



Ministry of Municipal Affairs and Ministry of Housing

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You are here > [Home](#) > [Your Ministry](#) > [Land Use Planning](#) > [Related Legislation](#) > [Strong Communities through Affordable Housing Act, 2011](#) > Garden Suites

Garden Suites

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Change to Section 39.1 of the *Planning Act*

The *Strong Communities through Affordable Housing Act, 2011* amended the *Planning Act* to increase the number of years garden suites may be authorized under a temporary use bylaw from 10 to 20 years. Previously, municipalities were able to pass temporary use by-laws authorizing garden suites for up to 10 years.

Provisions in the Act continue to allow for municipalities to extend the timeline for garden suites by three-year increments.

What are garden suites?

Garden suites are defined in section 39.1 of the *Planning Act* as one-unit detached residential structures containing bathroom and kitchen facilities that are ancillary to existing residential structures and that are designed to be portable. Garden suites are also commonly known as granny flats. They provide an affordable housing option that supports changing demographics, allows for aging in place, and provides opportunities for some of the most reasonably priced accommodation.

How does this change support affordable housing?

Increased timelines for garden suites support the creation of more of these units by providing longer payback periods for return on investment. This provides more opportunities for some of the most reasonably priced accommodation. The change also supports aging in place by providing independent units for caregivers or extended families.

What if I need the garden suite for more than 20 years?

Provisions in the Act allow municipalities to extend the timeline for garden suites by three-year increments. This ability continues to be available to municipalities.

Do I need a building permit?

Prior to installing a garden suite, the Chief Building Official of the municipality should be contacted to determine whether a building permit is required. A building permit is required if you plan to construct a building over ten square meters in area; place another structure, such as a mobile home, on your property; or make renovations, additions, or repairs to an existing building (depending on the extent/nature of such changes).

Permits are also required for the installation, alteration, extension or repair of an on-site sewage system, which may be required for the servicing of some garden suites.

Effective Date of Changes to Section 39.1

The changes to the *Planning Act* relating to garden suites came into effect on May 4, 2011.

For More Information

For more information and assistance, please contact one of the [Municipal Services Offices](#).

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