

## What about Restrictive Covenants?

If there is a Section 219 Covenant registered on the property title restricting the use of the residence to only one dwelling unit, you cannot have a Secondary Suite in your residence.

## If I don't use my Suite anymore, what can I do?

Secondary Suites can be decommissioned by:

- ◆ removing cooking appliances and electrical wiring for the stove including the outlet;
- ◆ removing the kitchen sink and plumbing;
- ◆ removing kitchen cupboards;
- ◆ removing internal locking doors that separate the suite from the remainder of the house.

For detailed information on decommissioning suites please call 250.414.7106.

## What if I don't legalize or decommission my Suite?

Council Policy is to allow a one year period from the adoption of Esquimalt's Secondary Suite regulations for property owners to bring their suites into compliance with the new regulations and the BC 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.

## How are Complaints dealt with?

The Township will investigate the following types of complaints regarding Secondary Suites:

- ◆ concerns over life safety issues;
- ◆ suites with known safety hazards;
- ◆ renovations of suites without a proper Permit;
- ◆ more than one suite in a single family residence,
- ◆ a suite in a duplex, townhouse or apartment.
- ◆ suites in accessory buildings or out-buildings

Complaints must be in writing and should be directed to the Bylaw Enforcement Official in the Development Services department.

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## Where can I get more information?

For information on Zoning please contact:

**Development Services**  
3rd Floor, 1229 Esquimalt Rd.

**Phone: 250.414.7179**  
**Fax: 250.414.7160**

For information on the BC Building Code, Permit requirements, and Inspections, please contact:

**Building Inspection**  
3rd Floor, 1229 Esquimalt Rd.

**Phone: 250.414.7106**  
**Fax: 250.414.7160**

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Township of Esquimalt  
Development Services Department

# A Guide to Secondary Suites



Esquimalt Council recently passed bylaws allowing Secondary Suites in certain zones and subject to certain conditions.

This brochure is intended to familiarize residents and property owners with the new regulations and describe the process for creating a new suite or renovating or legalizing an existing suite.

Council's primary goals in allowing Secondary Suites were to provide additional housing units in the community, assist home owners by allowing 'mortgage helpers', and provide suites that are safe for the inhabitants.

## How can I create a Secondary Suite?

If your property has the appropriate zoning and land area, you may apply for a Building Permit for the creation of a Secondary Suite within a single family residence.

You will be required to provide two copies of construction drawings showing the floor plan of the suite within the principal residence, structural framing information, and building cross-sections.

If the addition of a Secondary Suite will change the footprint of your building, you will be required to provide a survey certificate drawn to a scale not less than 1:100 showing the building setbacks plus existing and finished ground levels. Changes to the exterior appearance of the residence will require elevations drawings of each of the exterior walls that will be affected.

## Are there any costs involved?

During the first year following the adoption of Esquimalt's Secondary Suites Policy, there will not be a charge for a Building Permit or inspection fees associated with a Secondary Suite or for the Registration Fee. In subsequent years, a Registration Fee for a Secondary Suite will be required annually and the cost will be in accordance with the current Building Code Bylaw.

## What's the maximum size for a Secondary Suite?

The maximum size for a Secondary Suite is 90m<sup>2</sup> [approx. 970 ft<sup>2</sup>] or 40% of the total floor area of the

principal residence whichever is less. This size restriction is set by the BC Building Code [Section 9.36].

## Where are Secondary Suites permitted?

Secondary Suites are permitted in the RS-1, RS-2, RS-3 and RS-5 Single Family Residential zones.

To determine whether the zoning for your property allows a Secondary Suite, please contact Development Services, 250.414.7179 or view the municipal website at [www.esquimalt.ca](http://www.esquimalt.ca)

Secondary Suites are only permitted within a single family residence; they are not permitted in detached or accessory buildings.

## Do I need a Permit?

If you are creating a new Secondary Suite, you will need to apply for a Building Permit for a Secondary Suite.

If you already have a Secondary Suite you will need to apply for Registration of a Secondary Suite. 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 approval from the Township of Esquimalt.

An Occupancy 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 BC 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 BC 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].

## Do I need to hire a building designer to add a Suite?

Your Secondary Suite does not need to be designed by an architect or building designer but, all plans and drawings must be accurate and to scale and dimensions must be shown in metric. Specifications must be sufficiently detailed to establish that, when completed; substantial conformity to the BC Building Code will have been achieved.

## How long does it take to process a Permit?

Building Permits are normally processed within three weeks, provided all of the required information and drawings are submitted with the application.

