

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.



CONTENTS

- 1. Introduction.....1
 - 1.1 What is a garden suite?..... 1
 - 1.2 Why are garden suites important in Saanich? 1
 - 1.3 Where are garden suites permitted?2
- 2. Prior to Application3
 - 2.1 Is my lot eligible for a garden suite?.....3
 - 2.2 Converting an existing accessory building into a garden suite.....3
 - 2.3 Questions Prior to Application6
- 3. Preparing & Submitting an Application.....8
 - 3.1 Application process.....8
 - 3.2 Forms and documents.....11
 - 3.3 Fees11
- 4. Resources12
 - 4.1 Links.....12
 - 4.2 Contacts.....12
- 5. Garden Suite Regulations13
 - 5.1 RS or RD Zoned Lots.....13
- 6. Other Regulations14
 - 6.1 Building and site.....14
 - 6.2 Projections.....14
 - 6.3 Determination of grade for garden suites.....14
 - 6.4 General Regulations.....14
 - 6.5 Site plans showing the location of the separation space for a garden suite.....15
- 7. Frequently asked questions.....17
 - 7.1 Frequently asked questions.....17

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.

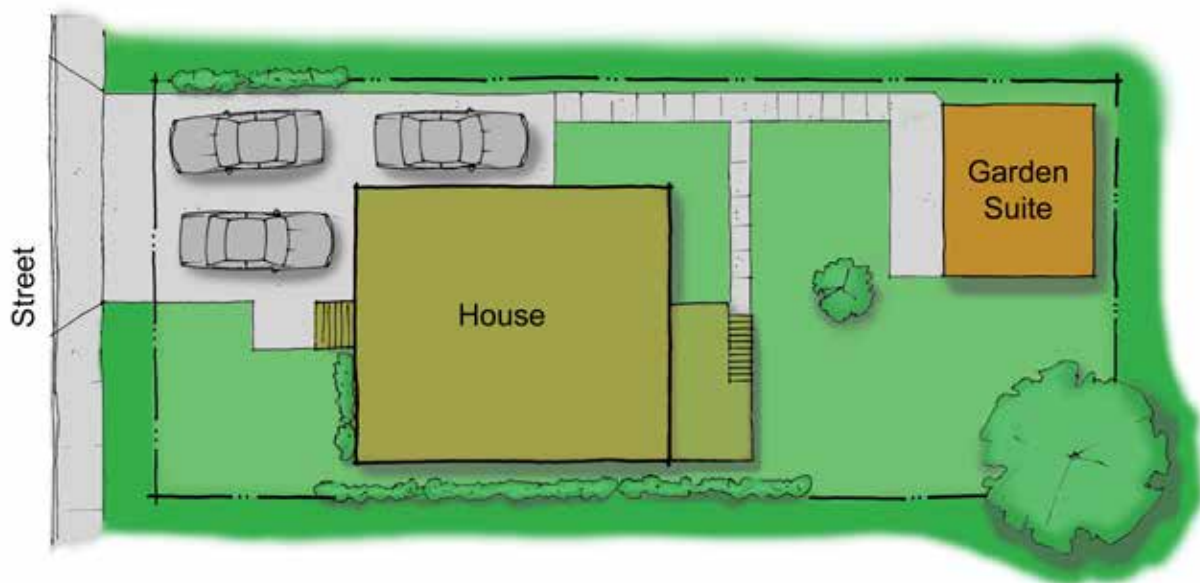


Figure 1: Typical residential lot with a garden suite

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.

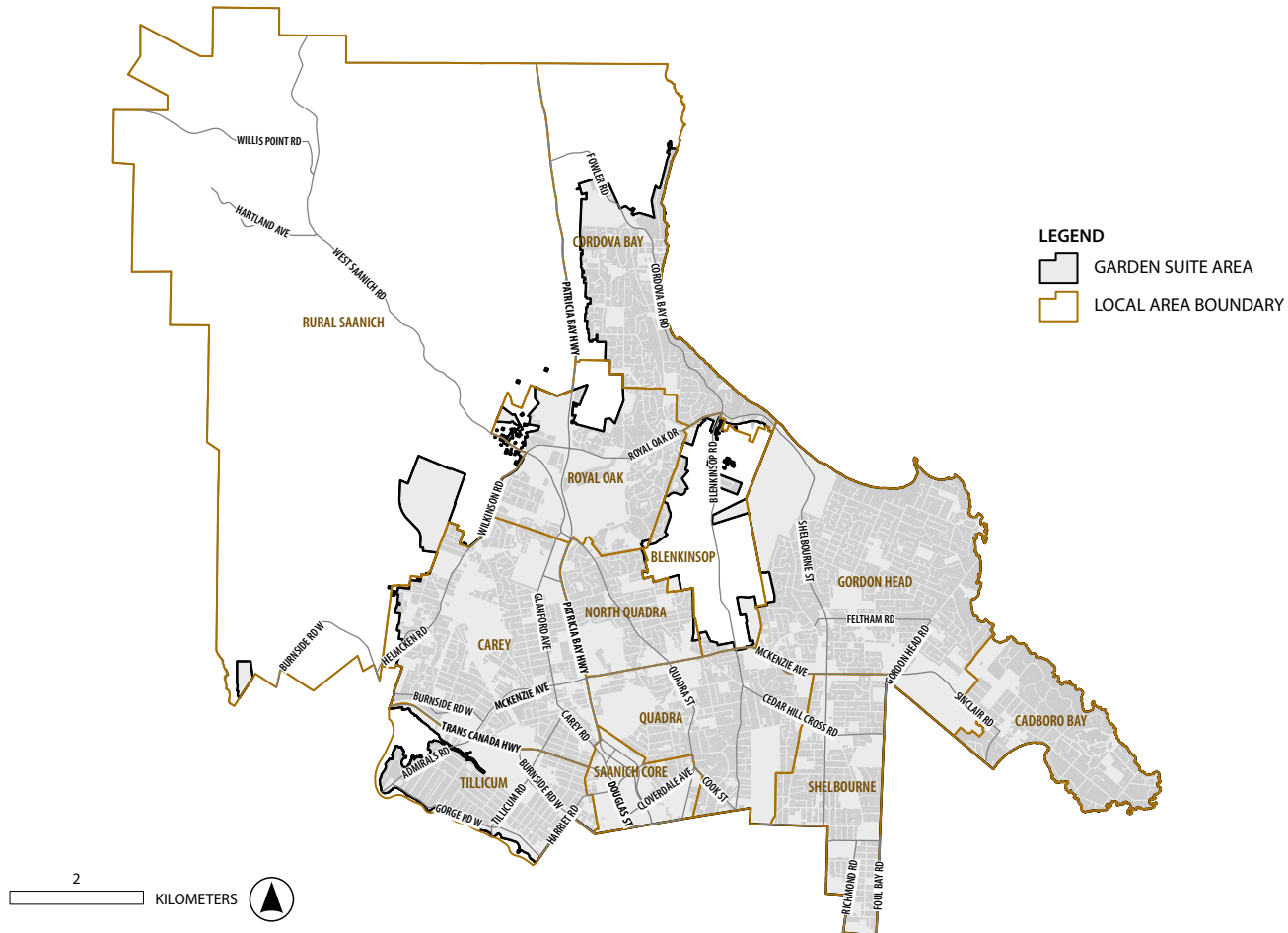


Figure 2: Area where garden suites are permitted
(For information only, please contact Planning Department for confirmation)



1. Introduction



2. Prior to Application

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 m²
- 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 questions in Section 2.3 prior to application.

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

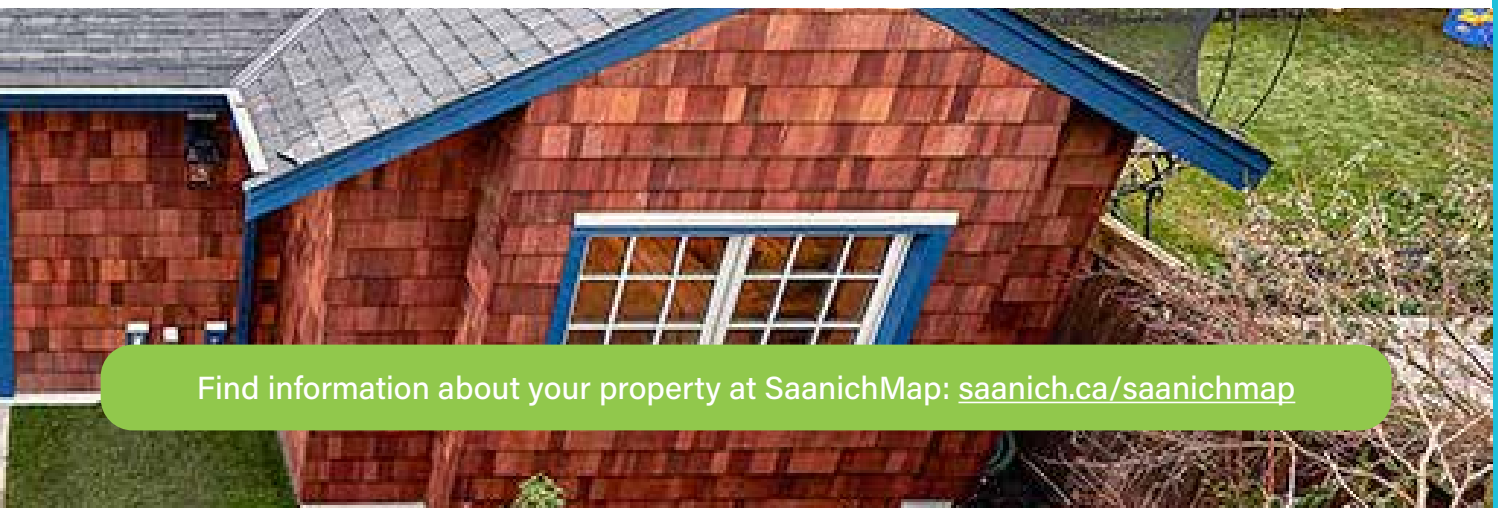
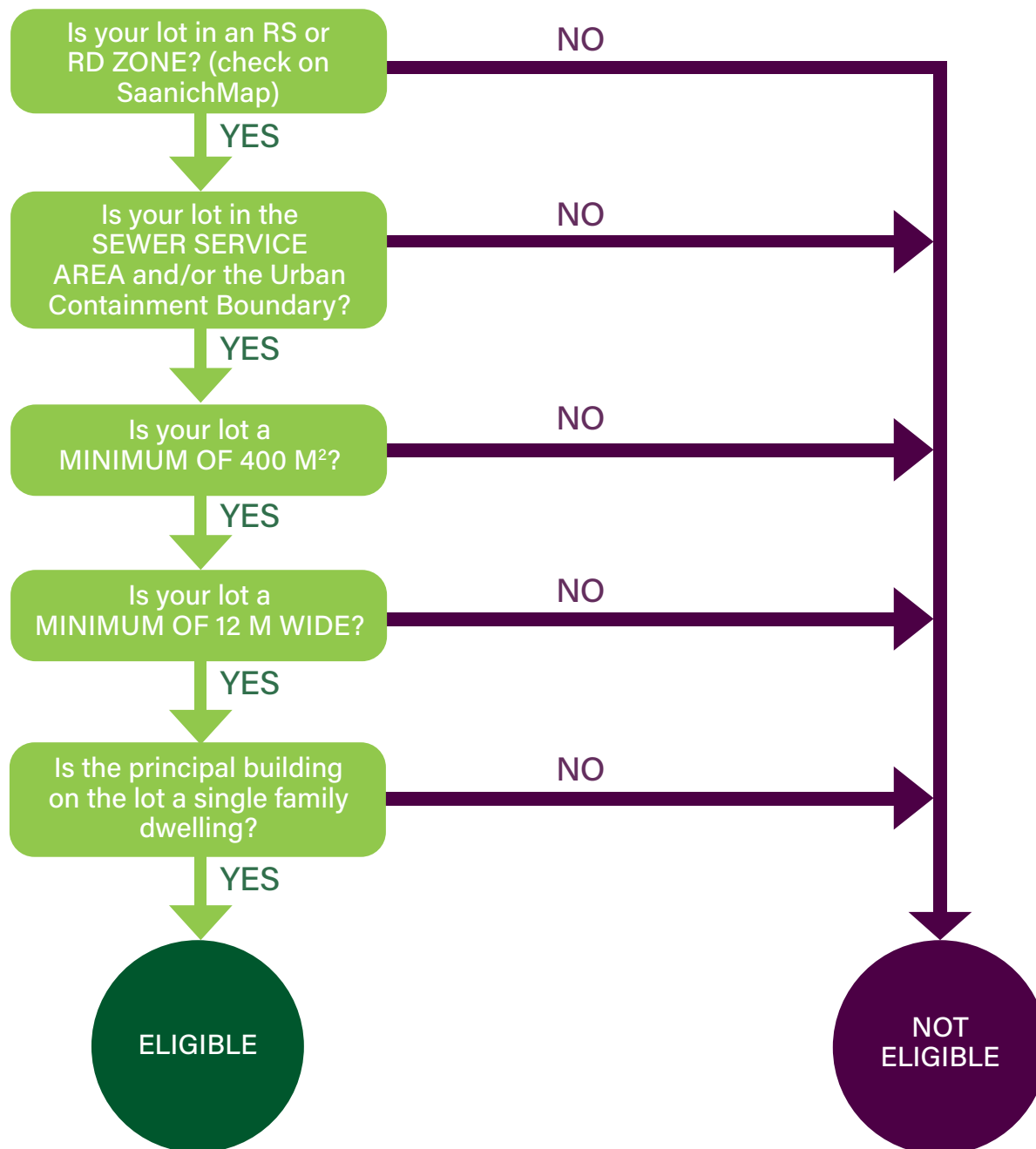
[SaanichMap](#) is an online mapping tool that lets you access public data.

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

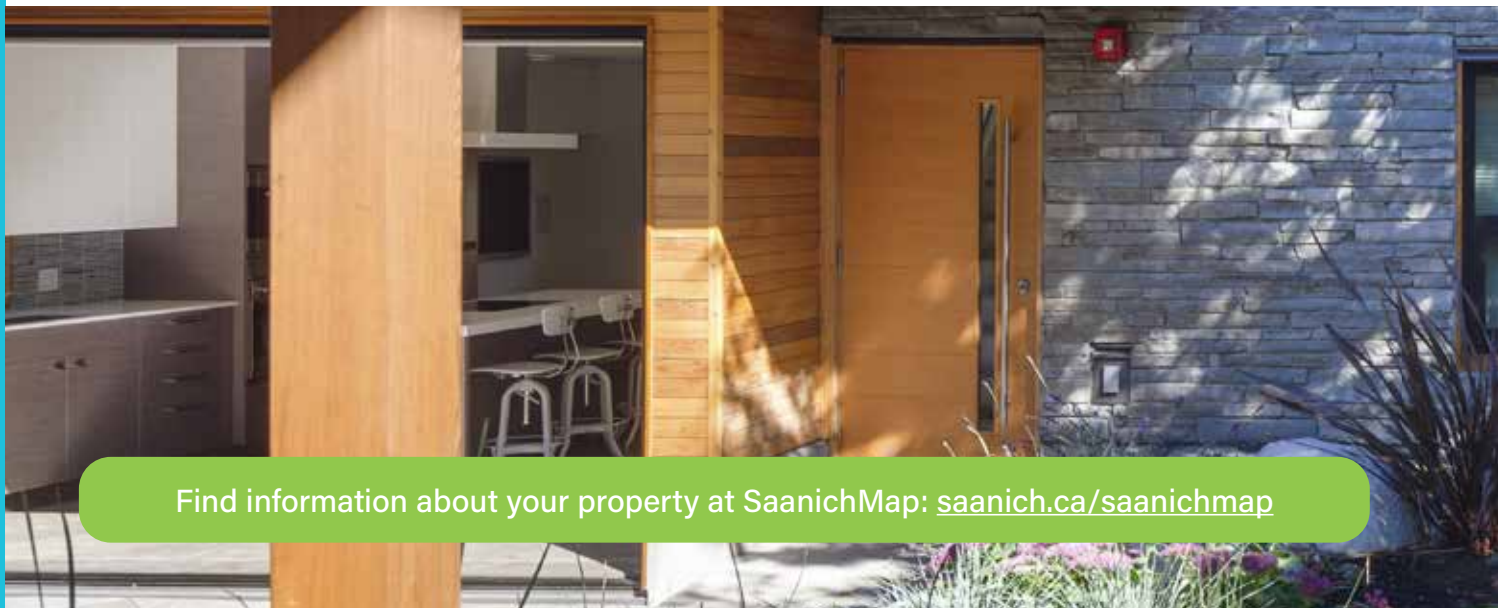
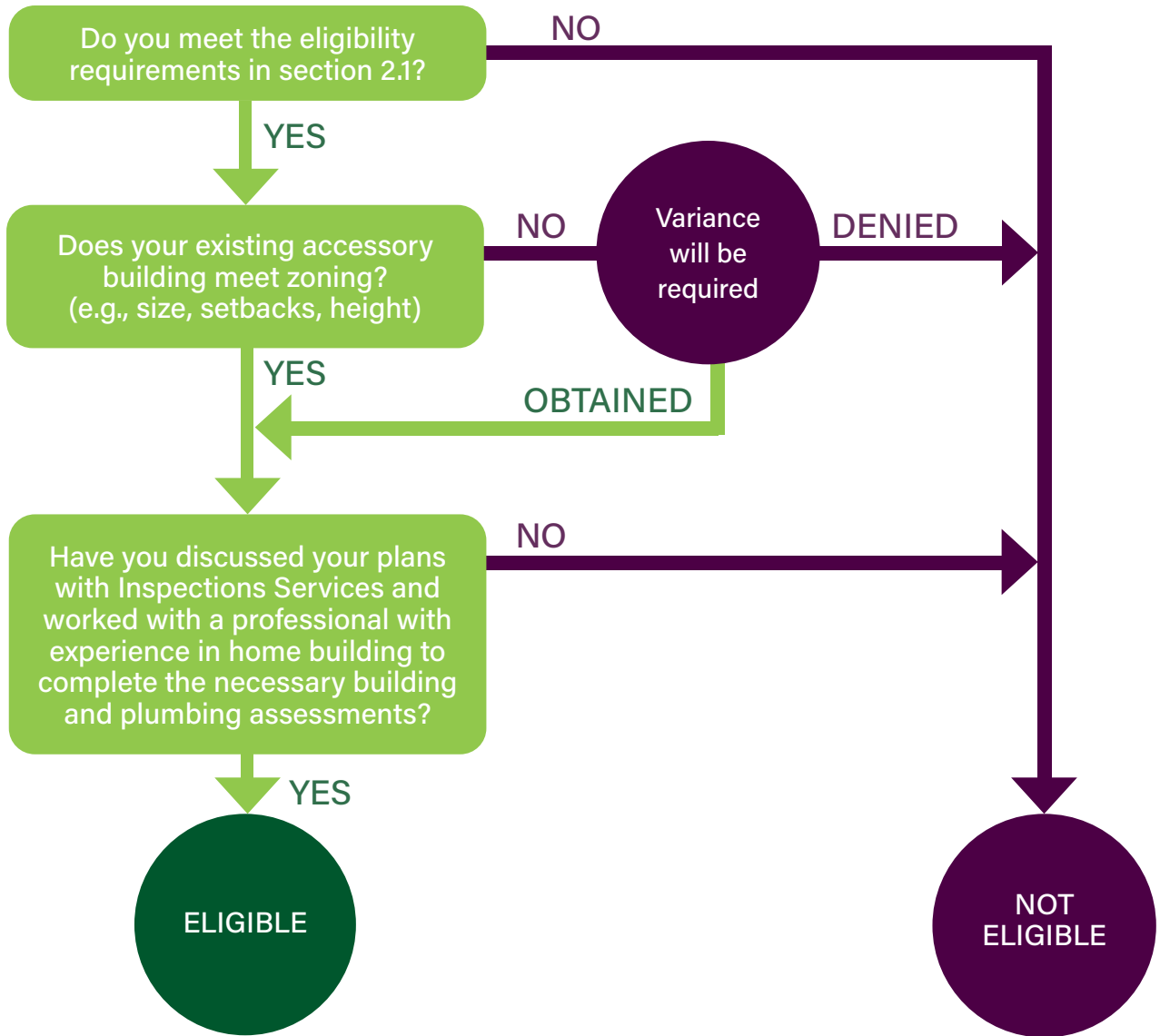


Find information about your property at SaanichMap: saanich.ca/saanichmap



2. Prior to Application

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




Find information about your property at SaanichMap: saanich.ca/saanichmap




2.3 Questions Prior to Application

Before submitting an application for a garden suite, we recommend that you spend some time investigating the following 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](#))

<input type="checkbox"/>	1. Does your lot meet the basic eligibility requirements for a garden suite? <ul style="list-style-type: none">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 m²?Is your lot a minimum of 12 m wide?Is the principal building on your lot a single family dwelling?
<input type="checkbox"/>	2. Will you need to vary any of the zoning regulations for your garden suite?
<input type="checkbox"/>	3. Where will you put a 1.0 m wide pedestrian pathway to access the garden suite?
<input type="checkbox"/>	4. Where will you locate one additional parking space for the garden suite?
<input type="checkbox"/>	5. Do you have an existing accessory building on your property? <ul style="list-style-type: none">Where is it located?What is the area in square metres?How will your accessory building contribute to your total lot coverage?
<input type="checkbox"/>	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**

<input type="checkbox"/>	1. Is there a Development Permit associated with the property that needs amending or discharging?
<input type="checkbox"/>	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



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 [Application Form](#) 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
Building Permit	https://www.saanich.ca/EN/main/local-government/inspections-services/residential-permits.html
Tree Permit	https://www.saanich.ca/EN/main/community/natural-environment/trees/trees-development.html
Owners Authorization Form	https://www.saanich.ca/assets/Local~Government/Documents/App~Forms/appl6_ownerauth.pdf
Application to Change Property Address	https://www.saanich.ca/assets/Local~Government/Documents/Engineering/2020.12.01%20Change%20of%20Address.pdf

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

4.2 Contacts

Organization/Department	Address	Phone Number	Website/Email
SAANICH			
Inspection Services	770 Vernon Ave. Victoria BC V8X 2W7	T 1 250-475-5457	inspections@saanich.ca
Planning		T 1 250-475-5471	planning@saanich.ca
Engineering		T 1 250-475-5570	engineering@saanich.ca
Sustainability		T 1 250-475-5471	sustainability@saanich.ca
Parks	1040 McKenzie Ave Victoria, BC V8P 2L4	T 1 250-475-5522	parks@saanich.ca
OTHER			
BC Energy Step Code			https://energystepcode.ca/building.safety@gov.bc.ca
BC Hydro	P O Box 8910 Vancouver, BC V6B 4X3	T 1 800-224-9376	https://www.bchydro.com
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	https://ltsa.ca/
Fortis BC - Gas	16705 Fraser Highway Surrey, BC V4N 0E8	T 1 888-224-2710	https://www.fortisbc.com/



4. Resources



5. Garden Suite Regulations

5.1 RS or RD Zoned Lots

Lot Size - highlights of regulations

Lot size range: 400 m² + (4,306 ft² +)

Maximum floor area: 93 m² (1,000 ft²)

Second Storey: Permitted (see specific setback requirements)

Sloped Roof (≥3:12 pitch)

Single Storey 4.2m or less

Two Storey 6.5m or less



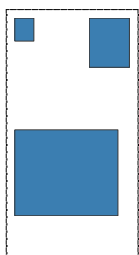
Flat Roof (<3:12 pitch)

Single Storey 4.2m or less

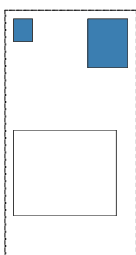
Two Storey 5.5m or less



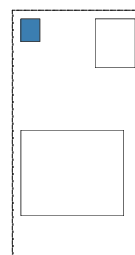
Maximum Height



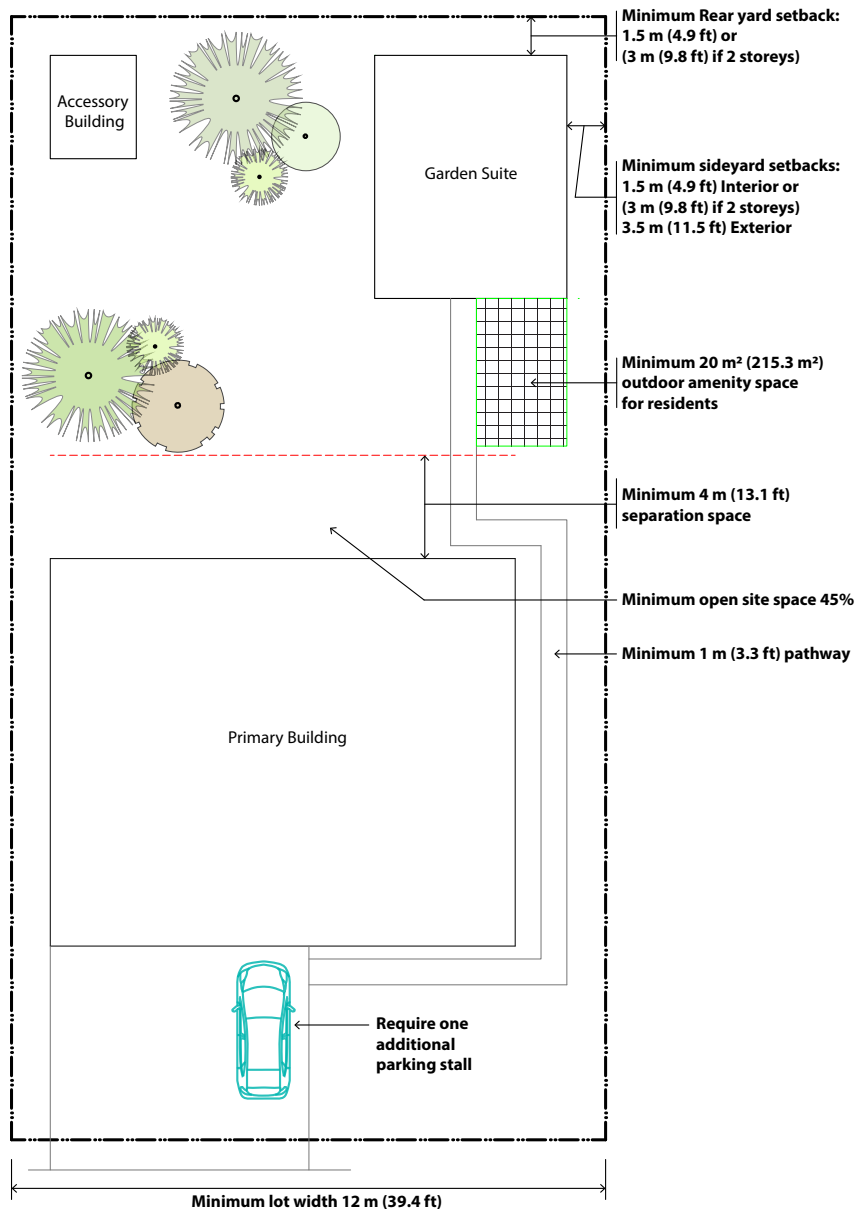
Maximum site coverage % is Zone Specific (all buildings)



400 m² (4,306 ft²) - 1329 m² (14,305 ft²) - max 10%
1330 m² (14,316 ft²) - 1999 m² (21,517 ft²) - max 7%
>2000 m² (21,527 ft²) 5% site coverage
(all accessory structures - including Garden Suite)



70 m² max. site coverage
(any individual accessory building - excluding Garden Suite)





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.
- 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 existing natural grade is used in the determination under Section 5.18(b):

(i) The natural grade shall not include fill that has been placed on top of the original natural grade directly below the location of the smallest polygon prescribed in 5.18(b). In such a case, to determine the original natural grade, the Manager of Inspection Services may require the applicant for a 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 nature grade.

(ii) 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.

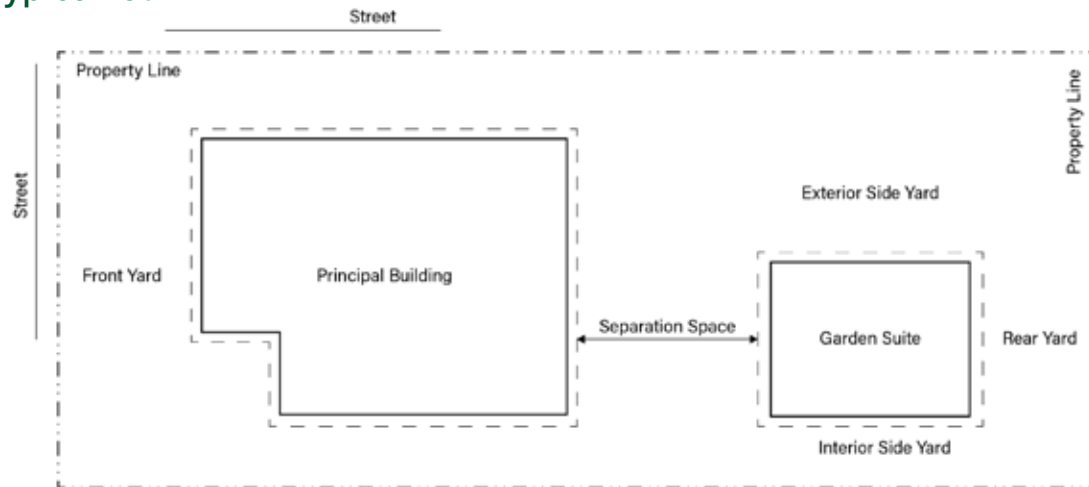
6.4 General Regulations

- 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.

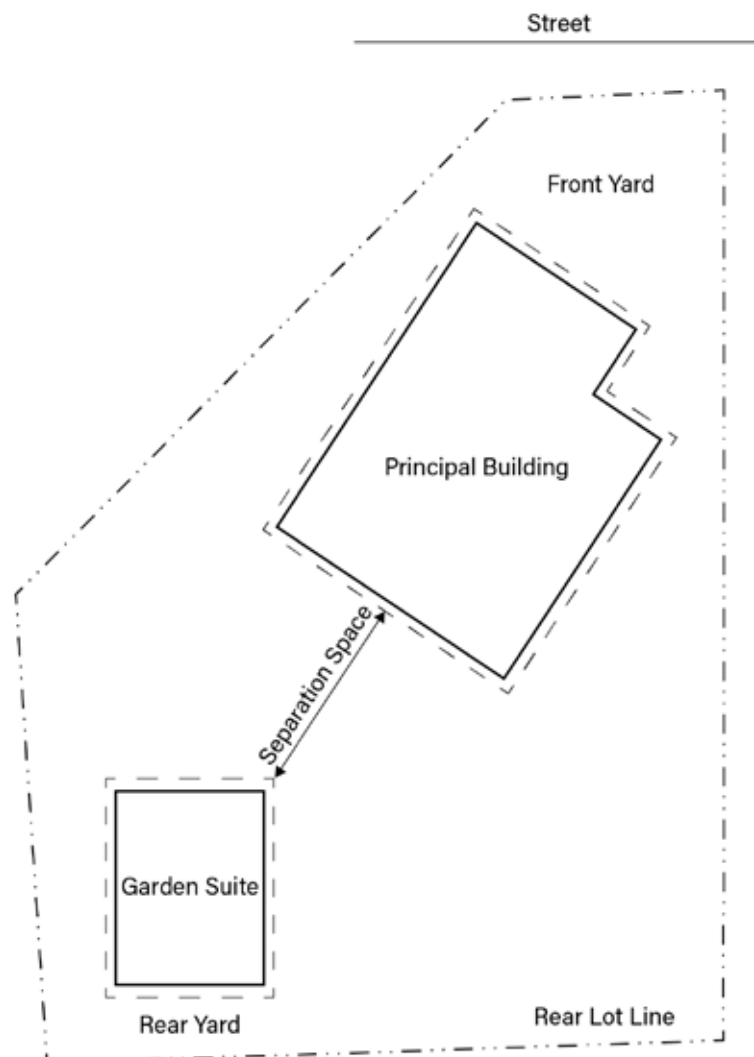


6.5 Site plans showing the location of the separation space for a garden suite

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 (R) – means the sum of the total floor area of all storeys, including basement, of a single family dwelling, houseplex or 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. Those portions of the floor area of an attached carport or garage exceeding 50 m² (538 ft²), shall be included in the Gross Floor Area (R) calculations. The following are excluded from the Gross Floor Area (R) calculations: the unenclosed areas of canopies, balconies, patios, sun decks and outside stairs; interior stairs and elevators; separate carports and garages; attic spaces with a ceiling height from the floor of less than 1.67 m (5.5 ft); and crawlspaces with a ceiling height from the floor of less than 1.67 m (5.5 ft).

Height – means the vertical distance of a building measured from grade to the highest point of a building or structure having a flat roof or a roof with a pitch less than 3:12, including a mansard roof, and to the highest midpoint between the eaves and ridge of any gable, hip, gambrel or other sloping roof on the building. In the case of a structure without a roof, height will be measured from grade to the highest point of the structure. Where a building or structure incorporates a roof exceeding a pitch of 12:12, height shall be measured to the highest point of the structure. Where buildings incorporate barrel vaulted roof structures, height shall also be measured to the highest point of the structure. The measurement of height shall exclude the projection of chimneys, vents, stacks, heating, ventilation, air conditioning equipment, stairwells, and elevator lifting devices which protrude above the surrounding roof line.

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. 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.

7.1 Frequently asked questions

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





© District of Saanich 2024

saanich.ca