

# Garden Suite

## GUIDE TO APPLICATION PROCESS & REGULATIONS



# INTRODUCTION

This guide leads you through the eligibility requirements and permitting process to design and build your garden suite, as well as the regulations for garden suites that are outlined in the Zoning Bylaw.

This guide does not replace official documents and the municipality disclaims any liability from its use.



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## 1.1 What is a garden suite?

A garden suite is a detached house typically located in the rear yard of a single family lot. It is accessory to the primary dwelling. Garden suites are sometimes referred to as backyard cottages, laneway houses, carriage houses, coach houses, accessory dwelling units, secondary dwelling units, and detached accessory dwelling units.

## 1.2 Why are garden suites important in Saanich?

Garden suites provide an important opportunity for infill housing in Saanich. That is, housing that “fits” within an existing residential neighbourhood without significantly altering its character. They have the potential to:

- Add diversity and choice in housing;
- Increase the supply of rental accommodation and provide an alternative to secondary suites;
- Provide accommodation for family members or caregivers;
- Create accessible living accommodation; and
- Provide rental income to homeowners.

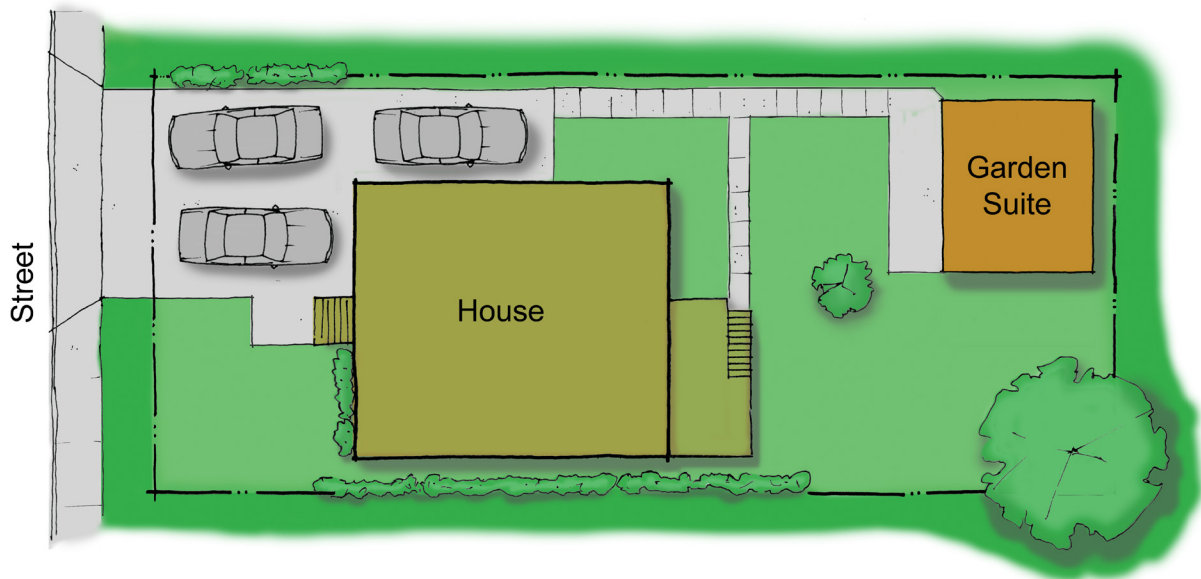


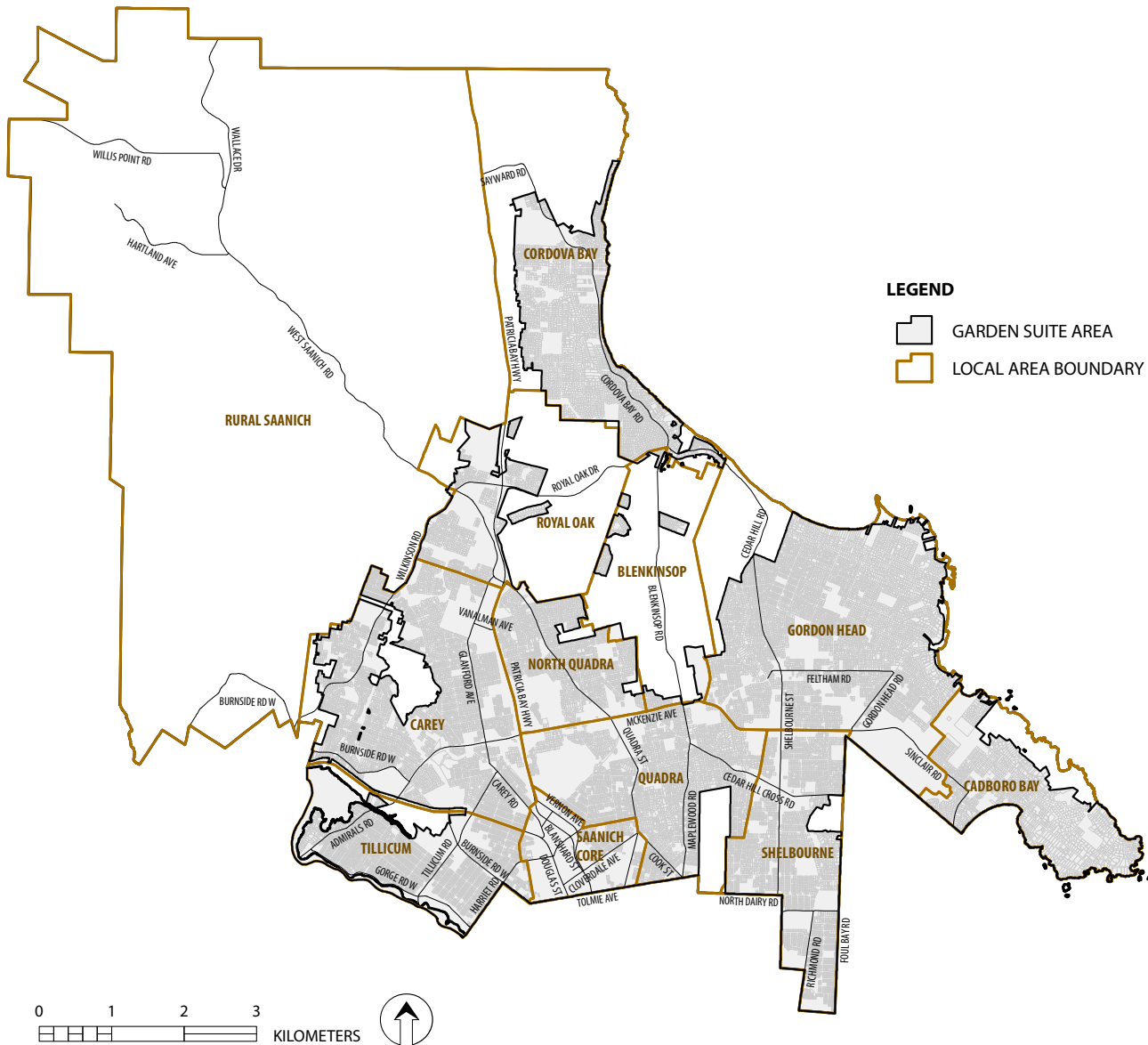
Figure 1: Typical residential lot with a garden suite

Garden suites must comply with zoning regulations and the BC Building Code.

### 1.3 Where are garden suites permitted?

Garden suites are permitted on RS or RD-zoned properties within the Sewer Service Area and/or within the Urban Containment Boundary.

Other eligibility requirements apply. To find out if your property is eligible for a garden suite see Section 2.1.



**Figure 2: Area where garden suites are permitted**  
(For information only, please contact Planning Department for confirmation)



## 2.1 Is my lot eligible for a garden suite?

To be eligible for a garden suite a residential lot must satisfy all of the following requirements:

- The lot must be in an RS or RD zone
- The lot must be in the Sewer Service Area and/or the Urban Containment Boundary
- The lot must be a minimum size of 400 m<sup>2</sup>
- The lot must be a minimum of 12 m wide
- The principal building on the lot must be a single family dwelling

In addition to these requirements, there may be other considerations, such as the existing lot coverage or a statutory right-of-way that could affect the eligibility of your property for a garden suite.

You are encouraged to review the pre-application questions.

Eligibility requirements for a new garden suite are outlined in Figure 3.

## 2.2 Converting an existing accessory building into a garden suite

It may be possible to convert an existing accessory building into a garden suite, but the process will be different, and it may require that you spend more time and money to complete your applications.

The steps to determine whether conversion of an existing accessory building is the right option for you are summarized below:

1. Determine if your building complies with the zoning regulations. You may need to apply for a Variance if your existing accessory building does not meet the requirements.
2. Discuss your plans with Inspections Services and work with a home building professional to determine how your accessory building must be modified to meet the BC Building Code for a residential use.

Eligibility requirements for converting an existing accessory building into a garden suite are outlined in Figure 4.

### Researching my property

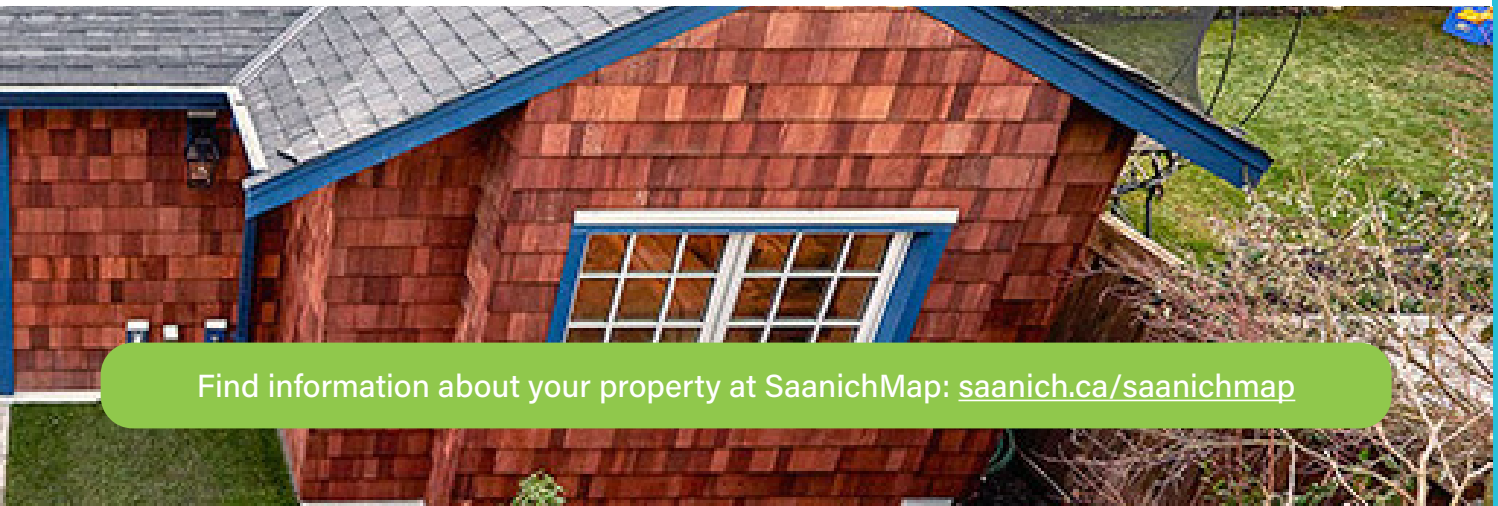
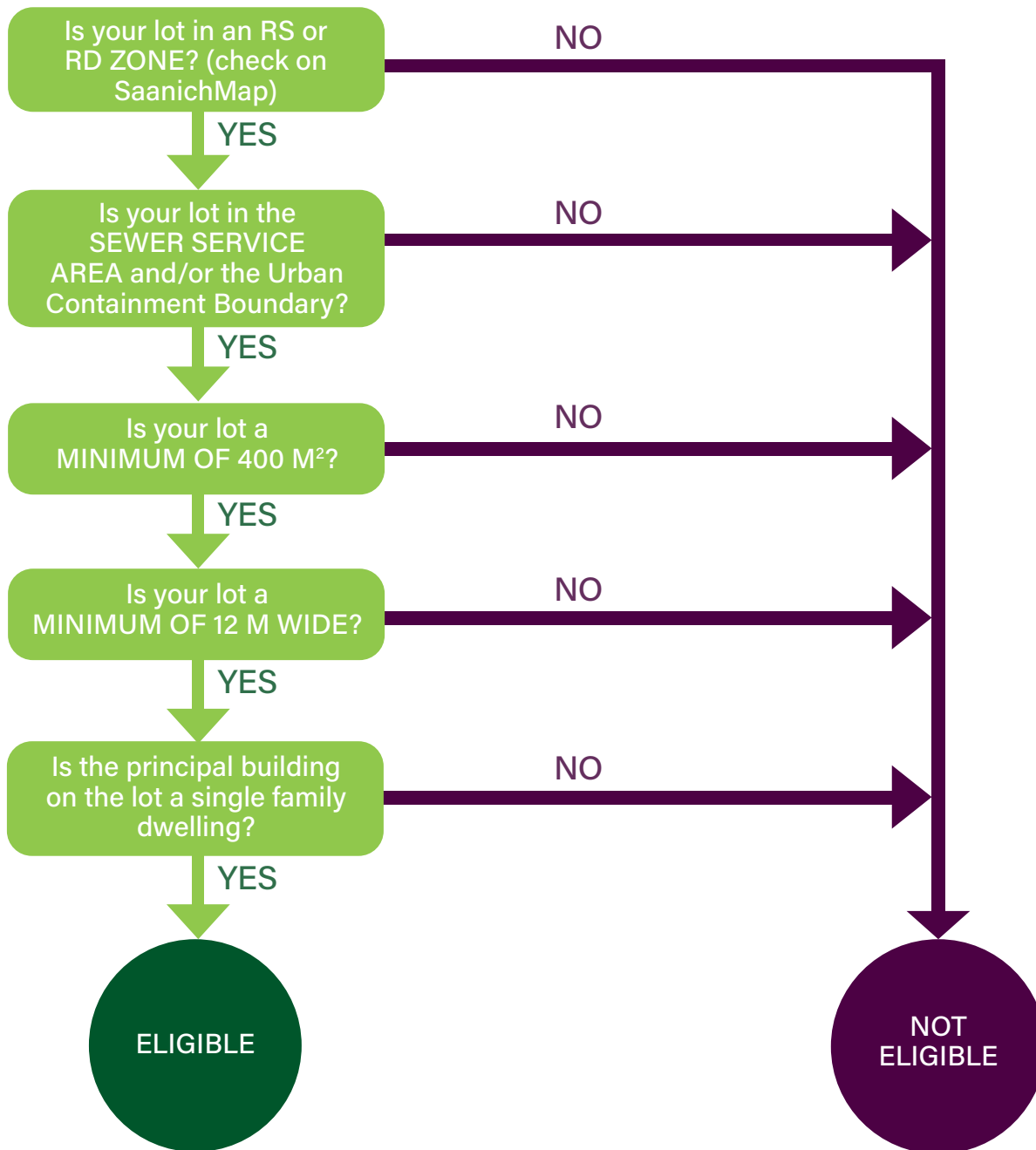
[SaanichMap](#) is an online mapping tool that lets you access public data.

Find your:

- Location inside Sewer Service Area and/or the Urban Containment Boundary
- Zoning
- Lot size and width
- Heritage status



**Figure 3: Eligibility requirements for a new garden suite**

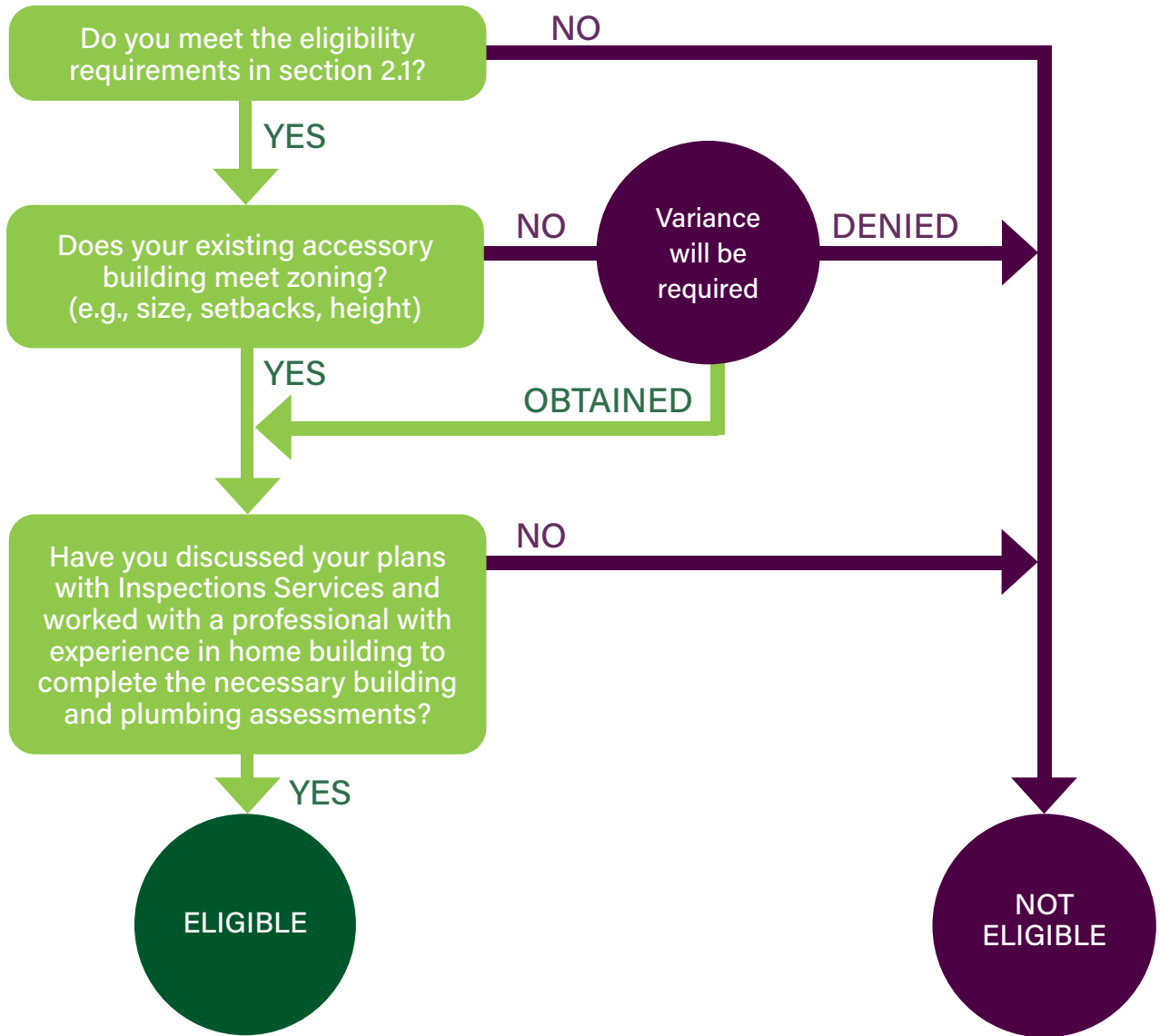


Find information about your property at SaanichMap: [saanich.ca/saanichmap](https://saanich.ca/saanichmap)



## 2. Pre-Application

**Figure 4:** Eligibility requirements for converting an existing accessory building into a garden suite



2. Pre-Application



Find information about your property at SaanichMap: [saanich.ca/saanichmap](https://saanich.ca/saanichmap)



## 2.3 Pre-Application questions

Before submitting an application for a garden suite, we recommend that you spend some time investigating the following pre-application questions. The information gathered will help you identify potential issues and prepare your submission.



### 1 Zoning and Building Code (Need help? Visit the [Planning Department](#))

1. Does your lot meet the basic eligibility requirements for a garden suite?
  - Is your lot zoned RS or RD?
  - Is your lot inside the Sewer Service Area and/or the Urban Containment Boundary?
  - Is your lot a minimum of 400 m<sup>2</sup>?
  - Is your lot a minimum of 12 m wide?
  - Is the principal building on your lot a single family dwelling?

2. Will you need to vary any of the zoning regulations for your garden suite?

3. Where will you put a 1.0 m wide pedestrian pathway to access the garden suite?

4. Where will you locate one additional parking space for the garden suite?

5. Do you have an existing accessory building on your property?
  - Where is it located?
  - What is the area in square metres?
  - How will your accessory building contribute to your total lot coverage?

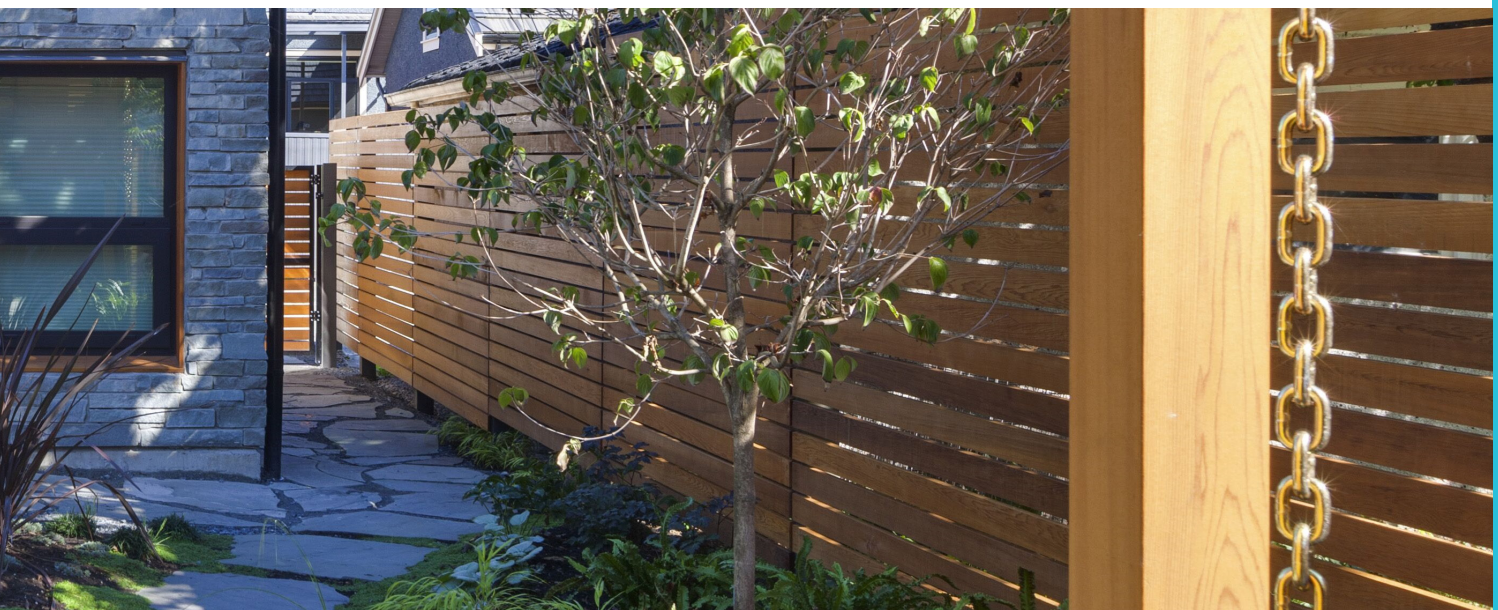
6. Are you aware of any encumbrances (e.g. a covenant) on your property that could impact your ability to build a garden suite?



### 2 Other Considerations

1. Is there a Development Permit associated with the property that needs amending or discharging?

2. Is your property on the Heritage Register?





### 3 Servicing (Need help? Visit the [Engineering Department](#))

1. Do you have a storm sewer connection?

2. Where are your services located? (Check [saanich.ca/saanichmap](#))

3. What is the size of your water service? (Check [saanich.ca/saanichmap](#))

4. What route will your services take from the municipal connection to the garden suite?

5. Are you proposing a garden suite on a corner lot, and if so, do you require a second driveway?

6. Are there any easements or statutory rights-of-way on your property? (Check your property title)

7. Do you have a stormwater tank on your property and, if so, where is it located?



### 4 Trees (Need help? Visit the [Parks Division](#))

1. How many trees do you have on your property? (estimate)

2. Where are they located? (draw them on a site plan)

3. Are there any **protected trees**? ([Tree Protection Bylaw No. 9272 - Highlights for Property Owners](#))

4. Which trees would be impacted by the garden suite?

- Approximately how tall are they?
- Approximately how wide are they?
- What species are they?
- Are they protected trees?



### 5 Environmental (Need help? Visit the [Planning Department](#))

1. Is your lot in the Streamside Development Permit Area? (check [saanich.ca/saanichmap](#))

2. Does your lot contain a floodplain that may restrict the build area? (check [saanich.ca/saanichmap](#))

3. Are there any natural features such as rock outcroppings or a creek/stream on your property?

### 3.1 Application process

Before you can start building your garden suite, you will need an approved Building Permit. Depending on your site, you may also require a Tree Permit.

The steps necessary to gain approval for your garden suite are outlined in this section. The information you will need to navigate the process is described below.



**BUILDING PERMIT APPLICATION**



**APPLICATION REVIEW**



**BUILDING PERMIT APPROVAL**



**TREE PERMIT**



**INSPECTIONS & OCCUPANCY PERMIT**



# 3. Preparing & Submitting an Application

## 1 BUILDING PERMIT APPLICATION

### Submit a complete Building Permit application and fee

1. When you are ready, submit a complete Building Permit Application package and pay the required fees. To be complete, the package must include all required documents and plans outlined in the application form.

Information about trees must be submitted with your Building Permit application. You will be notified if a Tree Permit is required. Please note, you do not need to apply for a separate Tree Permit online.

It is likely that an Arborist's report, prepared by an ISA certified arborist will be required for your Tree Permit. Knowing this, you may choose to submit an arborist report with your application for a Building Permit.

Building Permit Requirements (see <a href="#">Application Form</a> for a complete list of requirements)	
<input type="checkbox"/>	Title search (current within 30 days, including copies of all encumbrances registered on title (e.g. restrictive covenants, rights-of-way, easements)
<input type="checkbox"/>	Site and servicing plan prepared and certified by a BCLS
<input type="checkbox"/>	Floor plans
<input type="checkbox"/>	Elevations
<input type="checkbox"/>	Cross-sections
<input type="checkbox"/>	Project data sheet
<input type="checkbox"/>	HPO (Homeowner Protection Office)
<input type="checkbox"/>	BCESC Pre-Construction Energy Compliance Report
<input type="checkbox"/>	Agents Letter (Required if the owner(s) have not signed the application)

## 2 APPLICATION REVIEW

### Staff will review your application and provide you with a letter summarizing necessary revisions

1. The application will be circulated to other departments for review and comment including, Engineering, Parks, Environment and Planning.
2. Once the review is complete, you will receive a letter summarizing the comments about your proposed garden suite. You may be required to revise and resubmit your plans for further review.

Depending on the conditions on your property, a Tree Permit may be required. You will be notified of this requirement in the Deficiency Letter.

### HIRING A PROFESSIONAL TEAM

To facilitate a successful application we recommend you hire a professional team to assist you with your application. Your team may include:

- Engineer
- Surveyor
- Certified Arborist
- Designer/Architect





## 3 BUILDING PERMIT ISSUANCE

If your project complies with all requirements, you will receive a Building Permit

1. Once the review is complete, and it is determined that the project meets all requirements the Senior Building Inspector will issue your Building Permit.

## 4 TREE PERMIT

If trees will be impacted by your garden suite, then a Tree Permit may be required

1. For your Tree Permit you will need to provide an arborist report prepared by an ISA certified arborist that includes the following:
  - A tree inventory, including tree tag numbers
  - The location and species of replacement trees
  - A Tree Protection Plan for retaining trees on your property or on adjacent property (e.g. boulevard)
2. For information on Tree Permit requirements contact Parks (see Section 4.2).

## 5 INSPECTIONS & OCCUPANCY PERMIT

With an issued Building Permit and Tree Permit (if required) construction can begin. Inspections will be scheduled at different stages of construction and tree removal. Final inspection for occupancy will occur once construction is complete

1. When all building and tree requirements have been met, a Building Permit and Tree Permit will be issued. You are now ready to begin construction of your garden suite.
2. Inspection requirements will be outlined in the permits. You are responsible for contacting Building Inspections and Parks for all relevant inspections.
3. When your garden suite is finished, you will need a final occupancy inspection. You must have this before you can live in your garden suite.

### ADDRESSING

Once a Building Permit is approved for a garden suite you must apply to Engineering to change your property address. For example if you live at 123 Reindeer Avenue, your garden suite may be addressed Unit B 123 Reindeer Avenue.



## 3.2 Forms and documents

Form/Document	Link reference
<a href="#">Building Permit</a>	<a href="https://www.saanich.ca/EN/main/local-government/inspections-services/residential-permits.html">https://www.saanich.ca/EN/main/local-government/inspections-services/residential-permits.html</a>
<a href="#">Tree Permit</a>	<a href="https://www.saanich.ca/EN/main/community/natural-environment/trees/trees-development.html">https://www.saanich.ca/EN/main/community/natural-environment/trees/trees-development.html</a>
<a href="#">Owners Authorization Form</a>	<a href="https://www.saanich.ca/assets/Local~Government/Documents/App~Forms/appl6_ownerauth.pdf">https://www.saanich.ca/assets/Local~Government/Documents/App~Forms/appl6_ownerauth.pdf</a>
<a href="#">Application to Change Property Address</a>	<a href="https://www.saanich.ca/assets/Local~Government/Documents/Engineering/2020.12.01%20Change%20of%20Address.pdf">https://www.saanich.ca/assets/Local~Government/Documents/Engineering/2020.12.01%20Change%20of%20Address.pdf</a>

## 3.3 Fees

Building Permit fees are outlined [here](#).

Building Permit fees must be paid when you submit your complete applications.

The fee for a Tree Permit is \$100 plus \$30 for each affected tree.

### UTILITIES

**Electricity:** [BC Hydro](#) can provide information to help you prepare for and request a connection for your new garden suite.

Visit [BC Hydro](#) for a [new building and renovation connection](#) or contact a BC Hydro customer service representative at 1-800-224-9376.

**Gas:** [Fortis BC](#) can provide information if you need to install or move a natural gas line, or upgrade a natural gas service.

Visit [Fortis BC](#) to find out more about [natural gas services](#) or contact a Fortis BC customer service representative at 1-888-224-2710.

**BC Housing (formerly Homeowner Protection Office):** Home Warranty Insurance is required to construct a new garden suite in BC. To learn more about the requirements for [Home Warranty Insurance](#) visit the [BC Housing website](#) or contact a representative in Licensing and Consumer Services at 1-800-407-7757.

**Addressing:** Once a Building Permit is approved for a garden suite you must apply to Engineering to change your property address. For example if you live at 123 Reindeer Avenue, your garden suite may be addressed Unit B 123 Reindeer Avenue.

FOR CONTACT INFORMATION SEE PAGE 12.

## 4.1 Links

Document	Link reference
<a href="#">Zoning Bylaw</a>	<a href="https://www.saanich.ca/EN/main/local-government/zoning/zoning-bylaw-8200.html">https://www.saanich.ca/EN/main/local-government/zoning/zoning-bylaw-8200.html</a>
<a href="#">Tree Protection Bylaw</a>	<a href="https://www.saanich.ca/assets/Local~Government/Documents/Bylaws~and~Policies/9548%20-%20TREE%20PROTECTION%20BYLAW,%202014,%20AMENDMENT%20BYLAW,%202019,%20NO.%209548.pdf">https://www.saanich.ca/assets/Local~Government/Documents/Bylaws~and~Policies/9548%20-%20TREE%20PROTECTION%20BYLAW,%202014,%20AMENDMENT%20BYLAW,%202019,%20NO.%209548.pdf</a>
<a href="#">Building Permit Fees</a>	<a href="https://www.saanich.ca/assets/Local~Government/Documents/Inspections/BuildingPermitFees.pdf">https://www.saanich.ca/assets/Local~Government/Documents/Inspections/BuildingPermitFees.pdf</a>

## 4.2 Contacts

Organization/Department	Address	Phone Number	Website/Email
<b>SAANICH</b>			
Inspection Services	770 Vernon Ave. Victoria BC V8X 2W7	T 1 250-475-5457	<a href="mailto:inspections@saanich.ca">inspections@saanich.ca</a>
Planning		T 1 250-475-5471	<a href="mailto:planning@saanich.ca">planning@saanich.ca</a>
Engineering		T 1 250-475-5570	<a href="mailto:engineering@saanich.ca">engineering@saanich.ca</a>
Sustainability		T 1 250-475-5471	<a href="mailto:sustainability@saanich.ca">sustainability@saanich.ca</a>
Parks	1040 McKenzie Ave Victoria, BC V8P 2L4	T 1 250-475-5522	<a href="mailto:parks@saanich.ca">parks@saanich.ca</a>
<b>OTHER</b>			
BC Energy Step Code			<a href="https://energystepcode.ca/building.safety@gov.bc.ca">https://energystepcode.ca/building.safety@gov.bc.ca</a>
BC Hydro	P O Box 8910 Vancouver, BC V6B 4X3	T 1 800-224-9376	<a href="https://www.bchydro.com">https://www.bchydro.com</a>
BC Housing	See text on page 11.		
BC Land Title and Survey	Suite 200 1321 Blanshard Street Victoria BC V8W 0B6	T 1 877-577-5872	<a href="https://ltsa.ca/">https://ltsa.ca/</a>
Fortis BC - Gas	16705 Fraser Highway Surrey, BC V4N 0E8	T 1 888-224-2710	<a href="https://www.fortisbc.com/">https://www.fortisbc.com/</a>



# 5.1 RS or RD Zoned Lots

## Lot Size - highlights of regulations

Lot size range: 400 m<sup>2</sup> + (4,306 ft<sup>2</sup> +)

Maximum floor area: 93 m<sup>2</sup> (1,000 ft<sup>2</sup>)

Second Storey: Permitted (see specific setback requirements)

Sloped Roof (≥3:12 pitch)

Single Storey 4.2m or less

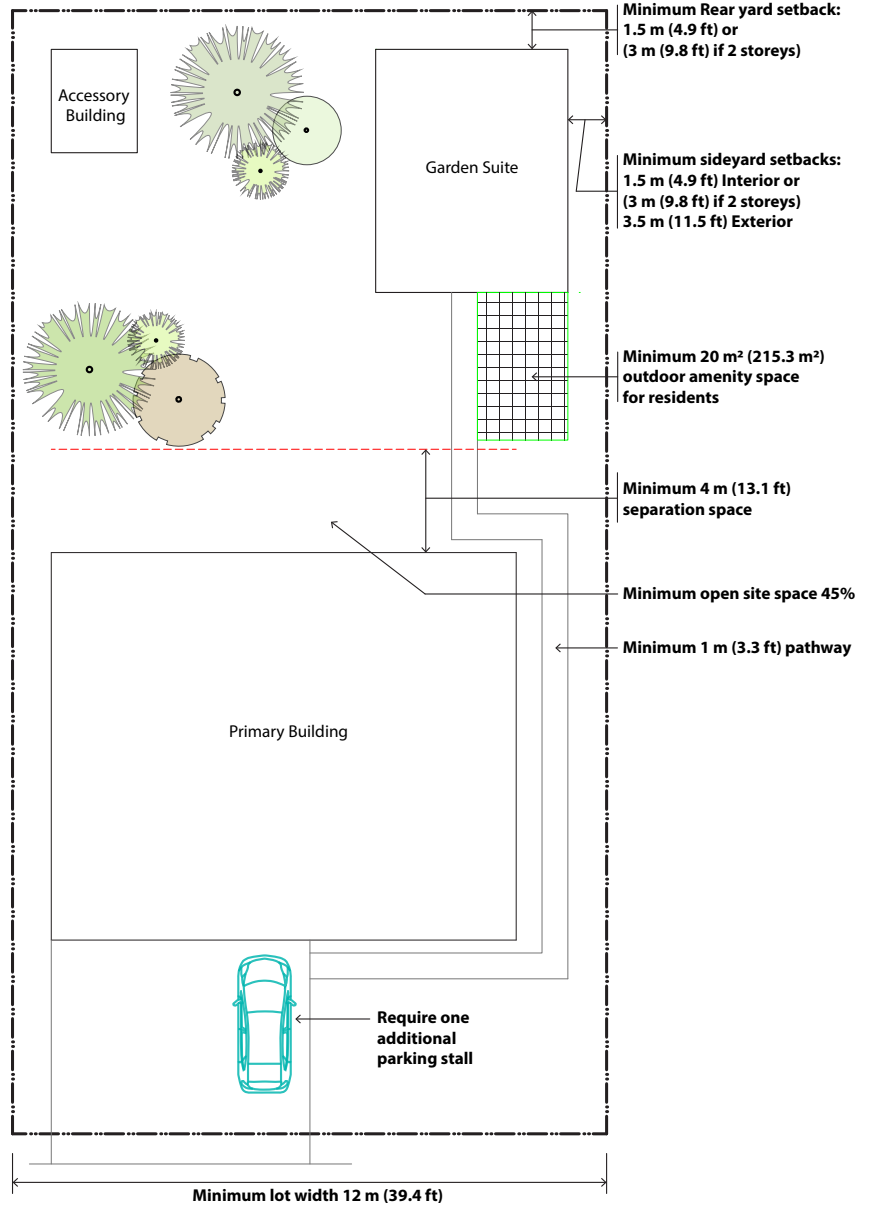
Two Storey 6.5m or less



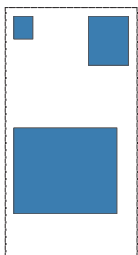
Flat Roof (<3:12 pitch)

Single Storey 4.2m or less

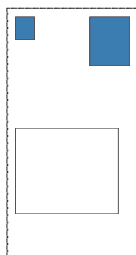
Two Storey 8.5m or less



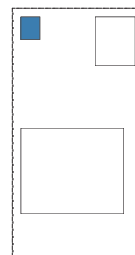
### Maximum Height



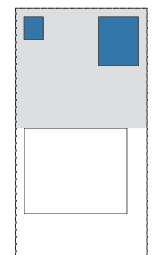
Maximum site coverage % is Zone Specific (all buildings)



400 m<sup>2</sup> (4,306 ft<sup>2</sup>) - 1329 m<sup>2</sup> (14,305 ft<sup>2</sup>) - max 10%  
 1330 m<sup>2</sup> (14,316 ft<sup>2</sup>) - 1999 m<sup>2</sup> (21,517 ft<sup>2</sup>) - max 7%  
 >2000 m<sup>2</sup> (21,527 ft<sup>2</sup>) 5% site coverage (all accessory structures - including Garden Suite)



70 m<sup>2</sup> max. site coverage (any individual accessory building - excluding Garden Suite)



Maximum 25% rear lot coverage (all accessory buildings)







## 6.1 Building and site

- If a flat or shallow roof form is proposed, the area of the second floor shall be reduced to an area of 60% of the total floor area beneath it.
- Where the distance from a floor to the floor above, or where there is no floor above, to the top of the roof joists, exceeds 3.75 m, an amount equal to the area of the floor below the excess height shall be included in the calculation of floor area.
- A clear pathway that is a minimum of 1.0 m wide (3.3 ft.) shall be provided from the sidewalk or street to the front door of the garden suite.
- Cantilevered balconies are not permitted on the front, interior side, or rear yard elevations of a garden suite.
- Garden suites shall have individual unit identity numbers that are illuminated at night. Unit numbers shall be located on the garden suite and in a clearly visible location along the nearest street frontage.
- The relevant provisions of Section 5 and 7 of the Zoning Bylaw shall apply.

## 6.2 Projections

- Notwithstanding Section 5.8 (a) of the Zoning Bylaw, bay windows and corner projections that extend beyond the face of a garden suite into a required rear or interior side yard are not permitted.
- Notwithstanding Section 5.8 (c) of the Zoning Bylaw, steps and porches that extend beyond the face of a garden suite into a required rear or interior side yard are not permitted.
- Notwithstanding Section 5.8 (c) of the Zoning Bylaw, cantilevered balconies that project beyond the face of a garden suite into a required exterior side yard are not permitted.

## 6.3 Determination of grade for garden suites

- Grade shall be expressed in relation to geodetic datum.
- Grade shall be calculated by taking the average elevation - at existing natural grade or finished grade, whichever is the lesser - of the points of the polygon having the shortest perimeter that will encompass the outermost walls of the building or structure.
- Where it is proposed to construct all or part of a building or structure on land where fill has been placed on top of the natural grade, grade shall mean the plane of elevation of the original natural grade directly below the location of the smallest polygon prescribed in Section 5.18 (b). In such a case, the Manager of Inspection Services may require the applicant for the building permit to produce, at their expense, a certificate from a geotechnical engineer or other qualified professional identifying, by means of plans or other satisfactory documentation, the original natural grade.
- In a case where it is proposed to construct a building or structure or any part thereof on land where the current surface of the land is below the original natural grade, the current surface of the land shall be deemed to be the natural grade of the land.

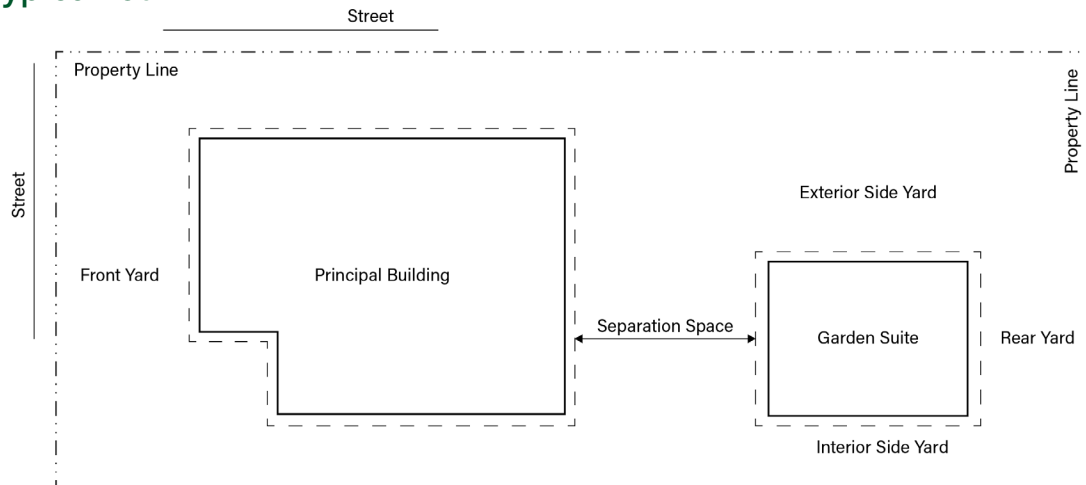
## 6.4 General Regulations

- No more than one garden suite is permitted on a lot.
- Bed and Breakfast use is prohibited in a garden suite.
- Short-term rental use is prohibited in a garden suite.
- Boarding use is prohibited in a garden suite.
- A garden suite shall not be sited or located on a separate titled parcel from the single family dwelling.

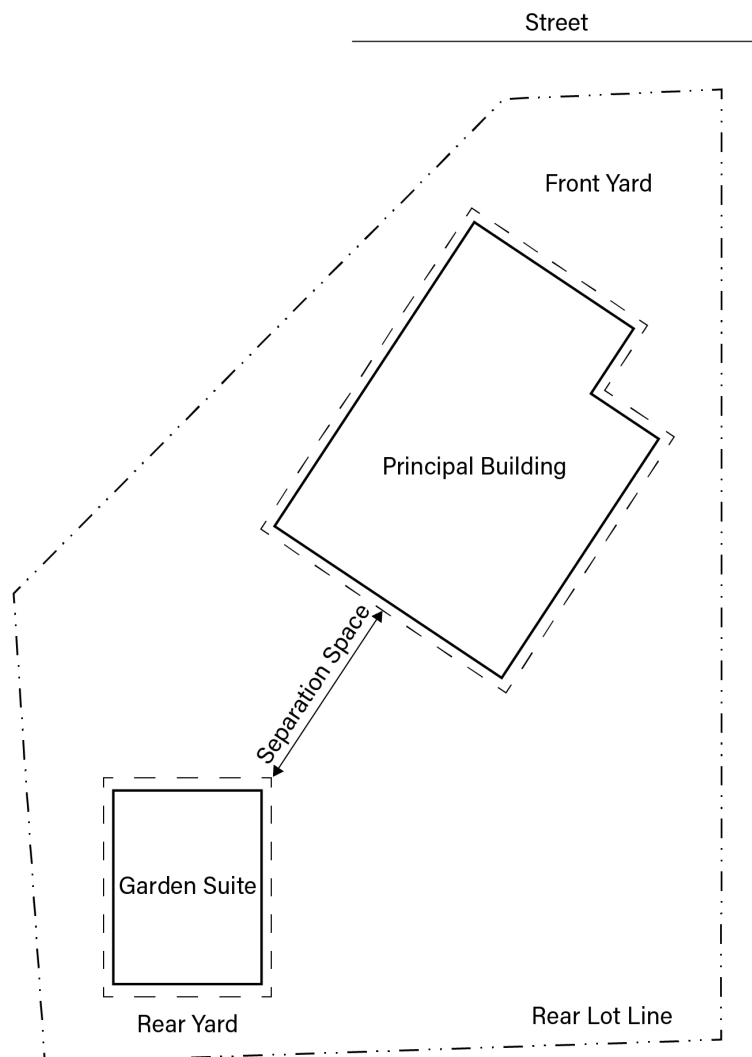


## 6.5 Site plans showing the location of the separation space for a garden suite

### a) Typical lot



### b) Irregular-shaped lot



## Definitions

**Bed and Breakfast** – a type of home occupation use that provides temporary accommodation to guests in a home where the nightly room rate includes breakfast.

**Garden Suite** – a building containing one dwelling unit that is detached from the principal building on the lot.

**Gross Floor Area (GS)** – the sum of the total floor area of all storeys, including basement, of a garden suite measured to the outside face of the exterior walls and, in the case of an attached carport, measured to the outermost face of the supporting columns. The Gross Floor Area of an attached carport or garage shall be included in the Gross Floor Areas (GS), calculations for the garden suite. The following are excluded: the areas of canopies, sundecks, outside stairs, separate carports, garages, uninsulated attic spaces, and insulated attic spaces with a ceiling height from the floor of less than 1.67 m (5.5 ft).

**Height** – the vertical distance measured from grade to the highest point of a building with a flat roof or a roof with a pitch that is less than 3:12. It can also be the vertical distance measured from grade to the highest midpoint between the eaves and ridge of any gable, hip, gambrel or other sloping roof on a building with a pitch of 3:12 or greater.

**Lot width** – the steps to measure the width of your lot are as follows:

1. Determine the minimum lot width of the zone in which your property is located;
2. Measure the mid-point for the front and rear property lines and draw a straight line to connect them;
3. From the mid-point of the front lot line, measure the length of the minimum lot width requirement for your zone (e.g. 12 m) and mark the spot with a dot on the line connecting the front and rear lot lines; and
4. Starting at this dot, measure the width of the lot from side property line to side property line. The measured distance is the width of your lot.

**Short Term Rental** – rental of a dwelling unit, or one or more bedrooms in a dwelling unit for overnight accommodation for a period of less than 30 days in a row.

### Property information, including lot size and zoning:

You can find information about your property online at [saanich.ca/saanichmap](https://saanich.ca/saanichmap). Launch the map viewer and locate your property by entering your address in the search bar. Once your property is displayed, you will see a parcel identifier. Click on the parcel identifier, then click on your address. A list of property attributes will be displayed including lot area in square metres and zoning.

**REFER TO ZONING BYLAW FOR COMPLETE REGULATIONS.**



## 6. Other Regulations

## 7.1 Frequently asked questions

Q.	<b>Are Garden Suites allowed in Saanich?</b>
A.	Yes. Garden Suites are permitted on most RS and RD-zoned properties in Saanich. See section 2.1 for details on eligibility.
Q.	<b>Are tiny homes or prefabricated homes permitted?</b>
A.	Smaller-sized homes are permitted as garden suites, as long as they meet zoning and design requirements and the BC Building Code.
Q.	<b>What permits do I need to build a garden suite?</b>
A.	You will need a Building Permit. You may also need a Tree Permit, if there are trees on your property.
Q.	<b>Can I have a garden suite and a secondary suite?</b>
A.	Yes. An owner can have both a secondary suite or a garden suite.
Q.	<b>Can I rent out the garden suite?</b>
A.	Yes, however, short term rentals, bed & breakfast and boarding are prohibited in a garden suite.





Q.	My site is unique and will need variances in order to build my garden suite. What should I do?
A.	It is recommended that you engage a design professional to explore the possibilities for your site and prepare a concept plan, as well as preliminary building elevations (if necessary). Once you have your plans, contact the Planning Department to discuss your project and map out next steps.
Q.	Can I renovate an existing accessory building to be a garden suite?
A.	Yes, but the process may be different than the process to build a new garden suite. You will need to determine if the existing building meets the garden suite zoning regulations, or if a variance is required. We recommend that you discuss your project with Building Inspections and complete the necessary assessment of building and plumbing code requirements.
Q.	Am I allowed to rent my garden suite as a short-term rental?
A.	Short-term rentals are not permitted in Saanich and they are not permitted in garden suites.
Q.	How can I find out about the requirements for garden suites?
A.	Go to <a href="http://www.saanich.ca/gardensuites">www.saanich.ca/gardensuites</a> to learn more about garden suites.





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