

WHAT WILL BE THE COST OF LEGALIZING A SUITE?

- Application & Inspection Fee of \$100
- Annual Registration Fee of \$125 (after amnesty period)
- Building Permit Fee 1.14% of construction costs
- 40% of sewer fees and a second flat rate for water fees

WHAT IS THE COST OF AN ILLEGAL SUITE?

- Failure to comply can result in \$500 fines for offenses related to owner occupancy, registration and renewal and illegal use; and
- All known illegal suites will be charged 100% sewer and water utility fees.

HOW CAN I GET MORE INFORMATION?

The requirements for secondary suites are contained within Section 3.26 of Zoning Bylaw No. 871.

Applications can be obtained at the Building & Regulatory Services Department at the District office or online at www.districtofwestkelowna.ca.

For further information on related rezoning or variance applications contact the Planning Department.



District of West Kelowna

PLANNING DEPARTMENT

2760 Cameron Road
West Kelowna, B.C.

V1Z 2T6

Phone: 778-797-8820

Fax: 778-797-1001

Email: info@districtofwestkelowna.ca

Web: www.districtofwestkelowna.ca



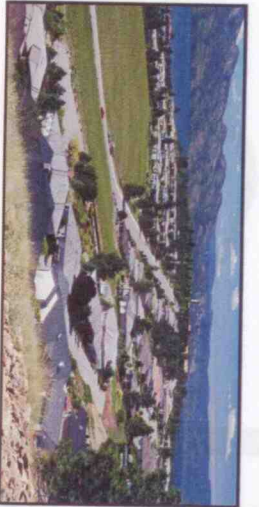
A GUIDE TO SECONDARY SUITES



This Guide Explains:

- What a "legal" and "illegal" suite is
- Secondary suite requirements
- The application process

This brochure is a guide only. It is general in nature and is not a legal document. Any contradiction, dispute or difference between the contents of this brochure and applicable bylaws, plans, policies or guidelines will be resolved by reference to the bylaws, or other official documents.



WHAT CONDITIONS MUST BE MET?

WHAT IS A SECONDARY SUITE?

A Secondary Suite is defined in Zoning Bylaw No. 871 as:

"A second dwelling unit which contains at least 3 rooms including a bedroom, kitchen and bathroom, but no more than 2 bedrooms, located within the structure of a single detached house that provides living accommodation based on rental periods of one month or greater."

An "illegal suite" is a secondary suite that has not been approved under the District's registration program and cannot meet the requirements outlined in Zoning Bylaw No. 871.

WHERE ARE THEY PERMITTED?

Secondary Suites are permitted within the following specified land use zones in the District:

- R1: Single Detached Housing
 - RU1: Rural 1
 - RU2: Rural 2
 - RU3: Rural 3
 - RU4: Country Residential
 - RU5: Small Lot Country Residential
 - RU6: Small Holdings
 - A1: Agricultural
 - Zones with an "s" designation
- (Contact the Planning Department to confirm your land use zone)

Secondary Suites are not permitted in any other land use zones. In order to permit a Secondary Suite within one of the aforementioned zones a number of conditions must be met:

1. The minimum lot size is— 700 m² (0.17 acres).
2. The Suite must be fully contained within the primary dwelling.
3. The Suite shall not exceed 40% of habitable floor area of the home or 968 ft², whichever is less.
4. One parking space, located on the property, must be provided for each bedroom within the Secondary Suite (tandem parking is permitted)
5. One Secondary Suite is permitted per parcel; no Suite is permitted in a home with a bed and breakfast operation or a business that employs someone who does not live in the house.
6. There must be independent access and egress to the Secondary Suite and the access must be located on a separate exterior wall from the primary dwelling unit access.
7. No suite will be approved without connection to a community sanitary sewer unless:
 - The parcel is larger than 1 hectare & meets the requirements of the Interior Health Authority
 OR
 - The parcel receives Interior Health Authority approval;
 - The parcel is located within an existing sewer system strategy area; and
 - The property owner connects to the sewer system as soon as it is available.
8. All construction requires a building permit.
9. An affidavit to confirm property owner occupancy of either the primary dwelling unit or the Secondary Suite.
10. Registration and annual renewal
11. All suites must be accessed by a public road, unless written approval is received from all shared access owners, easement holders or a strata council, as applicable.
12. Suites may not be used for tourist or short term accommodation less than 30 days.

WHAT IF I DON'T MEET THE CONDITIONS?

- If you are unable to meet requirement 9 (owner occupancy) you may apply to rezone to add an "s" designation to your land use zone.
- If you are unable to meet requirements 4, 6, 7, and/or 11 you may be eligible to apply for a variance. A variance application is a request for Council to reconsider certain regulations or conditions that apply to a zone.

(Contact the Planning Department to confirm your eligibility to apply for one or both of these applications)

HOW DO I LEGALIZE A SECONDARY SUITE?

Whether you are proposing to create a Secondary Suite or you have an illegal Secondary Suite you must submit an application package to the Building & Regulatory Services Department. If you are able to meet all of the conditions your property can then be registered as permitted to contain a legal suite.

Annual registration of all Secondary Suites is required. The District is offering all property owners an amnesty period from September 15, 2010 to September 15, 2011. The amnesty period allows property owners to register their Suites without the requirement to pay the annual registration fee for the first year.



Secondary Suite Registration
Number: _____

DISTRICT OF WEST KELOWNA
Building & Regulatory Services – Business Licensing
2760 Cameron Road, West Kelowna, BC V1Z 2T6
Phone: 778-797-8820, Fax: 778-797-1001



SECONDARY SUITE APPLICATION FORM

When applying to legalize a secondary suite, the following items must be submitted as a complete package:

- A completed application form
- Application & Inspection Fee of \$100
- A Site Plan of the property. The plan should include property lines, access/egress, all structures and parking, entrance to the primary residence and the proposed suite, and setbacks required in the Zoning Bylaw.
- Floor Plans. The plan should include all access/egress, identification & dimensions of all rooms, etc., and total area in sq. ft. for the entire single detached house and for the suite.
- Proof of Ownership of the property. A state of title certificate no more than 90 days old.
- A signed affidavit confirming owner occupancy

Note: Additional information may be required by the District upon review of your application package

Owner's Name: _____

Address of Proposed Suite: _____

Mailing Address (if different): _____

City: _____ Postal Code: _____ Phone No.: _____ Cel No.: _____

Fax: _____ E-Mail address _____

Application Details:

Is the suite existing? No Yes Please specify _____

Property Zoning _____ Parcel Size (sq. ft. Or acres) _____

Suite unit size in sq. ft. _____ Total gross floor area of single detached house in sq. ft. _____

Number of additional parking spaces for the suite? _____

Suite access is located on a separate exterior wall from the primary access? No Yes

Sanitary Service: Community Sewer No Yes

Septic No Yes

Has the Interior Health Authority approved the septic system for the addition of a suite? No Yes

Community Water No Yes If no, Please specify _____

Has the Interior Health Authority approved the well/other water source for the addition of a suite? No Yes

Is the property accessed via shared access or easement? No Yes

If yes, do you have written approval from all parties of the shared access or easement? No Yes

Note: If you will be doing any type of construction to the premises to which you are applying for a secondary suite, you may need to apply for a Building Permit. Section 7.2 of Building Bylaw No. 0086 states: "No person shall commence construction of any project for which a permit is required, without first obtaining a permit for that purpose from the Building Inspector."

Note: The personal information on this form is collected under the authority of the Local Government Act/Community Charter for the purposes of processing this application, and is subject to the Freedom of Information and Protection of Privacy Act. Any questions regarding this collection should be directed to the Corporate Services Department, District of West Kelowna, phone 778-797-5550.

I/we the undersigned make application for a secondary suite in accordance with the information given and declare the statements are true and correct. I/we undertake, if granted the licence applied for, to comply with each and every obligation contained in bylaws now in force or which may hereafter come into force in the District of West Kelowna.

Signed _____

Dated _____