

# Report

Date	July 12, 2017	
To	Council	
From	Kyle Young, Assistant Manager of Planning and Subdivision	Endorsed:
Subject	Secondary Suites in North Cowichan	

## Purpose

The purpose of this report is to seek Council direction on whether or not initiate a zoning bylaw amendment process to increase the number of zones and properties where secondary suites are permitted.

## Background

Attached secondary suites are permitted in most of the agricultural / rural resource zones and in a number of the residential zones, but are not permitted in the Residential Restricted (R2) and Residential Restricted Properties (R2-A) zones, which represents approximately 1,500 properties. The map in APPENDIX 1 shows the R2 and R2-A properties. Secondary suites were specifically excluded from these zones in order to limit these neighbourhoods to single family dwellings and to prevent secondary suites from being built. Public concerns regarding secondary suites include adequacy of parking (off-street & on-street), adequacy of servicing (water and sewer), increased traffic on residential streets, and concerns about renters vs. home owners.

The R3 zone permits secondary suites but requires properties to be at least 650 m<sup>2</sup> (~7,000 ft<sup>2</sup>) in area. Those properties between 450 m<sup>2</sup> – 650 m<sup>2</sup> that are currently not permitted to have a secondary suite are also shown on the map in APPENDIX 1 (721 properties). The larger minimum parcel area for secondary suites was based on an anticipated need for more land area to accommodate additional parking and a potentially larger house footprint. However, a single family dwelling with an attached secondary suite can be accommodated on properties less than 650 m<sup>2</sup> in area if sufficient off-street parking has also been provided.

Over time, a number of secondary suites have been illegally constructed on properties not currently zoned for that use and without Building Permits to confirm compliance with the requirements of the BC Building Code. The extent of illegal suites in North Cowichan is unknown. There is also an increased awareness of the benefits of secondary suites, including as a form of affordable rental housing, income assistance, family support and aging in place. Secondary suites are also a low-impact (or soft) form of density within the Growth Centres.

## Discussion

The Official Community Plan acknowledges the benefits of secondary suites and provides the following policy guidance:

**Policy 2.5.2.6** – *The Municipality will encourage development of secondary suites and infill housing.*

**Policy 2.5.2.6(a)** – To encourage owners of previously unapproved secondary suites to legalize the suites, the Municipality will:

- (i) establish an amnesty period to legalize secondary suites; and
- (ii) reduce associated fees.

**Policy 2.5.2.6(b)** – The Municipality will not support building schemes that prohibit secondary suites where lot sizes meet municipal requirements.

**Policy 2.5.2.6(c)** – The Municipality will broaden the number of zones that permit secondary suites while ensuring adequate provision can be made for on-site parking.

**Policy 2.5.2.6(d)** – As part of any new development on lots that permit secondary suites, the secondary suite area of a single-family residence must be roughed in at the time of construction.

Should Council direct Staff to initiate a process to broaden the number of zones and properties where secondary suites are permitted, a follow-up report with a more detailed analysis of the issues will be provided.

### Communications and Engagement

Staff is also seeking Council direction on its objectives for any communications or engagement processes undertaken as part of this process. It is anticipated that there will be public interest in this type of change but a clear statement of potential engagement objectives is important prior to any public participation initiatives.

### Options

*Option 1:* (Recommended) Council could choose to direct Staff to begin drafting the zoning amendment bylaw for Council's consideration, along with a more detailed Staff report. As discussed, confirmation of Council's engagement objectives is also important.

*Option 2:* Council could choose not to direct Staff to initiate a zoning bylaw amendment process. Without a broader change to the zoning bylaw, the current approach to this issue will be maintained, which includes a site-specific rezoning application by an owner to permit a secondary suite. Staff will continue to take compliance and enforcement action in those instances where the Municipality becomes aware of an illegal suite.

### Implications

As noted above, OCP policies provide clear guidance to broaden the number of zones that permit secondary suites and to reduce fees associated with legalizing suites. The current application fee for a zoning bylaw amendment application is \$2,500. If the zoning of a property already permits a secondary suite, this \$2,500 fee could be avoided.

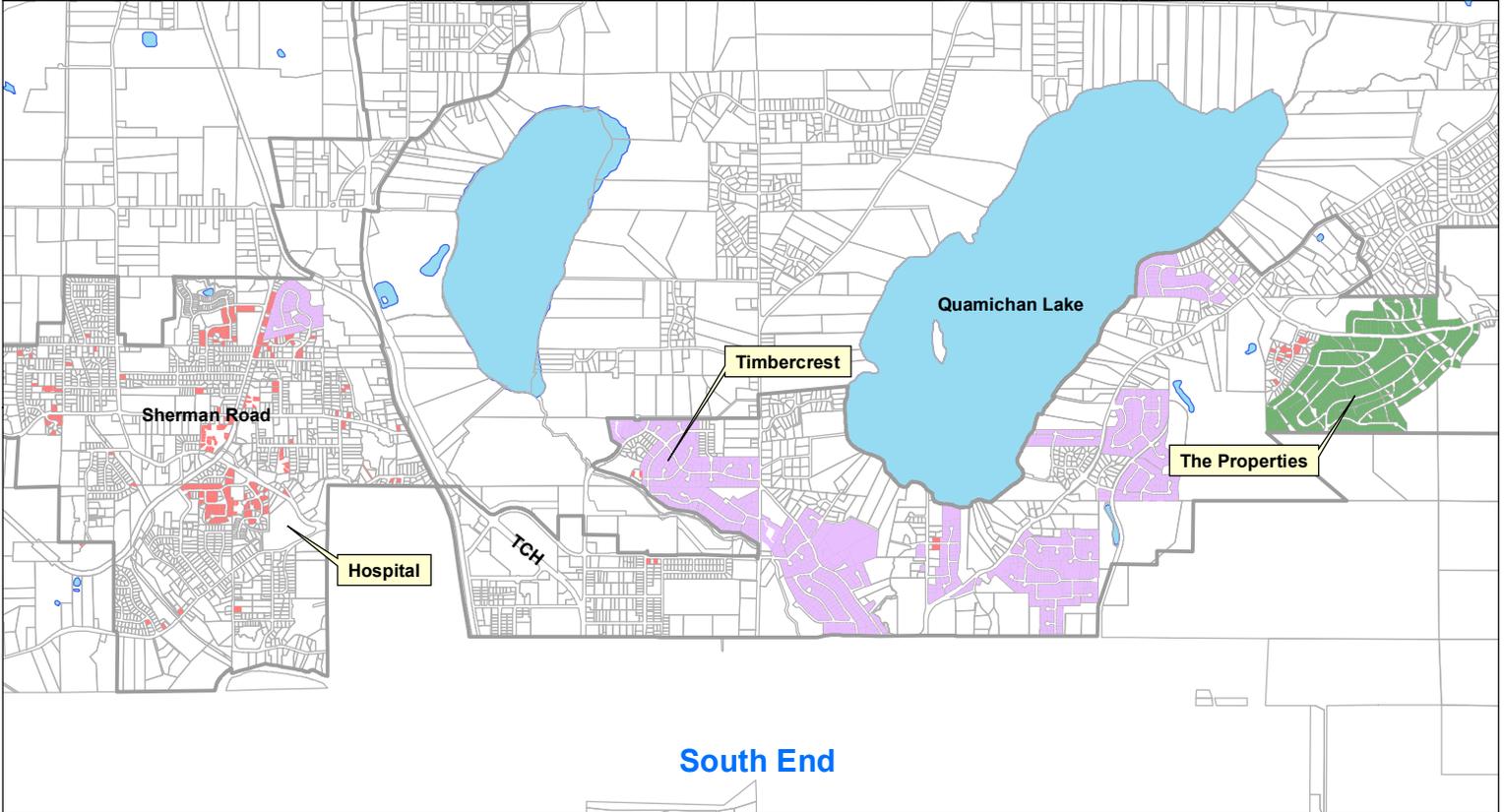
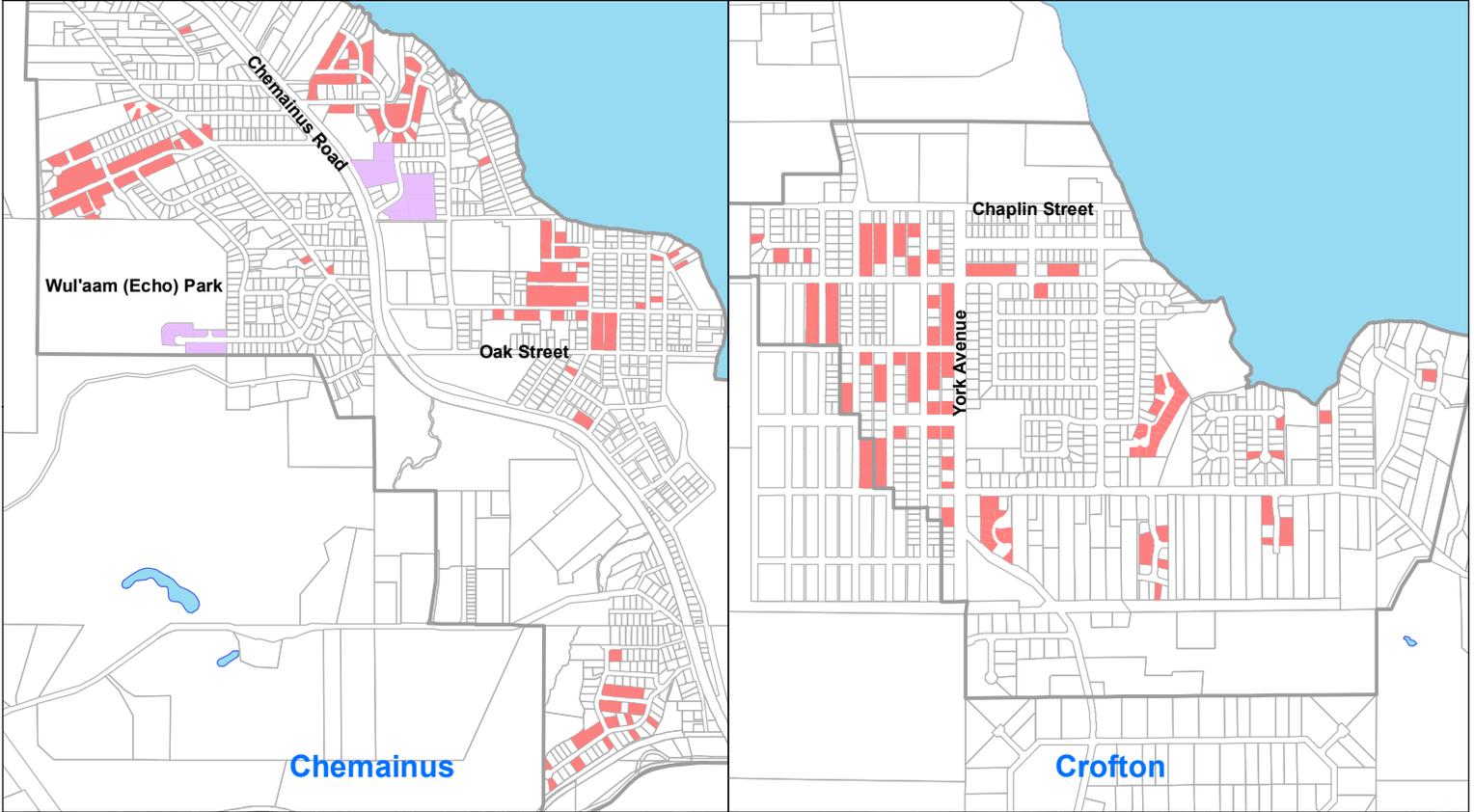
## Recommendation

That Council direct staff to draft a zoning amendment bylaw to permit secondary suites in the residential restricted (R2) and residential restricted properties (R2-A) zones, and to decrease the minimum permitted area for a secondary suite in the residential one and two family (R3) zone from 650 m<sup>2</sup> to 450 m<sup>2</sup>.

### Appendices:

1. Map – Properties Affected by Change

# Properties Affected by Zoning Amendments



- Residential Restricted (R2) - 121 ha (299 ac) - 1,056 properties
- Residential Restricted Properties (R2-A) - 45 ha (110 ac) - 437 properties
- Residential One and Two Family (R3) - 38 ha (93 ac) - 721 properties