

The information in this guide is provided for general reference only and is subject to change. For complete regulations, refer to Zoning Bylaw 2012-20 as amended from time to time.

What is a Garden Suite?

A garden suite is a secondary dwelling unit located on a lot where the principal use is either single detached housing or a fee simple duplex. Garden suites are for residential use and may not be used for short-term rental (i.e. rental for a term of less than 30 days).

What kind of lot do I need?

Garden suites are permitted in most residential zones, as well as CM1, CM2 and AG zones.

Garden suites are only permitted where the principal use is single detached housing, or duplex housing where each unit is on a separate fee simple lot. Garden suites are not permitted where a living suite has already been developed, except in the RD zone, or unless the lot size meets the minimum as set out in the zone-specific regulations. The minimum lot size for a garden suite is 555 m², unless there is rear lane access and the principal use is single detached housing. These regulations do not apply to the RD zone.

How big can my garden suite be?

Garden suites can have a maximum gross floor area of 100 m² (1076 ft²), except in the RC1 zone where the maximum is 150 m² (1615 ft²). In urban residential areas, garden suites located on the second storey of an accessory structure are limited to 60m² gross floor area. Garden suite height can be up to 7 m (22'9") in urban residential areas, and 8 m (26'2") in country residential areas. Height is measured from the average grade to the peak of the roof.

What other regulations are there?

Only one garden suite per lot is permitted, except in the RD zone. Garden suites must be located in the rear yard, except in the RC1 and RC2 zones where they may also be located in the front and side yards.

Garden suites are subject to the minimum setback regulations for a principal structure in the zone where they are located.

Setback Summary*	RC1/RC2/ AG	RCS	RCS2	RCS3	RD	RS/RS2	CM1/CM2
Front Yard Setback	6 m	-	-	-	-	-	0
Min. Side Yard Setback	6 m	1.5 m	1.5 m	3 m/ 1.5 m	1.5 m	3 m/ 1.5 m	0
Min. Rear Yard Setback	6 m	11 m	3 m	3 m	3 m	3 m	0
Min. Distance from House	3 m	3 m	3 m	3 m	3 m	3 m	3 m

* Corner lot setbacks may vary.

In some cases, rear yard setback may be reduced to 0.6 m where a lot has lane access or the rear lot line is adjacent to public land such as greenbelt, parks, or schools. For garden suites under 4.5m in height, one side yard setback may be relaxed to 0.6 m at the discretion of a Development Officer, provided measures are taken to minimize overlook into the adjacent property.

Garden suites must be developed in a manner that is visually compatible with the principal building. Mobile homes may only be used as garden suites in country residential areas.

Can I convert an accessory structure (e.g. shop, garage) to a garden suite?

An accessory structure may be converted to a garden suite, provided the siting and dimensions of the structure comply with all zoning regulations.

How can I service my garden suite?

In urban areas, garden suites must be connected to City water and sewer through the principal structure. In country residential areas, garden suites may be connected to the existing septic field and well, provided permission is granted from Yukon Environmental Health Services Branch. Otherwise, a new system may be required.

What will my suite's address be?

The City recommends using the street address plus the suffix 'B' for the suite address (e.g. 100B Main Street). If you wish to have mail delivered separately to the suite, you must submit a request to Canada Post. Canada Post will require confirmation from the City that the suite is permitted – contact land@whitehorse.ca once occupancy approval has been granted and they will provide confirmation to Canada Post.

What permits do I need?

A Development Permit is required, to ensure compliance with the Zoning Bylaw. Please consult with a Development Officer for application requirements.

A Building Permit is required. Please consult with a Building Inspector for application requirements. Garden suites must be constructed to the standards for any other residential construction as specified in the Building & Plumbing Bylaw, National Building Code, and National Fire Code.

Additionally, if you live in a country residential area, you may also require a permit of approval from Yukon Environmental Health Services for connection to your septic field.

What additional costs can I expect?

- \$75 Development Permit fee;
- Building Permit fee based on estimated value of construction;
- Development Cost Charge of \$2185 (urban areas) or \$1040 (country residential) for the creation of a new dwelling unit;
- Increased property taxes resulting from a higher improvements value on your property assessment;
- Higher utility bill – having an additional suite means that your sewer/water is charged at a different rate;
- A new mailbox at Canada Post “superboxes” located in some neighbourhoods; and
- If you wish to have separate electrical billing for your suite, ATCO may alter the overall rate you pay for power.

Are there any incentives for creating a garden suite?

Yes! The City offers a development incentive for creation of new garden suites within the Urban Containment Boundary (see Map 5 of the Official Community Plan). The incentive is the waiver of the Development Cost Charge. If you qualify for the City's incentive, you may also qualify for the Yukon Housing Municipal Matching Grant of up to \$10,000.

Still have questions?

Contact a Development Officer at development@whitehorse.ca or call 668-8340.

Application forms and development guides are available at www.whitehorse.ca/developmentforms.