

POLICY DIRECTIVE NO. G-30

SUBJECT: SECONDARY SUITES POLICY

APPROVAL DATE: May 15, 2018

LAST REVIEW DATE: _____

REFERENCE: _____

A. PURPOSE:

Throughout the Lower Mainland, the Fraser Valley and the entire province, secondary suite dwelling units provide valuable and necessary affordable housing stock. As housing prices and the cost of rent continue to rise, secondary suites have become a central to the maintenance of housing diversity. Secondary suites may provide benefits to homeowners, tenants and the community, and often provide an affordable alternative to other forms of housing, such as apartments. Due to increased housing pressure within the City of Chilliwack, and a desire to respond to community needs, the City of Chilliwack now permits secondary suites in all residential zones where a single family detached home is permitted. This document sets out the City of Chilliwack’s policy with respect to the construction of new secondary suites, existing secondary suites and upgrading existing secondary suites.

B. SCOPE:

All zones located within the municipal boundaries of the City of Chilliwack.

C. DEFINITIONS:

“Secondary suite” means a secondary suite as defined in the Provincial Building Code for British Columbia.

D. BACKGROUND:

Historically, the City of Chilliwack (the “City”) only permitted secondary suites on a limited basis. In recent years, the City has faced increased challenges with respect to the provision of affordable housing. The City has recognized a negative impact on the community due to the increasing scarcity of affordable housing units. The City seeks to preserve affordable housing that is presently available and to promote the development of new affordable housing units. To this end, the City’s Zoning Bylaw now permits the use of secondary suites throughout the municipality in zones that permit a single family detached home.

E. POLICY STATEMENTS:**1. Key Principles**

- 1.1 The City recognizes that it is becoming increasingly difficult to secure affordable housing throughout the Fraser Valley. The City is committed to the provision and maintenance of affordable housing and of housing diversity.
- 1.2 The City is home to many constituents of varying economic backgrounds and means. The City wishes to remain a desirable community to reside for a diversity of individuals. The City wishes to provide and maintain a variety of housing options and alternatives to meet community needs.
- 1.3 The City acknowledges the important role that secondary dwelling units, particularly secondary suites, play with respect to affordable housing; secondary suites may also provide benefits for property owners to supplement their income.
- 1.4 The City always endeavours to direct its resources in a manner that results in the maximum benefit for the community as a whole.
- 1.5 The City seeks to allocate financial resources in a rational manner. The City faces financial constraints and limitations. The City lacks sufficient economic and staffing resources to undertake a prescribed program to locate, inspect, and enforce against all existing secondary suites constructed outside the purview of the City.

2. The Development of New Secondary Suites

- 2.1 Secondary suites are now permitted in all residential zones that permit a single family detached home within the municipality.
- 2.2 Home owners who wish to construct a new secondary suite must abide by all City bylaws and other relevant enactments; home owners must obtain all required permits and approvals and comply with all necessary inspections.
- 2.3 New secondary suites must be constructed in accordance with the current Provincial Building Code for British Columbia (the “BC Building Code”) and other applicable enactments.

3. Existing Secondary Suites

- 3.1 Secondary suites may have been constructed outside the scope of the City’s building regulation scheme.

3. Existing Secondary Suites (continued)

- 3.2 Due to the need to preserve affordable housing, and with consideration for municipal resources, the City will not seek out existing secondary suites. The City makes no representations with respect to the construction of any secondary suite built outside the scope of the City's building regulation regime and absent municipal permits and inspections. Secondary suites constructed without obtaining the necessary municipal permits are not legal secondary suites until such time as the owner complies with all applicable building enactments and City bylaws, including the City's Building Bylaw.
- 3.3 To legalize secondary suites, owners of existing secondary suites must apply for all relevant permits, approval, and inspection, and complete any construction necessary to bring the secondary suites into compliance with the City's current bylaws, the BC Building Code and any other applicable enactments.
- 3.4 Home owners are encouraged to investigate the potential benefits from legalizing an existing secondary suite, such as: adequate property and home insurance and insurance coverage should a claim be made resulting from the secondary suite; maintaining and potentially increasing home value when selling; considerations when applying for a mortgage; safety assurance for the occupants of the suite.
- 3.5 As secondary suites are now permitted under the City's Zoning Bylaw, the City will no longer respond to complaints regarding the existence of a secondary suite. The City will continue to respond to emergencies, for example where there is smoke, fire or flooding or where a hazard has been reported.

4. Attendance at Secondary Suites

- 4.1 City officials will attend secondary suites in cases of smoke, fire or flood or other emergency situations or where a hazard is reported. Where a City official attends a secondary suite that was constructed beyond the scope of the City's permitting and inspection regime, the officials will inspect the suite to ensure that visible work meets BC Building Code standards and that life-safety issues have been addressed, such as fire detection, safe exiting, and other determinable fire safety factors. The official will not perform any inspection of covered work.
- 4.2 Where the official identifies that visible work meets BC Building Code standards and that life-safety issues have been addressed, the building inspector will recommend to Council that a note against land title under section 57 of the *Community Charter* be placed on title to provide notice that the secondary suite was constructed without the necessary permits and inspections and that the City makes no guarantees, representations or assurances with respect to the condition of the secondary suite.

4. Attendance at Secondary Suites (continued)

- 4.3 An owner affected by a section 57 notice against title may apply for all relevant permits and approvals, and complete the required inspection to bring the secondary suite into compliance with municipal standards and current Building Code and other applicable enactments or may decommission the secondary suite.
- 4.4 Where visible work does not meet the BC Building Code or the City official identifies life-safety issues, the City will demand that the secondary suite be decommissioned or be brought into compliance with the current version of the BC Building Code and other applicable enactments.

5. Municipal Services

- 5.1 Occupants of secondary suites draw on and benefit from municipal services, such as the provision of water, sewer, garbage, recycling and compost services as well as other services such as bylaw enforcement and parks and recreation.
- 5.2 In fairness to all members of the community, it is important that occupants of secondary suites pay their proportional share of municipal services.
- 5.3 To account for the additional usage of water, sanitary sewer, and/or garbage and recycling/compostable (waste management) services, the City will continue to charge occupants of secondary suites, or owners of buildings containing secondary suites, for municipal services in accordance with applicable municipal bylaws.
- 5.4 The provision of municipal services, and the existence of City charges for these services, in no way constitutes a representation that any particular secondary suite complies with any applicable City bylaws or other enactments. It is the responsibility of the home owner to ascertain and comply with enactments, and the City will not look for non-compliance (except strictly in accordance with this Secondary Suites Policy).

Chief Administrative Officer