



DEVELOPMENT SERVICES DEPARTMENT Secondary Suites Information Brochure

This information brochure has been prepared to provide homeowners in the District of Kent with an overview of the District's requirements for Secondary Suites and the steps required to legalize an existing Secondary Suite. This guide provides general information about Secondary Suites in the District of Kent, but does not replace other legal documents such as the District's Zoning Bylaw or the BC Building Code.

What is a Secondary Suite?

The BC Building Code defines a Secondary Suite as an additional dwelling unit which:

- has a total floor space of not more than 90 m² (968.8 sq ft) in area;
- has a floor space less than 40% of the habitable floor space of the building;
- is located within a building of residential occupancy containing only one other dwelling unit; and

- is located in and part of a building which is a single real estate entity.

In simpler terms, a Secondary Suite is an area of a single family dwelling that is separate from the rest of the house. A Secondary Suite can include common areas with the rest of the house (such as a laundry room) but contains certain facilities that are completely separated from the rest of the house, including a sleeping area, a bathroom, and a kitchen. The kitchen must have cooking facilities (usually a stove or microwave, but a stove plug of 220 volts or a gas line into the kitchen is also considered a cooking facility, since either of these hook-ups would enable quick and easy installation of a stove).

What are the District's requirements for Secondary Suites?

Secondary Suites are permitted within the following zones in the District: *Agricultural Zone (A)*, *Rural Residential 1*

(RR1), *Rural Residential 2 (RR2)*, *Single-Dwelling Residential 1 (RS1)*, *Single-Dwelling Residential 2 (RS2)*, *Lake Area Residential (RL)* and *Mount Woodside Single-Dwelling Residential 1 (CDMW-RS-1)* provided that there is no more than one Secondary Suite per lot.

The District has placed a number of conditions on the legalization of Secondary Suites, including:

- **Maximum of one (1) Secondary Suite per lot.**

This helps to ensure the preservation of the character of single family residential neighbourhoods.

- **One (1) additional parking space is required.** All single family homes must have at least 2 off-street parking spaces. This requirement means that all single family homes *with a Secondary Suite* must have at least 3 off-street parking spaces.

Must meet BC Building Code requirements. All buildings in British

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Columbia are subject to the British Columbia Building Code, which sets out minimum provisions for public health, fire protection, and structural sufficiency. Section 9.36 of the BC Building Code outlines specific requirements for Secondary Suites, including requirements for fire separation, smoke alarms, access and egress, and other safety standards as defined by the Code. All Secondary Suites in the District of Kent must meet the requirements of the BC Building Code, including the maximum size requirement of 90 m². A copy of this section of the BC Building Code may be obtained from District Hall.

Property Title Search.

You will need to determine whether there are any restrictions registered on the title of your property that may not allow you to have a Secondary Suite. These restrictions could include a restrictive covenant or a Land Use Contract. If there are any restrictions registered on your property, please contact District Development Services staff to determine the process to remove these restrictions.

How do I legalize my secondary suite?

Obtain Construction

Estimate. You may need to obtain the services of a professional contractor to provide an estimate of the work required to legalize your Secondary Suite. This estimate should include the construction value required to legalize your Secondary Suite.

Apply For Permits.

If there are no Secondary Suite restrictions registered on the title of your property, you can proceed to complete the District of Kent's Building Permit Application form which can be obtained at the District Hall or on the District of Kent website: www.district.kent.bc.ca. On this form, you are asked whether the application for permit is for building, water or demolition. You should check the box marked "Building" and indicate in the "For" section as: "Legalization of Secondary Suite." You will also be required to provide the estimated construction value obtained in Step 2 in order to determine the appropriate building permit fees that you will need to pay. Building Permit fees are outlined in the "Fees and Charges

Bylaw No. 1411, 2008", which can be downloaded from the District's website or obtained from District Hall. Building permit fees must be submitted with the Building Permit Application.

Inspection. Once the District has processed your Building Permit application, the District will set up an appointment to conduct an inspection of the Secondary Suite. The Building Inspector and the Fire Prevention Officer will check your Secondary Suite to confirm that it meets all legal requirements, including the requirements of the District's Zoning Bylaw and the BC Building Code. If the inspection reveals that additional work needs to be done to meet all legal requirements, a re-inspection will be required.

Registration. Once the Building Inspector is satisfied that your Secondary Suite meets all legal requirements, the District will issue a final occupancy certificate and add the information about your Secondary Suite to its Secondary Suite Registry. All Secondary Suites that are included on this registry will be considered to be legal

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suites. The District will also notify BC Assessment that your home contains a registered Secondary Suite.

What if I choose not to legalize my Secondary Suite?

When the District becomes aware of an existing illegal Secondary Suite, the homeowner will be required to either legalize their suite or have it decommissioned. If homeowners choose to not to legalize or decommission their Secondary Suite, they may be subject to enforcement including daily fines.

Why should I legalize my Secondary Suite if it is not being rented out?

The primary purpose of legalization of a Secondary Suite is the safety of the building occupants. The rental status of the suite has no effect on the public health and safety of the building. Also, the owner can decommission the suite if legalizing it is not a feasible option.

Do I put myself at risk by having an illegal Secondary Suite?

Existing illegal Secondary Suite's puts the building occupants and homeowner at risk. Should an unfortunate incident occur within a building with an illegal suite, the homeowner may be held liable and is at risk of not being covered by insurance. We encourage homeowners to read the BC "Occupiers Liability Act" and talk to their insurance provider.

How does a Secondary Suite affect my water, sewer and garbage costs?

Existing illegal Secondary Suites and legalized Secondary Suites are subject to water and sewer fees as detailed in the District of Kent "Sanitary and Storm Sewer Regulation Rates Bylaw No. 1451, 2009" and the "Water Regulation and Rates Bylaw No. 1452, 2009" bylaws. With the suite, the homeowner will be required to pay their single family rate plus their Secondary Suite rate which is an additional 50%. The additional water sewer rates are charged

regardless as to whether or not the suite is being rented. The District does not administer garbage collection and therefore, garbage collection rates are to be obtained from your preferred contractor.

Is there any additional information on Secondary Suites available?

Additional Secondary Suite information is available on the District of Kent website: www.district.kent.bc.ca or by contacting the Development Services Department or Building Department at (604) 796-2235.

Information available on the District's website includes:

- "District of Kent Zoning Bylaw No. 1219, 2001"
- New Secondary Suite Within a Single-Family Dwelling Development Requirements Information Sheet
- Secondary Suite Application Guide and Technical Requirements Information Sheet
- Decommissioning a Secondary Suite Information Sheet