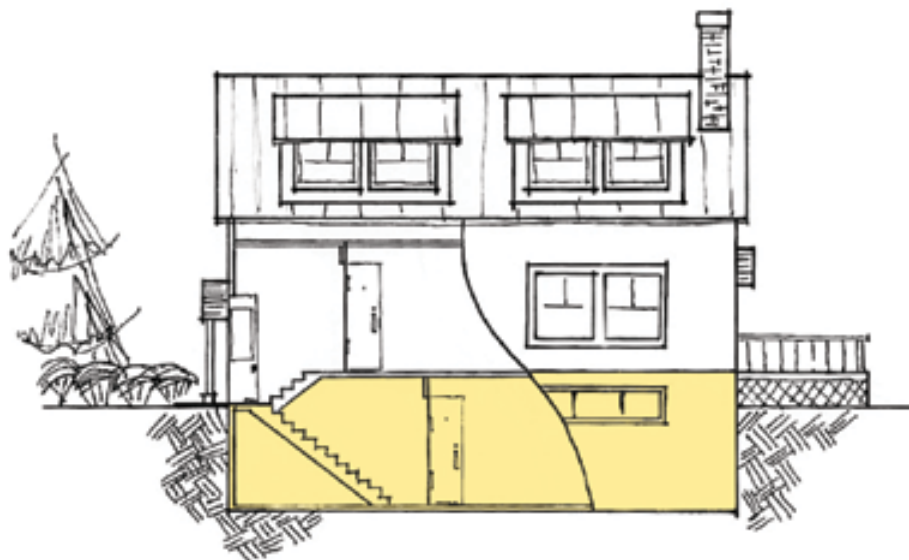




# Municipal Planning Guidelines for **Secondary Suites**





# TABLE OF CONTENTS

<b>1.0</b>	<b>Introduction</b> .....	<b>2</b>
1.	What Are Secondary Suites?.....	3
2.	Why Guidelines? .....	4
3.	How to Use These Guidelines .....	5
<b>2.0</b>	<b>Secondary Suites – The Manitoba Experience</b> .....	<b>6</b>
1.	Lack of Rental Housing Options.....	6
2.	Regulatory Non-Compliance .....	6
3.	Regulatory Environment.....	6
4.	Not-In-My-Back-Yard .....	7
<b>3.0</b>	<b>Benefits and Challenges of Secondary Suites</b> .....	<b>8</b>
1.	Benefits to Owners, Tenants and Communities .....	8
a.	Benefits to Owners .....	8
b.	Benefits to Tenants.....	9
c.	Benefits to Community.....	9
2.	Challenges to Owners and Communities .....	10
a.	Challenges to Owners.....	10
b.	Challenges to Community .....	10
<b>4.0</b>	<b>Implementing a Successful Secondary Suites Program</b> .....	<b>12</b>
1.	Determine Your Housing Needs .....	12
2.	Choose an Approach .....	13
a.	Types of Secondary Suites to Allow .....	13
b.	Permitted vs. Conditional Use .....	14
c.	Summary .....	15
3.	Strategies for Success.....	16
a.	Public Engagement .....	16
b.	Incentive Programs.....	17
c.	Phased Approach.....	17
d.	Design Guidelines.....	18
e.	Enforcement.....	19
f.	Create Program Measurables .....	20
<b>Appendices</b>		
A	– Sample Bylaw Policies and Regulations .....	21
B	– Brochure (How Secondary Suites Can Benefit Your Community) .....	25

## 1.0 Introduction

Some municipalities in Manitoba are experiencing a housing shortage. Of particular importance to communities is the lack of rental options within the housing market. Statistics bear out these observations. A robust provincial economy coupled with population growth is creating a strong demand for housing. In recent years, international immigration has strongly contributed to Manitoba's population growth. International immigration is likely to continue to have a strong influence on rental housing demand, as recent arrivals to the province tend to rent first before buying homes. Rental vacancy rates in Manitoba, in general, are extremely tight and this trend is expected to continue.

One solution to address rental housing shortages is allowing the construction of secondary suites. Secondary suites are, in essence, a rental apartment located on a property that would normally accommodate only a single-family home. A number of jurisdictions in Canada, at the provincial and municipal level, have implemented programs, policies and regulations that encourage and enable the development of secondary suites. In 2010, the Government of Manitoba, through Manitoba Housing, initiated a grant program to encourage the development of secondary suites. The goal was to expand the number of affordable rental units available in the market and create more opportunities for home ownership.

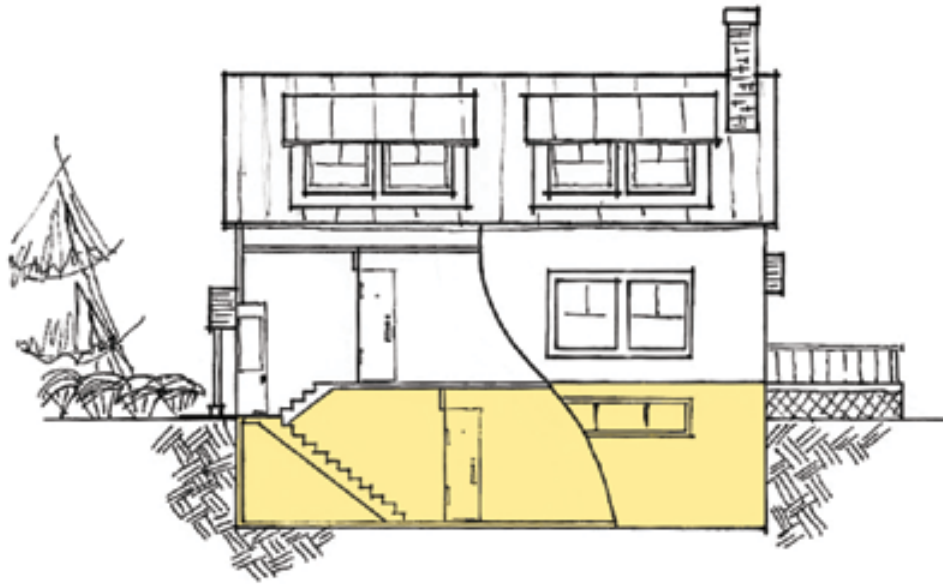
Although undocumented, a high number of illegal, do-it-yourself, secondary suites are suspected to exist in municipalities throughout Manitoba. The construction of legal secondary suites through municipal development and permitting processes has not been common in Manitoba. The reason could be that most of the municipal development plan and zoning bylaws do not contain policies and regulations specifically allowing for secondary suites.

## 1. What Are Secondary Suites?

Secondary suites are a type of rental housing located on a property that would normally accommodate a single-family detached home. The definition of secondary suite is inherent in its name; that is, it is not the primary dwelling on a property, but rather a dwelling unit accessory (secondary) to an existing primary dwelling unit. A secondary suite is required to have its own entrance, kitchen, bathroom and living area and can take a variety of forms. These suites are typically located within the primary dwelling, but can also exist within a separate detached building on the property. The three most common types of these units are:

### **Basement Suite:**

A suite below the main floor of a single-family home (shaded area)



### **Garden Suite (AKA Granny Flat):**

A ground-level suite detached from a larger single-family home (shaded area)



## Coach House (AKA laneway housing):

A suite above a detached garage (shaded area)



In the spirit of the Provincial Planning Regulation, secondary suites are generally intended for cities and rural settlement centres such as towns, villages and local urban districts. Some forms of secondary suites will not be appropriate in agricultural, rural residential (non-farm) or seasonal residential areas.

A secondary suite can also be located above a property's principal dwelling area, such as on the second floor of a house, though this is less common.

In these Guidelines, the term secondary suite encompasses basement suite, garden suite, coach house, granny flat and accessory apartment. A **secondary suite** is a dwelling unit that is accessory and smaller to a primary use as indicated in a zoning bylaw. A duplex and a side-by-side should not be confused with a house containing a secondary suite. A **duplex** is a building with one unit built above another, with neither unit being considered individually as the primary use. A **side-by-side** is similar to a duplex; the difference being that the units are arranged next to each other and share a common wall. A duplex and a side-by-side are themselves primary uses that may be considered in a zoning bylaw.

## 2. Why Guidelines?

The Government of Manitoba is faced with ongoing low vacancy rates and increasing demands for affordable rental housing. Encouraging secondary suites is one approach Manitoba communities can use to increase affordable housing options and better allow people to age in place. In addition, it is likely that unregulated secondary suites, which do not comply with building and fire codes, already exist in many municipalities. Local bylaws and regulations dealing with secondary suites can be a tool to assist municipalities in legalizing these suites and bringing them up to code. For this to occur, local governments need to allow secondary suites as a legitimate form of housing.

A key objective of these guidelines is to encourage Manitoba municipalities to allow secondary suites by adopting a less restrictive stance towards their development. The purpose of these guidelines is to inform local governments of the benefits, challenges and implications of allowing secondary suites to exist as a legitimate form of housing in their communities. The guidelines also provide municipalities with some direction on how to move forward with a secondary suites program, as well as tools for implementation.

### 3. How to Use These Guidelines

These guidelines introduce the concept of secondary suites and present key benefits, challenges and implications associated with allowing them in a community. Recommendations are provided for municipalities to undertake a successful secondary suite implementation strategy.

The *Appendix* contains materials for local government to use when implementing secondary suites into their communities. It contains sample policies and regulations municipalities can insert into their local land use bylaws. Also included is a companion brochure entitled: *How Secondary Suites Can Benefit Your Community*. This user-friendly brochure outlines the benefits of secondary suites to the property owner, the tenant and the community at large. It features plain language designed to support educational and promotional initiatives within your community.

## 2.0 Secondary Suites – The Manitoba Experience

Secondary suites have existed in Manitoba longer than the bylaws that regulate them. Despite this, acceptance of secondary suites as a legitimate form of housing has typically been cautious. Understanding the current state of the environment, with respect to secondary suites in Manitoba, is a necessary first step when considering options for the future. This experience can be summarized under four themes:

### 1. Lack of Rental Housing Options

A lack of rental housing options is a serious challenge in many communities throughout Manitoba. In many cases, local population growth has resulted in a proliferation of illegal suites. A number of communities recognize that they offer few opportunities for seniors to age in place. Secondary suites may provide a solution for temporary housing, affordable accommodation or special needs housing, such as for those who are mentally challenged.

### 2. Regulatory Non-Compliance

Gaining an understanding of the extent to which secondary suites are non-compliant with various codes and bylaws is challenging. First, there are inconsistencies among different Manitoba municipalities in how secondary suites are defined. For example, primary residences containing these units are often considered as duplexes or other forms of multi-family dwellings. Second, the unknown number of illegal suites throughout Manitoba presents problems in compiling accurate data on secondary suite development.

Regardless, evidence suggests that building-code non-compliance of secondary suites is an issue in many Manitoba municipalities. Building-code non-compliance may be less of an issue in smaller settlement areas where enforcement and monitoring are less onerous for the municipalities. In many smaller communities, it may be noticeable when a property owner is undertaking these types of renovations.

### 3. Regulatory Environment

Although some municipalities permit some form of secondary suite development, these suites are often limited to basement suites and additions to the principal residence. Zoning bylaws in urban areas, which allow for secondary suites, typically consider them as 'conditional use' and impose restrictive floor area limits. This means that homeowners hoping to establish a secondary suite may be required to go through both a conditional use and variation order process.

In non-urban areas of Manitoba, the 'garden suite' is more commonly found. These secondary suites are normally implemented as conditional use in a zoning bylaw, and considered temporary accommodations. They are usually intended for an immediate family member who requires care or gives care to the primary homeowner. Some municipalities require all services to be derived from the primary dwelling unit. (For example, electricity for the secondary suite is metered through the primary dwelling.)



The regulatory environment for establishing secondary suites in Manitoba municipalities can be generally characterized as 'restrictive'. It is reasonable to conclude that most local development plans and zoning bylaws throughout Manitoba require changes, if the potential of this form of housing is to be realized.

#### **4. Not-In-My-Back-Yard**

The public acceptance for secondary suites in Manitoba has not yet been fully tested. One of the more significant challenges faced by proponents of secondary suites is the stigma associated with renters and rental properties in the public discourse. There are instances where a not-in-my-back-yard (NIMBY) attitude among community residents is likely to hamper efforts to adopt secondary suite provisions in local bylaws. Concerns likely to be raised by Manitoba residents include parking, traffic, noise and a negative impact on property values.

There needs to be a public engagement and education strategy that both addresses legitimate concerns and helps dispel negative misperceptions. This is the best way to persuade Manitoba municipalities wishing to encourage secondary suites as a legitimate housing option.

## 3.0 Benefits and Challenges of Secondary Suites

The Government of Manitoba is taking steps to encourage municipalities to enable secondary suites for many important reasons. The rationale for encouraging municipalities to adopt bylaw provisions for secondary suites can be summarized as follows:

1. to improve options and choice for rental housing in general
2. to improve options and choice for rental housing tied to a specific need such as for students or seniors
3. to improve housing affordability
4. to bring illegal suites into compliance

The development of secondary suites will help to address rental housing shortages across the province by increasing the quantity and type of rental housing available in Manitoba communities. As well, the addition of legal secondary suites to the rental universe will improve housing conditions for Manitobans. With a proactive secondary suite program, municipalities will be better equipped to encourage owners to legalize and upgrade existing suites that may not meet current building codes. This can help homeowners avoid liability issues, reduce the incidence of poor and sometimes dangerous housing conditions, and allow owners and tenants to hold accurate insurance coverage.

There are a number of implications related to enabling secondary suites that municipalities need to consider. This section discusses the benefits and challenges of their construction to owners, tenants and communities.

### 1. Benefits to Owners, Tenants and Communities

#### a. Benefits to Owners

**Help with Mortgage** - Secondary suites offer homeowners extra income to help cover mortgage payments. Additional income from secondary suites may also help new homebuyers qualify for a mortgage in cases where their regular income alone does not.

**Accommodate Extended Family** - Secondary suites may help homeowners accommodate elderly parents, adult children or other family members, offering companionship while preserving independence and privacy. In many instances, accommodating elderly family members will allow them to remain in the community (age in place) rather than find accommodations elsewhere.

**Offer Support to Seniors and other Fixed-Income Earners** - Additional income from secondary suites can help senior citizens and other fixed-income homeowners keep up with the costs of maintaining their homes.

**Increase Resale Value of Property** - Secondary suites and the potential rental income they provide may add resale value to a property.

**Improved Insurance Coverage** - Regulating secondary suites helps to ensure that units are built to code and allows owners and tenants to purchase appropriate and adequate insurance coverage. This can help homeowners avoid liability issues and reduce the incidence of poor and sometimes dangerous housing conditions.

## b. Benefits to Tenants

**Increase Affordable Housing** - Secondary suites may increase the supply of lower cost housing available within a community.

**Improve Housing Choice** - Secondary suites create a rental opportunity where a renter can live in a low-density neighbourhood with access to a yard, rather than in a higher density apartment or other forms of housing.

**Contribute to Safer Living Conditions** - Regulating secondary suites helps ensure that units are built to code, improving tenant safety.

## c. Benefits to Community

**Make More Efficient Use of Municipal Infrastructure** - Secondary suites use existing housing, resulting in new development that makes efficient use of municipal infrastructure, such as transit, utilities, roads, recreation centres and parks. Benefits typically associated with this are:

- reduced pressure to develop on greenfield sites (undeveloped land, often at the edge of a community) which in turn helps to protect valuable farm land or wildlife habitat, and reduces the infrastructure construction and maintenance costs related to new development
- an increase in population of existing neighbourhoods, which can enhance the viability of local schools, community centres, shops and other local businesses and services.

**Maintain Neighbourhood Character** - Secondary suites, when compared to higher density apartment buildings, do not significantly change the form or character of lower-density residential neighbourhoods.

**Contribute to Diverse Communities** - By providing affordable or specialized housing to renters, or mortgage help to first-time home buyers, secondary suites contribute to community diversity. The result is that citizens from a range of ages and incomes have the opportunity to live in the same neighbourhood.

**Increase to Municipal Assessment** - An improvement in the proportionate assessed value of a property (due to the addition of a secondary suite), will result in an increase in taxes paid by the homeowner to the municipality.

## 2. Challenges to Owners and Communities

### a. Challenges to Owners

**Understanding the Local Regulatory Environment** - Land use planning policies, bylaws and regulations pertaining to secondary suites vary among municipalities; the proponent property owner will need to understand applicable bylaws and may be required to go through a permitting process, which can be onerous.

**Understanding the Financial Models** - Renovating or adding to an existing home or outbuilding to accommodate a secondary suite (built according to municipal regulations and building codes), requires property owners to fully understand the financial implications of its expected return on investment. Other costs homeowners need to consider are potential increases in utility fees, and/or increases in municipal taxes, should a secondary suite raise the property's assessed value.

**Being a Landlord** – Owning a rental property and being a landlord come with many responsibilities. These include finding tenants, addressing maintenance issues, sometimes dealing with problem tenants, and being familiar with the legislation and regulations regarding tenant and landlord rights and responsibilities.

**Resale of Property** - Secondary suites, and the potential rental income they provide, is an attractive feature to some potential homebuyers – but not to all. As such, inclusion of a secondary suite may limit the number of potential future buyers of such a property.

**Building and Fire Code Requirements** - Across Canada, the design and construction of new secondary suites, or the upgrade of existing ones, are governed by the National Building Code of Canada and the National Fire Code of Canada. There are also provincial and territorial building codes that are unique to each province and territory. Examples of National Building Code requirements for secondary suites include floor area maximums, ceiling height minimums, window dimensions, smoke alarm installation and many others.

The National Building Code of Canada and the National Fire Code of Canada were updated in 2010 to include specific provisions for secondary suites within a revised definition of the term “house” and to provide a uniform national code to address the baseline regulations that secondary suites should meet. The Government of Manitoba adopted these provisions into the Manitoba Building Code in April, 2011.

### b. Challenges to Community

**Level of Effort** - There will be a cost to municipalities for amending development plan and zoning bylaws, and engaging the public when creating local secondary suite programs.

**Infrastructure Capacity** - Given the small scale of secondary suite development, it is unlikely to present a capacity challenge to most modern municipal sewer and water infrastructure. The exception is with septic fields on smaller lots in rural areas – any increases to sewer discharge would need to be accommodated.

**Parking** –The capacity of a neighbourhood street to accommodate increased vehicle street parking generated by secondary suites needs to be considered. Public concern over secondary suites often relates to on-street parking pressure. Parking regulations may be necessary to address on-street parking capacity in some Neighbourhoods. Off-street parking requirements are generally considered restrictive and may be an obstacle to homeowners considering constructing a secondary suite.

**Enforcement** - The sheer number of secondary suites that are amateur home renovations, that don't meet zoning requirements or building codes, presents a significant enforcement issue for municipalities. However, overly restrictive regulations and an onerous permitting process discourage property owners from following the rules. The challenge is how to create regulations that balance the health and safety needs of tenants with a permissive and expedient development process for property owners.

**Understanding Policy Goals and Consistent Application of Regulations** - Secondary suites' policy goals need to be clearly stated for municipal administrators and councillors to understand their intent. That way they can consistently apply the rules and regulations that were drafted in support of the goals. Municipal policies and regulations are sometimes challenged by individuals trying to manipulate the rules for personal gain. The best way for a council to manage this type of risk is to consistently apply the rules. Making exceptions for individual property owners can lead to disorganized development.

**Not-In-My-Back-Yard (NIMBY)** – There is a stigma associated with renters/rental properties – that they are transients with no incentives to maintain housing they don't own. This stigma may present challenges to developing secondary suites in established neighbourhoods, particularly those jurisdictions where a public hearing is required for approval. As well, the construction of secondary suites will increase the density of a neighbourhood, measured by the number of dwelling units within a geographic area. Even if secondary suites represent only a slight increase in density, they will likely face misperceptions commonly linked to the concept of increasing density in neighbourhoods. Making more efficient use of municipal infrastructure is generally identified as a benefit to the community – however, there are land use conflicts (perceived and real) the public often associates with increased density. These include overcrowding, more traffic, parking shortages and a negative impact on neighbourhood character. Community opposition to planning projects, based on "NIMBYism," is generally subjective, polarizing and a strain on the political system.

## 4.0 Implementing a Successful Secondary Suites Program

The following guidance for municipalities considering a secondary suites program draws from lessons learned from across Canada. It outlines a number of factors to be considered, provides examples of how other jurisdictions have addressed these factors, and offers suggestions for enhancing the success of secondary suites programs in Manitoba.

### 1. Determine Your Housing Needs

Determining specific housing needs within a community is best done through a **Community Housing Needs Assessment**. A Community Housing Needs Assessment can take a variety of forms and may include a variety of quantitative empirical data, including:

- population growth projections
- demographics (age, income, employment, household size)
- housing construction activity, sales, days on market
- rental inventory, vacancy rates
- specialized housing (student, senior, temporary), waiting lists
- economic outlook, local business needs for workers

Projections created from statistical data can help a municipality gain a better understanding of the future availability of affordable rental housing in their community. Quantitative data should be complemented with anecdotal information obtained from key stakeholder interviews with local experts. Questions posed to key stakeholders may include:

- What are the opportunities for people in our community to age in place?
- Are there new economic opportunities in our community that are attracting workers from other parts of Manitoba, or Canada, or from other countries?

Together, anecdotal and statistical information may reveal a lack of affordable rental housing available in the community both now and into the future.

Understanding your housing situation will help you determine what issues you need to address and whether a secondary suites program can address it. For example, in Edmonton, research uncovered 10,000 illegal suites located near colleges and universities. In Regina, the issue was limited affordable housing options for student and senior populations. In the village of Anmore, housing extended family was the identified priority.

Refer to our resource guide, *Calculating Supply and Demand for Residential Lands*, for more information on determining housing needs.

A housing advisory committee, mandated by council, is an additional tool a municipality can use to provide assistance with assessing community housing needs. A housing advisory committee can be comprised of a collection of citizens, residents groups, student groups, immigrant organizations, seniors, developers and real estate experts. The purpose of the committee is to provide a direct link between what is happening on the ground in a community, and municipal staff and elected officials. By playing a key role in the local secondary suites public engagement strategy, the housing advisory committee can also help obtain public and political support for secondary suites.

Example (from case study research): The municipalities of Kelowna, Langley and Regina have all mandated housing advisory committees to involve citizens, and knowledgeable stakeholder groups, with helping assess community housing needs and then linking back to the public at large for consultation purposes. Experience from these communities demonstrates that a housing advisory committee can provide valuable information to a council. They can report on the current local housing conditions, as well as the level of support for, or opposition to, various types of secondary suites.

## 2. Choose an Approach

Once a community housing needs assessment has been undertaken, a municipality will be in the position to articulate a vision and create a broad set of community housing goals. For example, a community may decide that more housing options are required to address a local demand for seniors to age in place and/or to house temporary migrant workers.

With a vision clearly identified, a municipality will then be able to decide on a plan for implementing a secondary suites program that can help fulfill this vision. The plan needs to consider what types of secondary suites will be permitted, whether they will be allowed in all areas and whether they should be permitted outright or with conditions, etc. Decisions made on these issues will be implemented using the local development plan and zoning bylaws.

### a. Types of Secondary Suites to Allow

When considering the type of secondary suites to allow within a community, a municipality will have to consider what is physically possible, and what will most likely be accepted by the local community.

Consider the types of secondary suites that can most easily be physically accommodated within the existing housing stock. The type of secondary suites to consider in any community may depend on the attributes of the local housing stock and residential lots. Basement suites require houses with basements of an appropriate size and condition to accommodate a suite. Coach house suites require garages separated from the primary houses. And, as with garden suites, coach house suites will require sufficient size to accommodate a separate structure.

Some types of secondary suites may be more accepted by a community than others. Basement suites are far less noticeable in an urban community than garden suites and are, therefore, more likely to be accepted by the community. In some cases, the housing needs assessment (or even

the housing advisory committee) may reveal that a large number of a certain type of secondary suite, already exist within the community. In such a case, a municipality may want to consider legalizing these units.

### Examples:

Many Saskatoon neighbourhoods were developed when large families were the norm. Permitting secondary suites in these neighbourhoods resulted in no more residents than the neighbourhoods were originally designed for.

Edmonton estimated that approximately 10,000 illegal secondary suites existed in the city, most in close proximity to local universities and colleges. Permitting secondary suites in these areas was a natural first step in the process of introducing secondary suites throughout the city.

## b. Permitted vs. Conditional Use

A zoning bylaw prescribes which uses and structures may be established in certain areas of a municipality. It can distinguish between the various types of secondary suites and apply rules to each type separately. Any particular use or structure, such as a given type of secondary suite, may be considered as either 'permitted' or 'conditional use' in a zoning bylaw. Permitted uses may be established by a landowner without special permission from the municipality. Items identified in a zoning bylaw as conditional use require permission from the municipality before they can be established or expanded.

Obtaining a conditional use permit from a municipality requires submitting a proposal and being subject to the conditional use process. The conditional use process involves a public hearing and can result in council rejecting the proposal outright, or approving it with conditions. A council may wish to make certain types of secondary suites conditional use, to reserve the right to add conditions of approval that address circumstances unique to an individual application. A municipality must carefully consider which types of secondary suites to make conditional use, and under which conditions.

The requirement to take a secondary suite proposal to a public hearing – with the possibility of a proponent facing his or her neighbours in opposition – presents an ordeal many prospective landlords may be unwilling to endure. Municipalities wishing to promote the development of secondary suites should consider making it as easy as possible for them to be established. A municipality must carefully consider which types of secondary suites to make permitted uses, and in which circumstances.

A council may wish to make some types of secondary suites permitted use and prescribe a relatively small allowable floor area requirement. Doing so would allow a municipality to permissively allow secondary suites when they are small enough to house only a single person. Proposals for secondary suites larger than the allowable floor area requirements would require a variation order. The process for obtaining a variation order requires a public hearing and allows council to reject or approve with conditions accordingly.



## Examples:

Kelowna, Langley, Saskatoon and Brandon all place maximum size requirements on secondary suites located within the primary residence. Kelowna and Langley both set the maximum floor area at 970 square feet (sq ft), while Saskatoon (700 sq ft) and Brandon (540 sq ft) are much smaller. Landowners wishing to make a secondary suite larger than the permitted maximum can do so through the municipal variation process.

In Steinbach, Manitoba, secondary suites are a permitted use in most residential zones, as well as its commercial community zone. A building permit is required and the suite must conform to the Manitoba Building Code. Steinbach enacted this legislation in September 2010, in response to a community need for safe, affordable housing. Steinbach has developed an information and guidelines brochure on its secondary suites program, to help educate those considering building a unit, or those who already have one and wish to bring it up to code.

## c. Summary

A municipality must decide which types of secondary suites are required to meet the needs of the community. This decision will be influenced by the physical qualities of the existing housing stock and the potential for acceptance from the community. To ensure success, municipal land use bylaws should be reviewed, making sure they are as permissive as possible in accommodating the specific housing needs of your community.

The approach you choose must be reflected in both the development plan and zoning bylaws (See Appendix A for sample Development Plan and Zoning Bylaw policies and regulations). Municipalities should consider including zoning bylaw regulations for the design, location and construction of secondary suites that are accommodating and adjusted for local nuances. Regulations should include:

- allowances for all types of secondary suites
- provisions to allow at least some types of secondary suites to be 'permitted use' in some zones (ex: basement and attached secondary suites to be permitted uses in all residential areas)
- an appropriate maximum total floor area and percentage of total floor space
- clear objectives (development plan) and regulations (zoning bylaw).

A successful secondary suite program requires a permissive regulatory environment.

## 3. Strategies for Success

### a. Public Engagement

For many Manitobans, secondary suites are an unfamiliar concept and represent new ways of thinking about housing. As a result, secondary suite programs will benefit from public engagement to educate the public, dispel misinformation and negative perceptions, gain input, and enhance buy-in. Though each municipality should adjust its strategy to account for nuances in local context, the following aspects of public engagement should be addressed in a comprehensive public engagement plan:

**Communications and language:** Develop standard language, definitions and messages for use with staff, partners, stakeholders and the public as the foundation of a public engagement strategy.

**Public consultation:** Use workshops, surveys and web platforms to consult and involve the public, so they can better understand the issues and stakeholder concerns.

**Education and promotion:** Use advertising, how-to manuals, social media, and partnerships with community organizations, to help educate the public about secondary suites, promote their benefits (and current incentives), and dispel misinformation.

**Report on findings:** Share the results of workshops and surveys publicly, and work with local media to report on achievements of the secondary suite program.

The public engagement plan should be created upfront. The best approach for municipal councillors and staff is to anticipate the nature of potential opposition and be prepared with responses based on facts. The results of the housing needs assessment and the creation of a housing advisory committee would help municipalities determine how to best position secondary suites as a possible solution to local housing concerns.

#### Examples:

Edmonton found that using a comprehensive approach to consultation, in concert with a phased approach to implementation, resulted in few concerns voiced during the first phase and even less during the second. Kelowna attempted to enact improved secondary suite regulations. Strong opposition at a public hearing resulted in the city not moving forward on them, although it was not clear whether the opposition represented the larger popular opinion. Secondary suites surfaced in the media as a polarizing issue in Calgary during its 2010 municipal election. Calgary chose to undertake a third-party general opinion survey, which indicated stronger support for the concept of secondary suites in all areas of the city. It appears that a negative minority opinion was driving the media coverage. A variety of public engagement tools are available to help municipal staff and elected officials uncover the real issues and to overcome NIMBY opposition to secondary suites. These examples show that an upfront, well-developed public engagement strategy is necessary.

## b. Incentive Programs

Case study research undertaken for these guidelines generally indicated that incentives are helpful in achieving compliance when bringing new suites online, and when retrofitting existing secondary suites. An added benefit is that a government incentive program is a means to entice municipalities and ensure provisions for secondary suites in local planning policies and bylaws. As well, successful applicants to an incentive program would, by extension, be held accountable for conforming to zoning regulations and the building code.

### Examples:

Provincial and municipal-level incentive programs in Saskatchewan and Alberta range from rebates on permit fees, to grants and forgivable loans. In 2010, Manitoba Housing initiated a grant program to encourage the development of secondary suites, to expand the number of affordable rental units available in the market, and to help make home ownership more achievable. The program provided successful applicants with forgivable loans for 50 per cent of the total construction/renovation costs, to a maximum of \$35,000 per suite. This program is expected to continue until 2014.

Municipalities in Manitoba should consider implementing their own incentive programs to complement and expand on the provincial incentive program. These might include:

- refunding permit fees for homeowners once construction of a secondary suite is completed and has passed a building inspection
- helping with loan applications by notifying homeowners of any provincial funding programs, and assisting them with accessing and filling out application forms

## c. Phased Approach

Secondary suites in Manitoba have yet to become a mainstream form of housing, and may not be understood or accepted by the general public. Together with public engagement, municipalities should consider implementing secondary suites in phases, to increase public acceptance of the idea – and the various forms – of secondary suites. A phased approach should involve the following progression:

- Permit all types of secondary suites (within, attached, detached) in zones where they will be more readily accepted by residents.
- In zones where resident may be less accepting of change, consider initially restricting secondary suites to those contained within an existing dwelling.
- Gather information and measure results, such as the number of new units constructed or upgraded, perceptions of the public, impact on property values, infrastructure (sewer, water, and transportation), local business and community services.

- Report results to elected officials and the public.
- Expand the number of zones where secondary suites are permitted.
- Expand the permitted types of secondary suites in each zone.
- Report results and refine regulations as needed.

By allowing secondary suites to be permitted this way, the least-impact types of secondary suites are allowed first (ex: basement suites, suites attached to the principle dwellings, garage suites) in certain residential zones. These are followed by the introduction of higher-impact secondary suites (detached garden suites) and then the removal of location restrictions in most or all residential zones.

### Examples:

The implementation of Edmonton’s secondary suite program was successfully accomplished through a two-phased approach. The first phase applied mainly to suburban neighbourhoods and allowed for secondary suites to be established only in principle dwellings as a permitted use, and in garage suites as a conditional use. In the second phase, the program increased opportunities for secondary suites across the city by allowing them to be established in mature neighbourhoods and by introducing garden suites.

Extensive public consultation took place during both phases of the implementation. A phased approach allowed the city the flexibility to refine regulations as issues arose. It provided time for the public to adjust to new concepts and regulations.

In its recent program, Edmonton made 48,000 lots available for secondary suites in Phase 1 and 130,000 in Phase 2. To date, 371 permits have been approved.

## d. Design Guidelines

Several of the municipalities in the case study research used design guidelines to ensure the exterior design of detached secondary suites (ex: garden suites, coach houses) did not have an adverse effect on the aesthetics and character of the surrounding neighbourhood. Because design guidelines are subjective in nature, their interpretation and enforcement present challenges as to which governing body should have the authority to decide if a suite design meets the guidelines.

## Example:

The *British Columbia Local Government Act* affords British Columbia (BC) municipal councils the ability to enforce design guidelines through the approval of a development permit application. The City of Winnipeg has created an Urban Design Advisory Committee (UDAC), made up of council-appointed design professionals, who review and make recommendations on proposed new downtown development, based on the city's Downtown Design Guidelines.

The sample bylaw wording provided in Appendix 'A' contains design-related regulations dealing with the exterior building materials, textures and colours in the context of those found on the principal dwelling. Conditional uses are another way that a council could impose design criteria as a condition of approval. However, if trying to create a more permissive environment, a municipality may consider placing conditions only on detached secondary suites. The City of Saskatoon is facing a similar issue and is currently testing ideas, one being the possible development of a demonstration detached secondary suite.

## e. Enforcement

Enforcement of illegal secondary suites, which do not meet applicable building code or municipal regulations, is an issue faced by many Manitoba municipalities. However, aggressively targeting illegal suites can present problems given the low availability of affordable housing. An incentive-based approach to enforcement may influence the number of property owners willing to bring their secondary suites into compliance. Municipalities should help property owners achieve compliance by:

- educating property owners and tenants on applicable building codes and municipal regulations
- providing a grace period to allow property owners the opportunity to bring illegal suites up to code
- assisting property owners with the completion and submission of building permit applications
- assisting property owners with applications for funding or other incentives
- assisting property owners with decommissioning suites, if necessary

The establishment of secondary suites is primarily dependent on independent home owners (as opposed to housing developers) undertaking this activity. Assistance with the development and permitting process, as well as financial support, may be required to help implement the construction of secondary suites in a community.

## Examples:

Chilliwack has learned that restricting the type of tenants for secondary suites will limit the success of addressing broader community goals, such as the suites serving as “mortgage helpers” for first-time homeowners. Brandon has found that its stringent size restriction on secondary suites likely contributed to the limited uptake on the program. It also noted that the existence of a vast number of illegal suites was suspected. Kelowna has created an expedited process for the rezoning application required to construct a secondary suite in any single detached dwelling in a residential, rural residential or agricultural zone.

Edmonton has created a secondary suite enforcement team that assists homeowners in bringing their suites into compliance by tapping into a \$12 million funding program supported by the Province of Alberta. Aggressively targeting illegal suites could have left many Edmonton students without affordable housing options near universities and colleges. Instead, the Edmonton enforcement team helps homeowners by educating them on building code requirements, identifying resources for home improvements, and assisting with building permits and grant funding applications. This approach has helped the municipality achieve its health and safety housing goals without compromising the availability of student housing.

Saskatoon rebates permit fees for homeowners who create new or legalize existing secondary suites. The cities of Calgary and Edmonton have a substantial cost-shared fund with the Province of Alberta to assist with secondary suite construction and compliance.

## f. Create Program Measurables

Municipalities should implement processes to gather information, and measure the effectiveness, of their secondary suite programs to identify the need for refinements and improvements. To this end, municipalities should:

- create criteria to measure the success of their secondary suite programs
- develop methods to collect data
- collect data, and report back to elected officials and the community on program results

## Examples:

Most of the case-study municipalities recognize that tracking measurables is an important step for identifying if regulations are working to meet broader policy goals, and for reporting back to the community and council. For example, Saskatoon has created a Housing Business Plan with the goal of securing 500 affordable housing units each year. Langley tracks the number of secondary-suite related complaints. Measurables can also include the number of illegal suites brought into compliance, and the numbers of actual secondary suites constructed, and broken down by type. It is key to determine early on what the measurables will be. One of the case- study municipalities found that its secondary suite permits were included with general home renovations permits; staff must delve into this data to pull out the numbers related specifically to secondary suites to track program success.

## Development Plan Bylaw

### Vision

- A community that includes people of all ages and incomes.
- A community that allows residents to ‘age in place’.

### Objectives

- To provide a variety of housing and affordability options.
- To promote the efficient use of existing municipal infrastructure.
- To provide the ability for residents to ‘age in place’.

### Residential Policies

- A range of housing types, densities and affordable housing options will be encouraged in order to satisfy a range of housing demands and income levels.
- Zoning bylaws may/will contain provisions to allow for secondary suites in areas zoned for residential use.
- New residential development will make efficient use of existing municipal infrastructure.

## Zoning Bylaw

### DEFINITIONS

**COACH HOUSE** – a Secondary Suite located either above a detached private garage (above grade), or, in a single-storey accessory dwelling attached to the side or rear of a detached private garage (at grade). A Coach House is accessory to the principal use of a property, which must be a permanent single-family detached dwelling. A Coach House has an entrance separate from the vehicle entrance to the detached garage, either from a common indoor landing or directly from the exterior of the structure.

**DUPLEX** – two dwellings, contained in a single building, vertically connected with one unit above the other. This type of development is designed and constructed as two dwelling units at initial construction. It does not include a secondary suite.

**GARDEN SUITE** – a single-storey Secondary Suite, contained in a separate building, positioned at grade and to the rear of an existing principal use on a single zoning site. The principal use must be a permanent single-family detached dwelling.

**SECONDARY SUITE** – a self-contained accessory dwelling unit located either within a permanent single-family detached dwelling, or in an accessory building, on a single zoning site. A secondary suite contains a single housekeeping unit and has its own separate access, cooking, sleeping and sanitary facilities which are separate from and not shared with those of the principal dwelling. This use does not include duplex housing, semi-detached housing, or apartment housing.

**SEMI-DETACHED HOUSING** – two dwellings, arranged side-by-side, contained in a single building with a single foundation, connected by a shared common wall. This type of development is designed and constructed as two dwelling units at initial construction. It does not include a secondary suite.

### **BULK REGULATIONS -Accessory Units (within principle dwelling):**

- Not more than 1 Secondary Suite shall be permitted within a principal dwelling.
- Not more than 1 Secondary Suite shall be permitted on a single zoning site.
- The property containing a Secondary Suite shall be zoned for residential use and contain a permanent habitable single-family (detached) dwelling.
- The principal dwelling must be an existing permanent structure.
- The principal dwelling is to be occupied by the owner of the property.

Maximum Floor Area Shall:

- Not exceed 40% of the total habitable floor space of the principal dwelling or 80m<sup>2</sup> (861.1 sq.ft.), whichever is the lesser.

Amenity Space:

- An exterior, private amenity space such as a deck or patio shall be provided for the Secondary Suite.
- Minimum Area: 7.5m<sup>2</sup> (80.7 sq.ft.)
- Minimum Dimension (length or width): no less than 1.5m (4.9 ft.)

### **BULK REGULATIONS – Detached Accessory Unit (Coach House & Garden Suites):**

- Not more than 1 Secondary Suite shall be permitted on an established zoning site.
- The exterior of the secondary suites should incorporate building materials, textures, and colours that are similar to those found on the principal dwelling.
- The zoning site containing the Secondary Suite shall be zoned for residential use and contain a permanent habitable single-family (detached) dwelling.
- The principal dwelling is to be occupied by the owner of the property.

Maximum Floor Area Shall Be:

- No greater than 80m<sup>2</sup> (861.1 sq.ft.), and shall not exceed the maximum lot coverage for ancillary structures as permitted within the zoning bylaw.



Building Height (Maximum):

- Coach House (above Grade)
  - 8 metres (26.2 ft.)
- Garden Suite and Coach House (at Grade):
  - 5 metres (16.4 ft.)

Setbacks (Minimum):

- From Front Lot Line
  - Must be equal to or greater than the minimum setback from the front property line for a principal dwelling within the same zone.
- From Rear Lot Line
  - Must be equal to or greater than the minimum setback from the rear property line for a principal dwelling within the same zone.
  - Where a property backs onto a public lane, public right-of-way, public park, or a property zoned for commercial or industrial uses, the setback from the Rear Lot Line may be equal to or greater than 3m (9.8 ft.).
- From Side Lot Line
  - Must be equal to or greater than the minimum setback from the side property line for a principal dwelling within the same zone.
- From Exterior Side Lot Line
  - Must be equal to or greater than the minimum setback from the exterior side property line for a principal dwelling within the same zone.

Separation from the Principal Dwelling (Minimum):

- 3m (9.8 ft.)

Amenity Space:

- An exterior, private amenity space such as a deck or patio shall be provided for the Secondary Suite.
- Minimum Area: 7.5m<sup>2</sup> (80.7 sq.ft.)
- Minimum Dimension (length or width): no less than 1.5m (4.9ft.)

Parking:

- A minimum of one off-street parking space must be provided for each secondary suite.

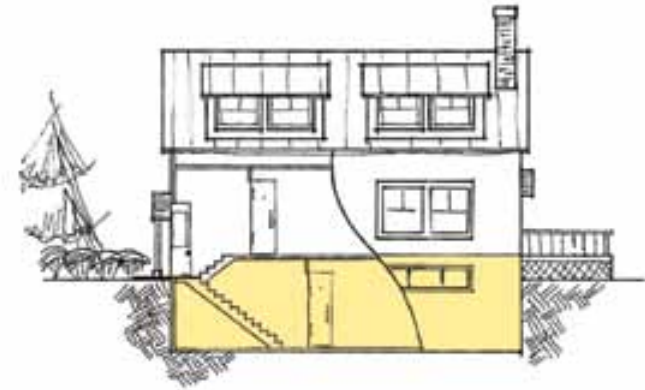


## Benefits to Tenants

1. **Increase Affordable Housing** Secondary suites may increase the supply of lower cost housing.
2. **Improve Housing Choice** Secondary suites create a rental opportunity where renters can live in a low-density neighbourhood with access to a yard, rather than in higher density apartments.
3. **Contribute to Safer Living** Conditions Regulating secondary suites helps to ensure that units are built to code, improving tenant safety.

## Benefits to Community

1. **Make More Efficient Use of Municipal Infrastructure** Secondary suites make use of existing housing, resulting in new development that makes efficient use of municipal infrastructure such as transit, utilities, roads, recreation centres and parks. Benefits typically associated with this are:
  - reduced pressure to develop on greenfield sites (undeveloped land, often at the edge of a community) which in turn helps to protect valuable farm land or wildlife habitat, and reduces the infrastructure construction and maintenance costs related to new development;
  - an increase in population of existing neighbourhoods, which can enhance the viability of local schools, community centres, shops and other local businesses and services.
2. **Maintain Neighbourhood Character** Secondary suites, when compared to higher density apartment buildings, do not significantly change the form or character of lower-density residential neighbourhoods.
3. **Contribute to Diverse Communities** By providing affordable or specialized housing to renters, or 'mortgage helpers' to first-time home buyers, secondary suites contribute to community diversity by providing citizens from a range of ages and incomes opportunities to live in the same neighbourhood.



# Secondary Suites

How Secondary Suites Can Benefit Your Community

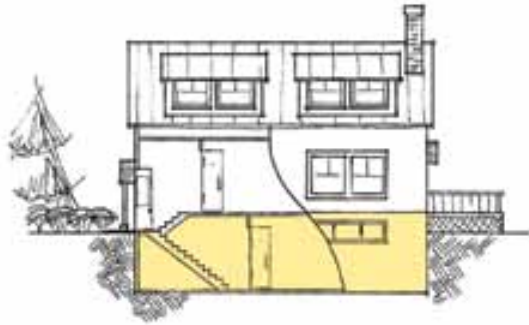
**Questions** – Contact your municipality or visit <http://www.gov.mb.ca/ia/index.html> for more information.

## What is a secondary suite?

A secondary suite is a type of rental housing located on a property already containing a single-family detached house. Secondary suites are typically located within the primary dwelling, but can also exist within a separate detached building on the property. A secondary suite is required to have its own entrance, kitchen, bathroom and living area.

The three most common types of secondary suites are the:

1. **basement suite** – below the main floor of a single-family house.



2. **garden suite** – on ground level, but separate from the single-family house.



3. **coach house** – above a detached garage



A secondary suite can also be located on the second floor of an existing house, although this is less common.

## Secondary Suites in Other Provinces

Municipalities across Canada have adopted policies encouraging secondary suites, to deal with a variety of housing needs.

Some examples:

- In Saskatoon, secondary suites are encouraged to provide affordable rental housing in all neighbourhoods, without the use of significant public funding.
- In Edmonton and Chilliwack, many secondary suites help pay the mortgage and provide first-time home buyers with the extra income they need to qualify for a mortgage.

## Secondary Suites in Manitoba

The Manitoba government is looking into the regulation of secondary suites to:

- increase the amount of rental housing available across the province
- provide more housing options for Manitobans
- encourage homeowners to upgrade existing suites that may not be up to code

The Manitoba government encourages the establishment of secondary suites in order to:

- increase the amount of affordable rental housing available across the province
- increase housing options for Manitobans
- encourage homeowners to upgrade existing suites that may not be up to code.

## Benefits of Secondary Suites

### Benefits to Owners

1. **Mortgage Helper.** Secondary suites offer homeowners extra income to help cover mortgage payments. Additional income generated from a secondary suite may also help new homebuyers qualify for mortgages in cases where regular income alone is not enough.
2. **Accommodation for Extended Family.** Homeowners can provide a secondary suite to accommodate elderly parents, adult children or other family members. This has the added benefit of offering companionship while preserving independence and privacy
3. **Support for Seniors and Others on Fixed Incomes.** Secondary suites can provide additional income to assist with maintenance costs associated with owning a home.
4. **Increase Resale Value of a Property.** Secondary suites and the potential rental income they provide may add resale value to a property