

- a lot grading plan;
- a site plan or Surveyor's Certificate of your property detailing:
  - 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;
- detailed and dimensioned floor plans;
- sectional drawings and other construction detail drawings for all levels of the secondary suite (and garage if attached to or situated over) showing how sound and fire protection code requirements are being met;
- structural engineering (signed and sealed) drawings.

Homeowners are encouraged to hire a design professional to help you design a suite that fits your space, is compatible with your neighbourhood, and satisfies applicable zoning and building code requirements.

Building Code Regulations

The building code does not differentiate between single family dwellings and detached secondary suites. As such, all current Manitoba Building Code, Winnipeg Building By-law, Winnipeg Electrical By-law, and Manitoba Plumbing Code requirements and regulations are applicable to the construction of detached secondary suites.

Sewer and Water Services

Sewer and water services can be extended from the primary dwelling or they can be brought in from the street with the approval of City of Winnipeg Water and Waste Department. If you want to extend sewer and water services, you will need to provide a site servicing plan prepared by a licensed surveyor or a professional civil engineer licensed to practice in the Province of Manitoba. Please note:

- Sewer line shall be set at a minimum depth of 1.83 m (6'-0") below grade to avoid frost and must meet sloping requirements of the Manitoba Plumbing Code.
- Water line shall be set at a minimum 2.29 m (7'-6") deep below grade.