



**REPORT TO THE ELECTORAL AREA SERVICES COMMITTEE
MEETING OF WEDNESDAY, MARCH 20, 2013**

**SUBJECT CAPITAL REGIONAL DISTRICT SUPPORT FOR NEW SECONDARY SUITES
BYLAW ON SALT SPRING ISLAND**

PURPOSE

To respond to a request by the Salt Spring Island Local Trust Committee for the Capital Regional District (CRD) to assist with implementing a new Secondary Suites Bylaw.

BACKGROUND

The Islands Trust Local Trust Committee has proposed an amendment to the SSI Land Use Bylaw 1999 to permit and legalize existing secondary suites in a defined service area. Bylaw No. 355 has received second reading November 22, 2012 (attached as Attachment 1) and the Islands Trust is investigating options for implementation that involves CRD Building Inspection.

By resolution of the Salt Spring Island (SSI) Local Trust Committee the CRD Building Inspection office is asked to collaborate on an implementation program for secondary suites by:

- 1) offering a one year grace period for building permit fees for secondary suites on Salt Spring Island;
- 2) investigating and considering rebate programs or other incentives for the installation of water meters for secondary suites;
- 3) involvement in the administration of the secondary suites bylaw for existing suites in collaboration with the Islands Trust staff; and
- 4) encouraging water conservation when advising on construction or upgrading secondary suites.

The Islands Trust and the CRD have different roles when considering how to legalize secondary suites on SSI. The Islands Trust Planning department deals with land use applications through a referral process and the CRD Building Inspection division provides guidance through the BC Building Code and CRD Building Regulation Bylaw 3741.

OPERATIONAL IMPLICATIONS

Public consultation with respect to the requirements of the BC Building Code and possible alternative solutions for existing secondary suites to provide a minimum health and safety standard for occupants without imposing undue costs to owners have been ongoing through public consultation and a workshop held by the Islands Trust staff and CRD Building Inspection. The following key concerns were raised at the workshop as a result of the discussion regarding the potential impact of secondary suites as they relate to the Local Trust Committee resolution:

- 1) Regarding the request for a one-year grace period, it is noteworthy that discounted permit fees using \$35 per square foot for unfinished areas (basements, attics or other floors) were implemented in 2011 by amending CRD Building Regulations Bylaw 3741 Appendix M: Construction Values – the actual price to finish other than the main floor is \$100 per square foot.

For all secondary suites, waiving the building permit and offering a one-year grace period for building permit fees for secondary suites would require amendments to the CRD Building Bylaw. At present there are no provisions in the CRD Building Bylaw to waive building permit fees for secondary suites. Any exemption would have to refer to a class of person or property and would have to be uniformly applied throughout the CRD. In other words, the Local Trust Committee's request for a grace period cannot be accomplished through bylaw amendment.

Alternatively, an option would be to use grants-in-aid to cover the cost or contribute towards the cost of the permit fees. On a one-time basis, a grant-in-aid could be used to recover building inspection costs associated with labour the administration of the Bylaw, and any additional cost associated for CRD Bylaw Enforcement for secondary suites. An incentive program aimed at existing secondary suite owners capped at 15 in total would need a grant-in-aid of \$15,000, for example.

- 2) Suites will place additional demand on water and sewer systems resulting in higher operating costs and future capital upgrade costs and accelerated timing. These costs will need to be recovered from the service area. Some services do not have surplus capacity to accommodate additional units or suites and this needs to be considered in the permitting process.

The current service area customers should not bear a higher cost of services as a result of the additional system demand. Rebate programs or other incentives for the installation of water meters by secondary suites will require the CRD/Commissions to develop a cost recovery operating system and public approval for a budget for future capital upgrades for the service area.

The CRD may consider rebate programs or other incentives for the installation of water meters by secondary suite building permit applications. Cost recoveries will require the CRD Commissions to develop alternate methods of recovering user charges from service area properties to ensure a "user pay" system.

- 3) Other costs associated with legalizing existing suites could result from suites that cannot be brought up to the requirements of the BC Building Code and the bylaw enforcement budget to bring those suites into compliance.

Public relations could be compromised where the existing suites are shut down because the suites cannot be brought up to the requirements of the BC Building Code. This may result in significant hardship to displaced occupants.

- 4) The CRD and BC Building Code require that low flush toilets be used under Part 10 – Energy and Water Efficiency of the BC Building Code, so water conservation is required.

RECOMMENDATION

That the Electoral Area Services Committee:

1. Direct staff to meet with the Islands Trust Local Trust Committee to discuss their resolution and report back to the Electoral Area Services Committee on the outcome from the meeting.

****ORIGINAL SIGNED****

Robert Gutierrez
Chief Building Inspector

Marg Misek-Evans, MCIP, RPP
Acting General Manager
Planning and Protective Services
Concurrence

Robert Lapham, MCIP, RPP
Chief Administrative Officer
Concurrence

Attachments: 2