

FREQUENTLY ASKED QUESTIONS

1. Are secondary suites legal?

Yes! In 2011, the Zoning Bylaw was amended to allow secondary suites within a single unit dwelling in the Town. Zoning Bylaw No. 1860 permits secondary suites under certain conditions in the following zones:

- Single Dwelling Residential (R-1)
- Single Dwelling Residential - Small Lot A (R-1-A)
- Single Dwelling Residential - Small Lot B (R-1-B)
- Old Town Residential (R-2)
- Bayview Residential (R-2-A)
- Oyster Cove Residential (R-2-B)
- Live/Work Residential (R-2-LW)
- Local Commercial (C-1)
- Rural Residential (RU-1)

However, there may be agreements (e.g. covenant, building scheme) registered on the title of your parcel that affect land use. Reviewing your property title is important. Public agreements (such as land use covenants in favour of the Town) are enforced by the Town and private agreements (such as a building scheme) are enforced by the developer, or other owners in the subdivision who are also subject to the same agreement.

2. What is a secondary suite?

It is an accessory dwelling unit fully contained within and subordinate to a single unit dwelling. Secondary suites are an excellent way to offer affordable housing in the community both for renters and home-owners who need a mortgage helper. If you are building a new home you might want to think about including a secondary suite, or building your home to be “suite-ready”.

3. What about suites above a garage, or in a separate building, on the same property?

The Town approved Coach Houses as a legal land use in 2014 as part of the new Zoning Bylaw. Refer to the Coach House Guide and the Zoning Bylaw for specific information, including permitted locations.

4. What are the building standards?

The BC Building Code includes specific standards for secondary suites. All new construction is required to meet this standard. The Building Code is available at the Ladysmith Library.

5. How big can a suite be?

A suite can be no larger than 40% of the gross floor area of the single unit dwelling, or 90 square metres (968 square feet) – whichever is less.

6. Do I need a building permit for a suite? What is the cost?

Yes. If you are making improvements to an existing suite (built prior to September 19, 2011), Council has waived the building permit fees for five years (to September 19, 2016) to encourage homeowners to make improvements to these suites. If you are constructing a new suite in an existing or new home, a building permit fee will be charged based on construction values contained in the Building and Plumbing Bylaw.

7. How many parking spaces do I need to provide?

Two spaces, in total, comprising one space for the secondary suite and one for the single unit dwelling. The Zoning Bylaw includes standards for the parking spaces, including size and where they can be located. Tandem parking (one car behind the other) is permitted.

8. Are there other costs?

Yes, the Town will charge an additional wastewater user rate (quarterly) for the secondary suite for sewer, and an additional user rate (quarterly) for garbage, recycling and organic waste collection. Currently, water usage is charged based on the “all other users” base rate (quarterly), plus consumption.

9. Can I sell my secondary suite?

No. A secondary suite cannot be stratified, subdivided or otherwise legally separated from the single unit dwelling.

10. What if I don't use my suite anymore?

User fees will continue to be charged if the secondary suite remains in the home. Council has established standards for suite removal for bylaw enforcement purposes, and these criteria could also apply for the suite to no longer be charged user fees. The Building Inspector can explain these requirements.

11. What if a complaint is received about my suite?

Council has established policy for bylaw enforcement with a focus on the life-safety standards of suites. Complaints are handled by the Bylaw Enforcement Officer.

12. How can I learn more about being a landlord?

The Provincial Residential Tenancy Branch website (www.rto.gov.bc.ca) provides resources for landlords and tenants.



OTHER QUESTIONS?

Development Services Department, 132C Roberts Street, Ladysmith BC
250-245-6415 | DS@ladysmith.ca

Building Inspection Department, 330 Sixth Avenue, Ladysmith BC
250-245-6443 | info@ladysmith.ca

Visit www.ladysmith.ca/business-development to download a copy of the Zoning Bylaw.

