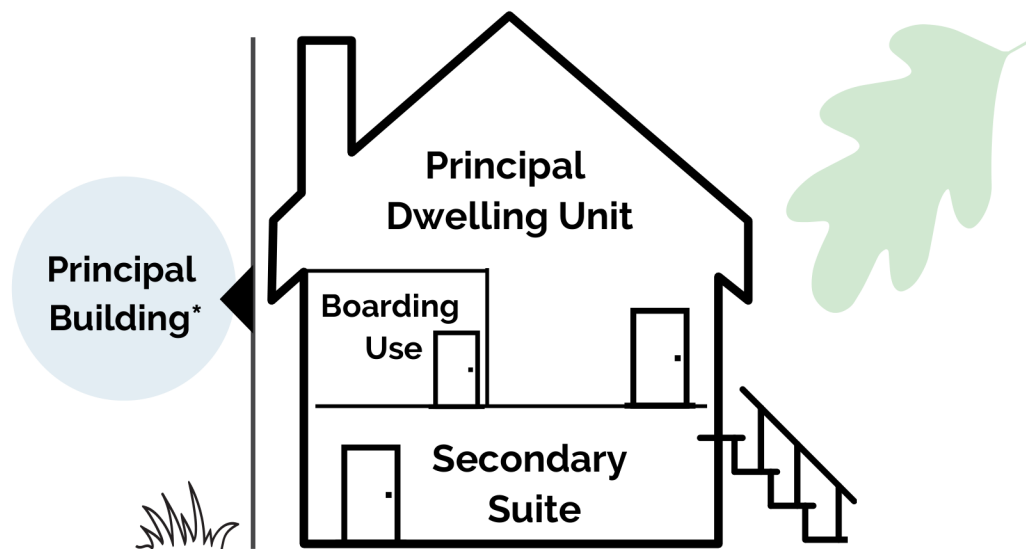


## SECONDARY SUITES PROGRAM

### WHAT IS A SECONDARY SUITE?

A secondary suite is a dwelling unit (with its own kitchen and living area, as well as separate external access) within a principal building that is used for residential purposes.



### WHEN IS A SUITE CONSIDERED LEGAL?

A suite is considered legal when all the required building, plumbing and electrical permits have been applied for and approved and where all work has been completed, inspected and a Occupancy Permit or Final Inspection Report has been issued by the District of Oak Bay.

### CONTACT US



Building permit questions can be sent to Building staff at: [inspections@oakbay.ca](mailto:inspections@oakbay.ca)

Zoning, land use, and parcel questions can be sent to Planning staff at: [planning@oakbay.ca](mailto:planning@oakbay.ca)



Other questions? Give us a call at: **+250-598-2042**

### HOW DO I GET A PERMIT FOR A SECONDARY SUITE?

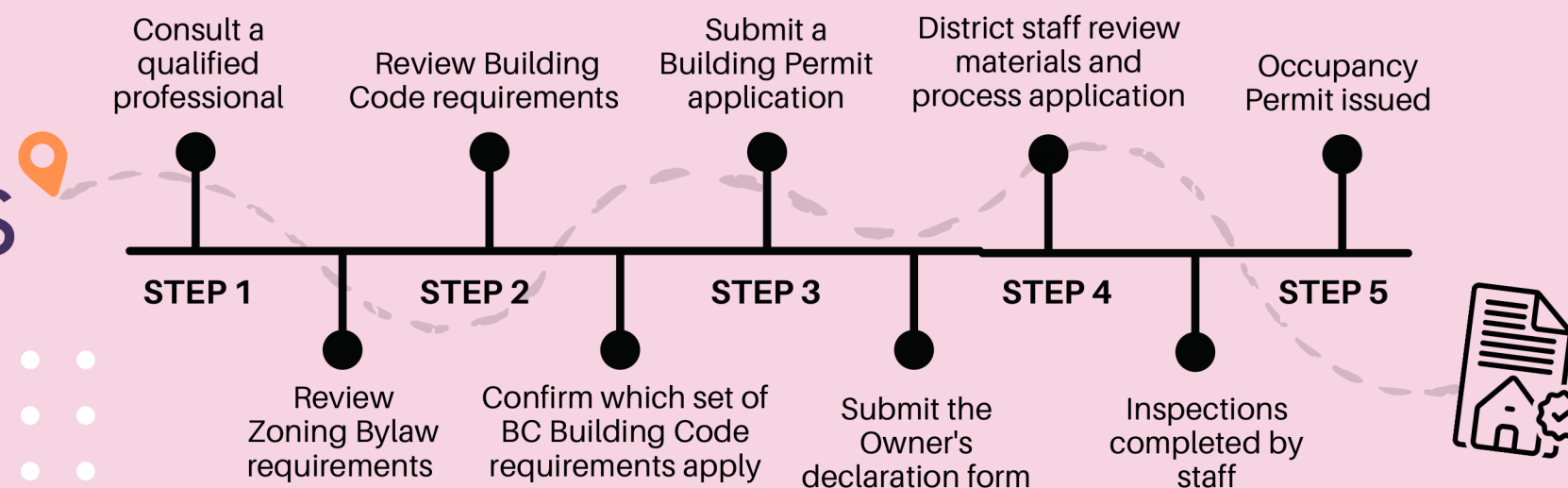
The building permit process involves a few steps to obtain approval for a secondary suite, including but not limited to:

- 1) Review the Zoning Bylaw requirements and make sure your property can meet with them.
- 2) Consult a qualified professional (Builder, Building Designer, Architect) to learn what you need to meet relevant BC Building Code requirements.
- 3) Submit a Building Permit Application for Renovation of a Single Family Dwelling. Include all attachments, the signed owner declaration form, and permit fee.

**Note:** If alternate compliance methods are proposed to be used in a Building Permit submission (as per the BCBC requirements for suites in an existing building), they must be clearly identified on the Building Permit plans submitted.

- 4) Building staff will review submitted materials and complete all necessary inspections.
- 5) If all requirements are met, staff will issue an Occupancy Permit to authorize the suite.

### PERMIT PROCESS

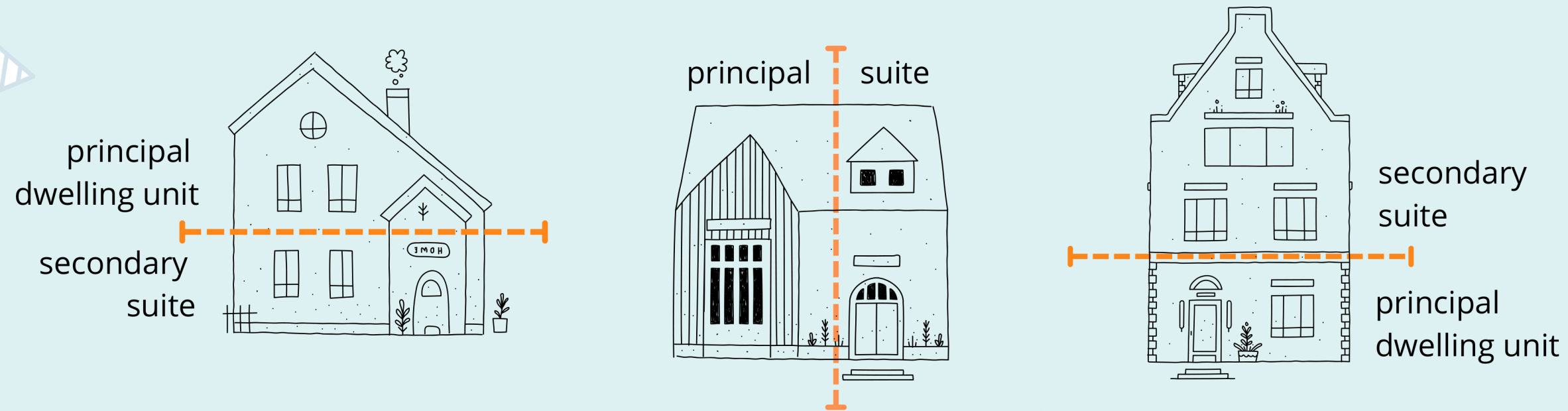


There is a lot of information to be aware of when considering constructing or upgrading a suite. Both the District's Zoning Bylaw and the British Columbia Building Code will apply.



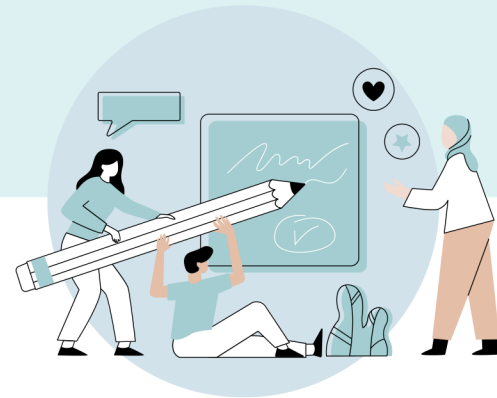
**Tip:** There are no minimum lot size, unit size or parking stall requirements for a secondary suite!

# Secondary Suites in Oak Bay



## SITE REQUIREMENTS

- Allowed in all RS Zones
- No minimum lot size
- No maximum unit size
- Suite must be within a principal building (not in accessory structure)



## GENERAL POLICY

- New & existing suites to be permitted
- Owner occupancy requirement
- Use a complaint based bylaw enforcement approach and tracking system



## HEALTH AND SAFETY

- Full BC Building Code compliance for new suites in new buildings
- For existing buildings looking to add a secondary suite may use Alternate Compliance Methods (as per BCBC)



## PARKING AND BOARDING USE

- No off-street parking required. Parking related requirements for electric charging to be included.
- Boarding use and suite allowed in same building
  - but boarding use is not permitted in the suite

# ZONING BYLAW REQUIREMENTS

## Land Use

Secondary Suites are permitted in all One-Family Residential (RS) Zones in Oak Bay. No minimum lot size or unit size is required for a suite.

## Building Separation

A secondary suite can not be connected to the main part of a house by a breezeway or enclosed hallway.

## Parking

At minimum, two parking spaces are required for a one-family dwelling building.

To have a secondary suite additional off-street parking is not required, but an outdoor, labelled, energized outlet capable of at least Level 1 (110 v) charging for an electric vehicle, scooter or bike is required.

Garage conversions are not prohibited as long as a parking stall is provided within a building, as per the Parking Facilities Bylaw.



## General Zoning Regulations

Every Secondary Suite in Oak Bay must meet all the following General Regulations identified in the Zoning Bylaw:

- Only one suite is permitted, and it must be wholly contained within the One-Family Dwelling.
- A suite is not permitted in an accessory building.
- Full BC Building Code requirements for newly constructed suites.
- Minimum of Alternate Compliance Methods (Division A) for existing non-compliant suites.
- A suite must not contain a Boarding Use.
- If both a Secondary Suite and a Boarding Use are found within the principal building, the total number of unrelated individuals living in the principal building must not exceed six.

## Owner's Declaration Form

As a Zoning Bylaw requirement, the property's registered owner must live in either the single-family dwelling or the secondary suite as their principal residence.

- ✗ With a Building Permit application, an Owner's Declaration Form must be provided. A secondary suite will not be approved without a completed declaration form. Any new owner needs to complete a Owner's Declaration form for the suite to remain authorized by the District.

This form can be found online here:

[oakbay.ca/sites/default/files/Owners-declaration-form-secondary-suites.pdf](https://oakbay.ca/sites/default/files/Owners-declaration-form-secondary-suites.pdf)

# BUILDING CODE REQUIREMENTS

## New Construction

For new construction, Part 9 of the current BC Building Code governs the following aspects of residential construction that includes secondary suites:

- minimum ceiling height
- access/egress to bedrooms
- width of exit stairs
- the length of landings serving two dwellings
- height and width of exit doors
- fire separation rating of dwelling units, exits, and common rooms, furnace rooms, and doors that penetrate fire separations
- fire separation continuity
- smoke alarms and carbon monoxide alarms
- sound transmission
- ventilation

## Alternate Building Code Compliance Methods (For Suites in Existing Buildings)

In order to remove barriers for the construction of secondary suites, the BC Building Code was amended by the province to allow special provisions for secondary suites constructed within existing buildings.

**Note:** The BC Building Code can be accessed online, free of charge, at [bcpublications.ca](https://bcpublications.ca).

