



District of Lantzville

Policy No. 3004-4

Date of Implementation: February 10, 2020

Council Resolution: C20-24

SECONDARY SUITES & CARRIAGE HOUSES

PURPOSE

To establish a clear and consistent approach to enforcement, building inspection, servicing and addressing for existing and proposed secondary suites and carriage houses.

BACKGROUND

If adopted, District of Lantzville Zoning Bylaw No. 180, 2020 would permit secondary suites and carriage houses on properties in areas of Lantzville that were not previously permitted to have those uses. The Zoning Bylaw also contains a number of land use regulations pertaining to secondary suites and carriage houses. Despite the fact that the zoning has not allowed for secondary suites, there are numerous secondary suites that already exist within Lantzville that may not meet the requirements of the BC Building Code.

POLICY

New Secondary Suites and Carriage Houses

All secondary suites and carriage houses constructed after February 24, 2020 must comply with all Municipal bylaws and the BC Building Code.

Classification

1. *Unrecognized Unit* – a secondary suite or carriage house that existed prior to February 24, 2020.
2. *Recognized Unit* – a secondary suite or carriage house that after February 24, 2020, has been the subject of a Building Permit and has been inspected to confirm that the unit meets the basic life safety requirements of the BC Building Code.
3. *Fully Compliant Unit* – a secondary suite or carriage house that fully complies with all Municipal bylaws and the BC Building Code.

Zoning Regulations

All unrecognized unit, recognized units, and fully compliant units must meet the secondary suite and carriage house regulations established in the Zoning Bylaw. However, unrecognized units and recognized units are not expected to provide well and septic information, as these issues are usually addressed through the Building Permit and Plumbing Permit process.

Building Inspection

Unrecognized Unit

A Building Permit is not required.

Recognized Unit

There is no requirement to have an existing secondary suite or carriage house “recognized” and applying for a Building Permit is at the discretion of the property owner. Should an owner make a Building Permit application to “recognize” an “unrecognized unit”, a Building Official will conduct a visual inspection to determine if safety items pertaining to fire detection (smoke alarms), fire spread (drywall), and exits (a safe way out) have been addressed. These three items shall form the basis for a secondary suite or carriage house to be confirmed as a “recognized unit”. For secondary suites or carriage houses that were built without a Building Permit when a Building Permit was required, as a condition of occupancy of the unit, a Notice under Section 57 of the *Community Charter* may be registered on the title as a means of disclosure to future land owners that there may be aspects of construction that do not comply with the BC Building Code.

Fully Compliant Unit

All secondary suites or carriage houses constructed after February 24, 2020 must obtain a Building Permit and must comply with all requirements of the BC Building Code. Under the BC Building Code, a carriage house is not subject to a unique set of requirements like a secondary suite. A carriage house is considered a single unit house for the purposes of the BC Building Code.

In order to have an unrecognized unit become fully compliant, the secondary suite or carriage house must meet all Municipal bylaws and the BC Building Code. This may require significant deconstruction and reconstruction through a valid Building Permit to ensure all appropriate inspections are completed and the unit meets all requirements of the BC Building Code.

Addressing

For the purpose of ensuring appropriate wayfinding and identification in the event of an emergency, the owner of any unrecognized unit or recognized unit may request a specific civic address for the unit. Fully compliant units must be assigned a specific civic address. The civic

address assigned to the secondary suite or carriage house must be in the form of a primary property address with the letter “B” affixed to the address. For example, the address of the house would be “7192 Lantzville Road” and the address of the secondary suite or carriage house would be “7192 B Lantzville Road”.

Servicing

To create a fair, level ‘playing field’, the Municipality will endeavor to ensure that all applicable servicing costs and fees are appropriately charged to owners of secondary suites and carriage houses, regardless of the classification of the unit.

Water Servicing

A single service connection and water meter are permitted per parcel, regardless of whether the parcel contains a secondary suite or carriage house. In accordance with the Water System Bylaw, a second base rate charge for water will be applied to carriage houses but will not be applied to secondary suites. If the water use for the parcel exceeds the quarterly base volume for a single unit, additional charges will be applied based on the tiers specified in the bylaw. A carriage house is also subject to the Lantzville / Nanaimo Water Agreement and the \$5,912.26 agreement charge.

Sewer Servicing

A single service connection is permitted per parcel, regardless of whether the parcel contains a secondary suite or carriage house. In accordance with the Sewer Rates & Regulations Bylaw, a second base rate charge for sewer will be applied to carriage houses but will not be applied to secondary suites.

Garbage and Recycling Collection

Garbage collection and recycling is currently contracted to the Regional District of Nanaimo (RDN). The RDN applies a higher charge to a house with a secondary suite or a carriage house, regardless of the size of bin selected by the owner.

Enforcement and Compliance

Apart from new secondary suites and carriage houses which must fully comply with all Municipal bylaws and the BC Building Code, the Municipality will not actively seek out and enforce its Zoning Bylaw and Building Bylaws as they pertain to unrecognized and recognized units. The following approach to enforcement and compliance will be taken by the Municipality:

1. Investigations and enforcement relating to unrecognized and recognized units will be considered on a complaint-driven basis only. Anonymous complaints, complaints from persons that do not reside within proximity to the subject property, or retaliatory complaints

may not be investigated, nor enforcement activities commenced, unless there are extenuating circumstances such as possible health, safety, or environmental concerns.

2. Enforcement will be focused on health, safety and zoning compliance where there may be significant impacts on adjacent properties.
3. Should it be determined that an investigation is warranted, property owners will be encouraged to voluntarily comply with regulations (e.g. decommission the unit if not permitted or “recognize” the unit through the Building Permit process).
4. An enquiry regarding a property with an unrecognized or recognized unit will not constitute a complaint.