



GARDEN SUITES: A GUIDE FOR APPLICANTS

What is a Garden Suite?

Garden Suites are portable homes with kitchen and bathroom facilities that are accessory to an existing house. They are permitted in accordance with the provisions of Section 39 of the Planning Act.

Please see Section 2.83 of the Morris-Turnberry Zoning By-Law for the full definition.

Examples of Garden Suites:

Mobile Home – Residential structure built in a factory and moved on to the property.

Modular home – delivered on a flatbed truck as prefabricated pieces of a home. Modular homes contain a roof, exterior walls with all insulation, plumbing and electrical work installed as well as finished interior walls, floor coverings, cabinetry, moldings and electrical and plumbing fixtures.

Mobile homes/Modular Homes must meet requirements under the certification provisions of Canadian Standards Associations documents.

Garden Suites must be portable.

How do I get permission for a Garden Suite?

In order to put a garden suite on your property, contact the County Planner to arrange a pre-consultation meeting to discuss your proposal and submit an application. The application will be circulated for comments (neighbours/agencies) and considered at a public meeting. After the public meeting, Council will consider adopting a Temporary Use by-law and a Garden Suite Agreement.

What is a Temporary Use By-law?

Under Section 39 of the Planning Act, Council may pass a by-law to authorize the *temporary* use of land, buildings or structures for any purpose that is otherwise prohibited in the zoning by-law.

The temporary use bylaw defines the area to which it applies and prescribes a *period of time* for which the temporary use shall be in effect.

Types of Temporary Use By-laws:

1. Zone Land or Buildings – for a specific use for a **maximum period of three (3) years**.
2. Garden Suite – for a period of a **maximum of 20 years**.

Expiration of a Temporary Use Bylaw

Once the by-law expires, the temporary use must cease.

If the owner of the property wishes to extend the time period for the temporary use by-law, they must apply to renew it prior its expiration. It is the responsibility of the owner to keep track of this and make sure an application for renewal is submitted before the expiry date. Keep in mind this is a public process and it could take up to 2 months for a renewal to be approved.

What is a Garden Suite agreement?

Council may require, as a condition of the temporary use by-law, that the owner of the property and occupant of the Garden Suite enter into agreement outlining the following:

- The location, installation, maintenance and removal of the garden suite;
- The period of occupancy of the garden suite;
- The name of the person occupying the Garden Suite;
- The monetary security that Council requires for actual or potential costs to the municipality related to the garden suite, currently \$1,500.00;
- That the agreement will be registered on title for the property by the Municipality, at the expense of the owner.

If the person occupying the garden suite moves, the garden suite cannot be occupied until a new agreement is signed by the owner, the new occupant and the Municipality.

What does Council require?

Pre-consultation with the Huron County Planner for Morris-Turnberry will provide you with information on the required documentation, drawings and fees required for an application to be complete. In addition to this, Council may consider some of the issues outlined below. Any documentation you can provide at the time of submission that will answer these questions will strengthen your application.

- Is the use of a temporary nature only?
- Broadly speaking, why is the use needed at this time?
- Is there a plan in place to ensure that the use will not be required following expiry of the by-law and agreement? If so, include an explanation.
- Will the use have a negative effect on the surrounding area, with regard to such matters as type of use, parking, traffic, access and exit?

If you are able to provide full explanations and answers to any of the above questions it will be a benefit for Council when considering your application.