

District of North Saanich



**A GUIDE TO
SECONDARY SUITES**



SECONDARY SUITE GUIDE

This guide provides homeowners with a general overview of the requirements to install a new secondary suite and the steps required to legalize an existing secondary suite in the District of North Saanich. The information in this guide does not supersede the District's Zoning Bylaw No. 1255, the Building and Plumbing Bylaw No. 1150, the B.C. Building Code or any other applicable legislation.

If you have an existing secondary suite or are planning to construct a new secondary suite, the first step is to ensure your property complies with all necessary requirements including zoning, lot size. The District's Planning and Community Services Department can assist with these inquiries. You must also own and occupy the house in which the suite will be located.

Once you have confirmed that your property complies with the District's requirements, you are ready to apply for a Building Permit. Further information on building permits can be obtained by speaking with a Building Inspector or from this website.

Will I be fined for acknowledging that I have a secondary suite?

If you have an existing secondary suite and you would like to upgrade the suite to current requirements, you will not be fined for having an illegal suite within the one year pilot period. One of the main purposes of the pilot project is to encourage homeowners to ensure existing suites meet the minimum Health and Safety Standards established by the B.C. Building Code.

How do I legalize my existing secondary suite or construct a new one?

If a property owner wishes to legalize an existing secondary suite or construct a new suite, the construction of the suite must conform to the Building and Plumbing Bylaw No. 1150 and the provisions of Section 9.36 of the B.C. Building Code.

What is the permitting process to legalize a suite?

After confirming that you meet the requirements for ownership, lot size, zoning and location, you can apply to the District of North Saanich for a Building Permit. As part of the Building Permit Application process, the following is required:

- A. Property Title Search. The property owner must provide a current title search and copies of any charges registered against the title. You must review this title search to ensure there are no restrictions registered on the title of your property prohibiting a secondary suite. The District will also conduct its own review of the documentation.
- B. You must obtain a Building Permit Application Form and complete it to the satisfaction of the District.
- C. You must provide two copies of the plans for your secondary suite including a site plan of the principal dwelling showing the location of all buildings on the site, required set backs, an additional parking space for the suite, the building elevations and the floor plans.
- D. You must obtain an Owner Occupancy Declaration Form from the District of North Saanich, complete the declaration to the satisfaction of the District and submit it as part of the Building Permit Application.



What is an owner occupancy declaration?

It is a legal document which confirms that the registered owner of the parcel on which the secondary suite is situated resides in either the primary unit within the single family dwelling or the secondary suite. The owner must reside in the single family dwelling to ensure that the property is well maintained and the tenants are respectful of the neighbourhood. The Owner Occupancy Declaration Form is available at the Planning and Community Services counter at the Municipal Hall.

Does the secondary suite need its own address?

Yes. It is important for safety and mailing purposes that the secondary suite be properly addressed in a visible location on the front façade of the single family dwelling. The owner is required to provide proper addressing prior to receiving an Occupancy Permit for the secondary suite. The suite shall be numbered with the civic address followed by the letter B. For example, if 8356 Pear Street had a secondary suite, the address for the suite would be 8356B Pear Street.

What if I live in Dean Park Estates?

Dean Park Estates is not included in the pilot project as private covenants restrict the use to single family residences. However, some properties in the Dean Park area do not have these covenants on title and are eligible for the secondary suite program.

Will the value of my property increase if I have a suite?

Having a suite may positively affect the assessment of your property. Please contact B.C. Assessment Authority for further information regarding this.

What happens during the pilot project?

Existing secondary suites or new secondary suites that meet all the bylaws and Building Code requirements will be approved as legal suites.

What happens after the pilot project?

After the pilot project is complete, Council will conduct a thorough evaluation of the secondary suite program. If the program proves to be successful and the community is supportive, Council may extend secondary suites to other areas of North Saanich.

If the pilot project proves to be unsuccessful, and is discontinued, then any secondary suites approved during the pilot project can continue to be occupied. These suites would be considered legally non-conforming. It is only if their use is discontinued for a period of greater than six months or if more than 75% of the value of the house is destroyed, that the legal non-conforming status would be lost.

Who do I contact for further information?

You can find further information on this website, e-mail admin@northsaanich.ca or contact the Department of Planning and Community Services at 250-655-5470.



Do I need a permit?

Yes, all secondary suites will require permits to be legalized. There are two types of site authorization processes – Type 1 and Type 2.

Type 1 – new installation

Type 1 is for those who are considering installing a suite where no suite currently exists.

Type 2 – suite authorization

Type 2 is for those who already have a suite in their house and want to make it authorized (legal).

Both Type 1 and Type 2 involve a two stage permitting process.

First, a secondary suite permit application is made; wherein the property is checked to ensure that it meets the zoning requirements for a secondary suite to be permitted.

Zoning requirements including the following:

1. Is the property in the pilot project area?
2. Does the property meet the minimum lot size requirement?
3. Is the property owner occupied?
4. Does the proposed suite meet the floor area requirements?
5. Does the property contain the required parking, or can it be provided?
6. Is the parking screened as required?

Once a zoning check has been completed, the owner will have to apply for a Building Permit, wherein the building inspections are performed to ensure compliance with the B.C. Building Code. Once code compliance has been confirmed through a building permit, then the applicant must complete whatever zoning requirements have been identified, such as parking and screening.

If, in processing the application for a permit for a Secondary Suite, the Building Inspector determines that improvements to the suite are necessary, you will then have to apply for a Building Permit as well.

A plumbing permit will be required if there is any alteration to, or additional plumbing fixtures.

When is a suite considered legal?

A Secondary Suite is considered legal when the owner has obtained a Secondary Suite Permit from the District of North Saanich.

A permit will only be issued if the Secondary Suite has been inspected by the municipal Building Inspector and has been found to meet the requirements of Section 9.36 of the B.C. Building Code, the Zoning Bylaw, Building and Plumbing Bylaw and all other municipal bylaws and regulations.



What if I already have a suite?

Existing suites will need to be inspected to ensure that they comply with the B.C. Building Code requirements for Secondary Suites.

Owners of properties containing existing suites that do not meet code requirements have one year to make the necessary changes (i.e. upgrades).

What if I don't legalize or decommission my suite?

Council policy is to allow a one year period from the start of the trial period for property owners to bring their suites into compliance with the new regulations and the B.C. Building Code and to register their suites by applying for a permit.

If a property owner chooses not to legalize or to decommission their suite, enforcement action may be undertaken, particularly if a suite is known to have health and safety issues.

Written complaint regarding Secondary Suites may include:

1. concerns over life safety issues;
2. suites with known safety hazards;
3. renovations of suites without a proper permit;
4. more than one suite in a single family residence;
5. a suite in a house being used as a home business;
6. suites in accessory building or out buildings;
7. insufficient off street parking.

An important “measure of success” is the number and type of complaints arising during the trial period and will be reviewed at six and twelve month intervals.

Other Requirements

1. All secondary suites will be required to go through the standard Building Permit Process and must comply with the current edition of the B.C. Building Code. Before a secondary suite can be considered legal, it must be inspected by a District Building Inspector as well as a representative from the Fire Department.
2. The registered owner of the property must live in either the primary unit (the main area of the house) or the secondary suite. The property owner will be required to complete a statutory declaration confirming owner occupancy.
3. The property owner must obtain a separate address for the secondary suite. The address for both the single family and secondary suite must be clearly displayed on the front of the single family dwelling.



Further Information

This guide provides general information about the District's Secondary Suite Program, but does not replace legal documents such as the Zoning Bylaw, Building Bylaw or the B.C. Building Code.

For further information, please contact the Planning and Community Services Department at the District of North Saanich at 250-655-5470, send an email to admin@northsaanich.ca or review applicable pages on this website.

Secondary Suites – Flexible Design Standards and Guidelines

A secondary suite shall:

1. Provide a healthy, safe and livable environment for residents.
2. Provide for vehicular as well as pedestrian needs in a safe manner.
3. Be constructed to high material and aesthetic standards.
4. Comply with Zoning Bylaw No. 1255 requirements.

Landscaping:

1. A private outdoor space must be provided for the tenants use.
2. Landscaping shall be provided in the form of planted areas, raised beds, shrubs, or trees (prefer native plantings, drought resistant).
3. Decorative landscaping shall be incorporated into the entry area.
4. Privacy between properties shall be provided by the use of architectural treatments, hedges, fences, or planting beds along interior side yard lines to create appropriate screening. Please refer to Zoning Bylaw No. 1255 for maximum fence heights (hedge rows).
5. Fencing will consist of decorative wood fencing, stonewalls, or brick walls.
6. Chain-link fencing is not recommended or encouraged.

Parking:

1. Parking shall partially screen (e.g. with vegetation, fencing, lattice, or will be located on the site in such a way to ensure privacy).
2. At least 50% of the driveway between the property line and the garage or carport will not be wider than 18 feet.
3. Consider permeable surfaces for parking to reduce the storm water impact. Options could include gravel, block pavers, grass pavers, permeable paving or other methods which recharge groundwater and decrease runoff.

Lighting:

1. Provide exterior lighting for security and evening use. Lighting shall be provided in a non-obtrusive manner to adjacent properties.
2. Environmental lighting techniques (*list some lighting options*).



General Guidelines:

1. Each suite shall present a form and character that is complimentary to the primary dwelling. The entire structure should utilize the same or similar materials for siding, roofing and trim elements.
2. The main suite entry will not be shared with an entry or foyer for the principal unit.
3. None of the functions of the principal unit (e.g. laundry, storage, electrical panel) will be accessible from the suite).
4. A storage space (not including bedroom closets) will be provided for the suite.
5. Each room (excluding bathroom and kitchen) will have at least one window that will receive direct natural daylight.
6. The suite will contain no more than two bedrooms.
7. The suite will contain its own heating controls.

Permit Requirement and Applications

1. Every owner of a single family residential dwelling that contains or is to contain a secondary suite must hold a valid and current Secondary Suite Permit.
2. A Secondary Suite Permit may be applied for by the registered owner:
 - a. Making an application in the prescribed form to the Licensing Inspector,
 - b. Providing a statutory declaration that the owner is the occupant of the main dwelling unit of the single family residential dwelling, and
 - c. Paying the permit fee set out in Schedule A.

Issuance of Permits

1. On satisfaction that the application complies with this bylaw and the Zoning Bylaw, and has been issued a building permit for a suite, the Licensing Inspector shall issue the Secondary Suite Permit.
2. The Licensing Inspector may conduct inspections, and may require the applicant to provide additional information, as necessary to determine compliance with this bylaw and the Zoning Bylaw.
3. For certainty:
 - a. Issuance of a Secondary Suite Permit under this bylaw does not relieve compliance with all other District Bylaws and the B.C. Building Code;
 - b. The holder of a valid and current Secondary Suite Permit is not also required to obtain a Business License with respect to the rental of that secondary suite.

Terms and Applicability

1. The term of each permit shall commence January 1 and end on the following December 31.
2. A fee is not refundable and may no be pro-rated.



3. Every Secondary Suite Permit issued under this bylaw shall be deemed to be a personal license to the applicant and is valid only for the property indicated on the permit.
4. Every Secondary Suite Permit holder must post a copy of the permit at a conspicuous location in the secondary suite.

Renewal of Permits

1. A Secondary Suite Permit must be renewed annually before March 1, or the Secondary Suite Permit lapses and is no longer valid.
2. Each renewal application must be accompanied by an updated statutory declaration that the owner is the occupant of the main dwelling unit of the single family residential dwelling, and the renewal fee set out in Schedule A.
3. If a Secondary Suite Permit lapses as a result of the permit holder failing to renew by March 1, a new application and permit fee are required.
4. A Secondary Suite Permit is not transferrable. If the holder disposes of its interest in the lands, the new owner must apply for a Secondary Suite Permit within 30 days of transfer.

Suspensions and Revocations

1. No holder of a Secondary Suite Permit or occupant of the property to which the Secondary Suite Permit relates may:
 - a. cause unlawful nuisances or disturbances;
 - b. park their vehicle (if any) anywhere other than designated off-street parking when at the residence;
 - c. otherwise cause disturbances or other objectionable situations as identified in Section 64 of the *Community Charter*.
2. A Secondary Site Permit may be revoked, suspended or not renewed by Council for reasonable cause including but not limited to failure to comply with any of the provisions of this bylaw.
3. Council may impose conditions on the revocation or suspension of a Secondary Suite Permit, and if implemented by the owner or occupant (or both) within the time noted, will result in the Secondary Suite Permit remaining valid.

Penalty

1. Any person who contravenes any provision of this bylaw commits an offence punishable on summary conviction and shall be liable to the maximum fines and penalties prescribed under the *Community Charter and Offence Act*, and the costs of prosecution.
2. Every Secondary Suite Permit fee payable by any person pursuant to the provisions of this bylaw is a debt due by that person to the District, which may be recoverable together with any costs in any Court of competent jurisdiction.

Permit Fee: \$150.00

Renewal Fee: \$75.00



The District of North Saanich Zoning Bylaw No. 1255 has been amended to allow for secondary suites within the Schedule “B” Area subject to requirements of the Zoning Bylaw and other applicable Bylaws and Regulations.

A Secondary Suite is defined as a self-contained dwelling unit, with no more than two bedrooms, located entirely within but clearly accessory and subordinate to a single family dwelling, the secondary suite and single family dwelling being a single real estate entity, and established in accordance with Section 212 of this bylaw.

In any zone in which a secondary suite is permitted, all of the following conditions shall be satisfied to override the prohibition in section 203(1) (c) of this bylaw

The parcel on which the secondary suite is proposed to be located must:

- (a) be located within the yellow highlighted area shown on Schedule “B”;
- (b) have a minimum lot size of 800 m² (8611 ft²);
- (c) not contain more than one single family dwelling;
- (d) not have any other secondary suite, guest/caretaker’s cottage or dwelling unit other than the principal dwelling unit of a single family dwelling;
- (e) not contain any bed and breakfast accommodation or use;
- (f) not have more than one room for boarding and lodging use;
- (g) not have any home occupation.

The total floor area of the secondary suite shall not exceed the lesser of:

- (a) 90 m² (970 ft²); or
- (b) 40% of the habitable area of the single family dwelling in which it is located.

The single family dwelling in which the secondary suite is located must be connected to the District of North Saanich sanitary sewer system.

One additional off-street parking space for the exclusive use of the secondary suite shall be provided on the parcel in accordance with Division 400 and

- (a) must be located behind the front building line of the single family dwelling; and,
- (b) must not be in tandem with any other parking space.

Landscaping and screening shall be provided in accordance with Section 506 of this bylaw.

Secondary Suite shall be subject to the requirements of Section 212.

Requirements for separating secondary suite use – Where a lot is used for a single family dwelling with a secondary suite, and on the sides where such lot abuts lots not used for both single family dwelling and a secondary suite, the owner shall provide screening in the following manner on the sides and rear of property where unenclosed parking spaces are located:

- (1) a 1.5 metre (4.92 ft) high fence; or
- (2) tight evergreen shrubbery (located 1 metre (3.28 ft.) on centre) at a minimum height of 1.5 m (4.92 ft).



"Schedule B – Zoning Bylaw No. 1255 – Secondary Suites Permitted Area – Indicated in Yellow

