

A Guide to Secondary Suites in the Town of Comox

This Guide has been prepared to assist homeowners in the process of constructing new secondary suites, or legalizing existing suites to ensure compliance with the BC Building Code and Comox Zoning Bylaw.

This Guide is for convenience purposes only and should not be used for Legal or Interpretive purposes without reference to the Original Bylaws and Amending Bylaws.

**For More Information Please Contact
the Town of Comox Planning and Building Department**

For More Information:

Town of Comox Planning and Building Department: 250-339-1118
www.comox.ca/hall/departments/planning-and-building-inspection



A GUIDE TO SECONDARY SUITES

As part of its Housing Affordability Strategy the Town of Comox is allowing secondary suites in most single family detached homes. Secondary suites can increase housing diversity and affordability within communities and provide important financial benefits to homeowners.

WHAT IS A SECONDARY SUITE?

A secondary suite is a legal suite located within a single family detached house. The building owner must occupy either the primary or secondary suite of the residence. At this time, Bed and Breakfast accommodations and coach houses are not permitted on a parcel where a secondary suite exists. Please contact the Planning Department for more information about B & B and coach houses.

The suite must not have a floor area greater than 90 m², or 40% of the gross floor area of the home, whichever is less. Only one secondary suite is permitted per residential home. The suite must have a separate entrance from the primary dwelling unit, and be located either above or below the primary unit. The residence must provide a minimum of two individually accessible off-street parking spaces: one for both the primary and secondary suites. These parking spaces cannot be in tandem (behind each other).

WHY SECONDARY SUITES?

The Town of Comox identified legalizing secondary suites as a key component of its “Housing Affordability Strategy”. The goal of this strategy is to improve the availability and affordability of a variety of housing types in Comox, while ensuring the housing produced is well-designed and suitable for the community. Secondary suites can provide an important component of the residential housing stock within a community, ensuring those in need of market rental housing can find quality accommodation. Additionally secondary suites can provide important benefits to home owners that range from mortgage help for new homeowners and young families, to maintenance and income assistance for seniors who want to age in place.

WHERE ARE SECONDARY SUITES ALLOWED IN THE TOWN OF COMOX?

Secondary suites are currently allowed in the following zones: R1.1, R1.2, R1.3, R2.1, R3.2, R3.3, R3.4, R3.5, R3.6, R3.7, R4.1, CD1.1, CD3, CD5, CD9, CD15, CD17, CD18, CD22, CD23 and AG1.1. See the Town of Comox Zoning Map for the locations of these zones.

EXISTING ILLEGAL SECONDARY SUITES

If you have an existing illegal secondary suite, in the zones listed above, the new bylaw does not automatically mean your suite is legal. You must obtain a building permit from the Town of Comox to confirm that your suite successfully meets the zoning bylaw requirements (including the owner occupancy provision) and conforms to the current BC Building Code and its health and safety requirements. If you have any further questions regarding your existing illegal suite please contact the Building Department.

For More Information:

Town of Comox Planning and Building Department: 250-339-1118
www.comox.ca/hall/departments/planning-and-building-inspection



PERMITTING PROCEDURES

In order to have a secondary suite approved, you must obtain a building permit from the Town of Comox. You (or your authorized agent) must apply for the building permit in person at the Town of Comox Building Inspection Department.

Building permit application requirements include the submission of the following:

- construction drawings. If there are no changes to the exterior of the house, this requirement may be limited to the submission of two sets of dimensioned floor plans with the primary and secondary suites, kitchen and bathroom facilities, and the primary and secondary suite entrances clearly marked.
- a dimensioned proposed site plan showing property lines, the building footprint including decks, building setbacks from property lines, unit entrances and onsite parking spaces.
- a signed and notarized Owners Declaration of Secondary Suite affidavit.

Detailed permit requirement can be found in the “Town of Comox Building Permit Application Requirements – Schedule A”. Prior to preparing your application, contact the Building Department at 250-339-2259 to arrange a time to meet to review the requirements that apply to your specific project.

BYLAW AND BUILDING CODE REQUIREMENTS

All legal secondary suites must be in compliance with the Comox Zoning Bylaw 1850, which includes the following provisions:

- The secondary suite can only be located in single-family dwellings
- Either the primary or secondary suite must be owner occupied
- Only one secondary suite is allowed within each single family dwelling
- The secondary suite must be completely contained within a single family home
- Must have a gross floor area not exceeding 40% of the single-family dwelling or 90 m² whichever is lesser
- Have its own entrance, separate from that of the primary suite
- Provide a minimum of two individually accessible off-street parking spaces (one for each dwelling unit). These cannot be in tandem (behind each other) and the width of their driveway access from the public road is limited to 6.0 metres.

A completed Owner’s Declaration of Secondary Suite Affidavit is required as part of the building permitting processes to ensure the secondary suite complies with the Zoning Bylaw.

BC BUILDING CODE

The building permitting process ensures that your secondary suite conforms to the requirements of the British Columbia Building Code. The Building Code has adopted Section 9.36, which contains reduced requirements for single family homes with secondary suites to provide minimum health and safety standards for occupants, while mitigating undue costs on homeowners. For more information regarding these requirements and the BC Building Code, please contact the Town of Comox Building Department at 250-339-2259 or by email at irogers@comox.ca

For More Information:

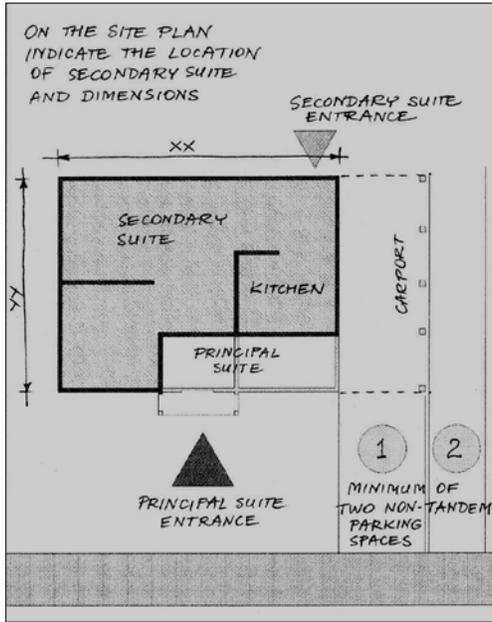
Town of Comox Planning and Building Department: 250-339-1118
www.comox.ca/hall/departments/planning-and-building-inspection



A GUIDE TO SECONDARY SUITES

PLANS REQUIRED

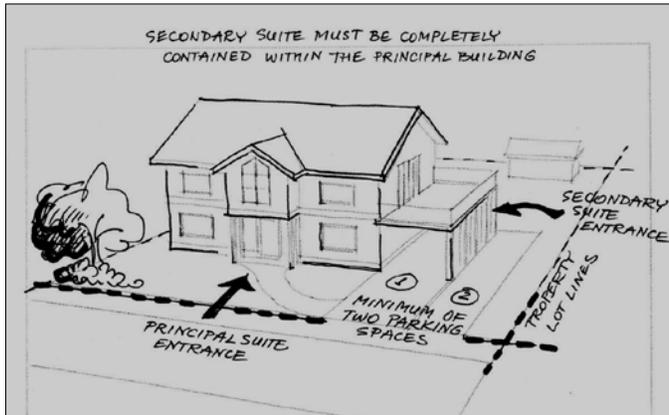
FLOOR PLANS



Floor Plans must include the following:

- Dimensions of the primary and secondary suite
- Location of the primary and secondary suite
- Entrance locations for primary and secondary suites
- Location of kitchen and bathroom facilities

SITE PLANS



Site Plans must include the following:

- Entrance locations for primary and secondary suites
- Location and dimensions of the minimum 2 off-street parking spaces (non-tandem)
- Any existing buildings on the property in relation to legal property boundaries
- Minimum Acceptable Scale: 1:200
- North Arrow and Drawing Scales

Depending on the type of construction necessary for the secondary suite, additional construction drawings may be necessary.

Please contact the Town of Comox Building Department for more information at 250-339-2259 or by email at irogers@comox.ca

For More Information:

Town of Comox Planning and Building Department: 250-339-1118
www.comox.ca/hall/departments/planning-and-building-inspection



OTHER REQUIREMENTS

A Plumbing Permit will be required if there are any additions or alterations to the plumbing system or fixtures. Your plumber can apply for this permit after the building permit is issued.

Residential fees for water, sewer and garbage collection are levied per residential unit. A secondary suite is a residential unit; as a result the residential fees will double once a suite is constructed regardless of whether the suite is occupied or vacant. Paying for 2 residential units of garbage allows for the pickup of two garbage cans. Switching to metered billing from flat fees can reduce the water fee, depending on water use.

Secondary Suites beside the main residence may require a Development Permit in addition to a Building Permit. To determine if a secondary suite beside the main residence requires a Development Permit, review the DPA #18 requirements attached to this brochure.

FEES

A \$50.00 application fee is due at the time you apply for a building permit. The balance of the permit fee (typically for a secondary suite \$200.00) is due when you pick up your permit. Additionally, the Town requires a damage deposit of \$750.00.

For more information on building permit fees contact the Town of Comox Building Department at 250-339-2259.

For More Information:

Town of Comox Planning and Building Department: 250-339-1118
www.comox.ca/hall/departments/planning-and-building-inspection



3.18 Development Permit Area (DPA) # 18 Secondary Suites

(Add # 1908, April 17/2019)

3.18.1 Area Affected

DPA #18 – Secondary Suites applies to all areas as shown on the map *DPA #18 – Secondary Suites*.

3.18.2 Purpose

In accordance with sections 488, 489, 490 and 491 of the *Local Government Act*, the purpose of DPA #18 is to establish objectives:

- For the form and character of intensive residential development consisting of side-by-side secondary suites;
- To promote energy and water conservation; and
- To promote a reduction in greenhouse gas emissions.

3.18.3 Justification

Secondary suite development presents the possibility to create a range of housing opportunities in both “greenfield” sites and already established neighbourhoods. Secondary suites should be compatible with surrounding areas that typically contain a predominance of single detached dwellings. Appropriate site planning and landscaping can result in energy and water conservation and lead to a reduction in a community’s greenhouse gas emissions.

3.18.4 Exemptions

A development permit is not required for the following actions:

- A. Construction of, addition to, or alteration of buildings and structures other than a single detached dwelling with a secondary suite; or
- B. Alteration of land, including vegetation.

Written confirmation of exemption from the Town is available prior to the commencement of the following actions:

- C. Construction of, addition to, or alteration of a single detached dwelling with a secondary suite, provided that the secondary suite is located above or below the principal dwelling, shared utility and storage areas are excluded from this requirement;
- D. Construction of, addition to, or alteration of a single detached dwelling with a secondary suite, provided that:
 - I. The exterior materials of secondary suite addition match the existing building exterior materials or are brick, fibre cement siding, stone masonry, wood, stucco or concrete and no building face is more than 20% unfinished concrete. Metal trim and architectural hardware and details are permitted;
 - II. Each secondary suite elevation facing a street:
 - a. provide no entrance doors, except on exterior side elevation;
 - b. not exceed 30% of total building frontage of the single-detached dwelling;
 - c. door and window trim match the existing building materials and style; and
 - d. window glazing not exceed 30% of secondary suite elevation area;
 - III. Both the secondary suite and the principal dwelling have separate at grade outdoor space, or deck with a minimum depth of 2.5 metres, a minimum area of 15 square metres and not located closer than 2.0 to a lot line. For the secondary suite:
 - a. the open space must abut an exterior secondary suite wall and be directly accessible from the secondary suite; and
 - b. an exterior faucet is provided to facilitate optional gardening by residents;
 - IV. Existing trees with a DBH of more than 20 centimetres are retained, unless removal is necessary to allow for a secondary suite of the Zoning Bylaw maximum permitted gross floor area, in conformance with DPA #18 exemption criteria. In this case a replacement tree of comparable species of minimum 5 cm DBH for deciduous trees and 1.5 meter minimum height for coniferous trees is provided for each mature tree removed; and
 - V. All new onsite wiring services are underground;
- E. Minor external additions or alterations to existing side-by-side secondary suites provided that:
 - I. Changes are consistent with a previously approved Development Permit, in terms of colour, materials, form, landscaping and open space.
 - II. External additions or alterations are valued less than \$10,000 for materials and labour;
 - III. Additions or alterations do not exceed 30% of the existing secondary suite floor area to a maximum of 30 square metres; and
 - IV. changes in the exterior design of a single-family building on any one side involve an area less than 50%; and
- F. Subdivision of land.

3.18.5 Guidelines

Unless exempt under Section 3.18.4, no alteration of land, including vegetation; construction of, addition to, or alteration of a building or other structure is to occur unless the applicant first obtains a development permit. A development permit shall not be issued except in compliance with the following guidelines.

Use of the word “should” in a guideline does not indicate that compliance is at the option of the applicant. Rather compliance to the guideline will be required as a condition of issuance of a development permit unless there are exceptional reasons why the guideline should not be applied to its fullest extent.

Use of the term “encourage” indicates that compliance with the guideline may at the discretion of the Council be required as a condition of issuance of a development permit.

3.18.5.1 Site Services and Access

- 1) All new onsite services should be underground; and
- 2) Vehicle access and egress from a parcel should be limited to one common driveway, except where secondary access is from a lane.

3.18.5.2 Building Guidelines

- 1) Buildings should not give the appearance of a mirror image duplex as viewed from a street;
- 2) Buildings over 1 storey should be massed to reduce the appearance of height and increase ground floor weight through terracing or tapering of building mass and rooflines;
- 3) The exterior materials of secondary suites should be brick, fibre cement siding, stone masonry, wood, stucco or concrete. No building elevation should be more than 20% of unfinished concrete. The use of vinyl siding may be permitted only to match the existing building and where sufficient architectural details are provided to ensure visual interest. Metal trim and architectural hardware and details are permitted;
- 4) Exterior trim and architectural features should be robust and weather resistant;
- 5) Pedestrian access to a secondary suite is encouraged to be designed for universal access, to accommodate persons with mobility impairment;
- 6) Building siting and design should encourage crime prevention by using passive security design elements including, where applicable, the location of habitable rooms with windows that face streets, sidewalks, pathways and secondary suite associated open space, to promote informal surveillance through a high level of visual oversight;

- 7) Principal elevation of the principal dwelling should be orientated to a street and designed in such a manner as to promote a lively, energetic, pedestrian-oriented, streetscape including the provision of a strongly articulated, pedestrian entrance to the principal dwelling accentuated by:
 - a. door design, trim, and hardware;
 - b. provision of a door window or sidelight;
 - c. porch, dormer or recessing; and
 - d. a direct hard surfaced pedestrian pathway to the street. Use of smooth, level non-slip permeable surfacing suitable for use by those with mobility impairment (e.g. walkers, wheelchairs) is also permitted.

Other building elevations which are visible from adjacent streets should be treated similarly, excluding the pedestrian entrance requirement. On these building elevations, any pedestrian entrance should be clearly secondary and should not be strongly articulated or accentuated; and

- 8) All exterior building and site lighting fixtures should:
 - a. produce illumination levels in accordance with common engineering practices and standards;
 - b. be of a metal halide type or provide a similar light spectrum;
 - c. minimize illumination of adjacent properties;
 - d. consist of full cut off/flat lens pole lighting or fully shielded wall lighting;
 - e. be arranged so rays of light are directed upon the parking, walking, areas and not upon adjacent land or streets; and
 - f. be so arranged that no part of any fixture is more than 4.5 metres above finished grade level of off-street parking areas.

3.18.5.3 Integration with the Existing Development:

- 1) The design, siting and orientation of a secondary suite should reflect that of a secondary unit;
- 2) Secondary suite design, siting and orientation, should provide visual privacy between neighbouring properties; and
- 3) Secondary suite design, siting and orientation should be compatible with surrounding development.

3.18.5.4 Energy, Water Conservation and Greenhouse Gas Reduction:

- 1) Secondary suites are encouraged to be sited, designed and landscaped to take advantage of passive solar exposure in wintertime and reduce sun penetration in summer. This guideline does not apply to sites which do not receive substantial solar exposure;

- 2) Incorporation of solar panels as a supplementary or alternative energy and geothermal heating is encouraged; and
- 3) Drought resistant landscaping and xeriscaping are encouraged.

3.18.5.5 Landscape Guidelines

- 1) Both the secondary suite and principal dwelling should be provided with their own separate outdoor space, balcony or deck, each with:
 - a. a minimum depth of 2.5 metres, a minimum area of 15 square metres and not located closer than 2.0 metres to a lot line;
 - b. located in a suitable location adjacent to the unit, serviced with direct access thereto; and
 - c. the secondary suite outdoor space should be provided with an exterior faucet to facilitate optional container gardening by residents;
- 2) Existing mature trees should be retained wherever possible. Owners should employ the principle of “no net loss” of significant plant material in any development. Where it is necessary to remove significant plant material in order to build a secondary suite on a property, replacement plantings should be provided of a sufficient number, size, type, suitability and maturity to off-set its removal; and
- 3) Fences should be aesthetically designed and be compatible with adjacent developments. Fencing should be robust. Wood fencing should have minimum 4” x 4” posts and 2” x 4” horizontal supports at the top and bottom of fence panels. All wooden fencing and other wooden landscape components should be treated with paint, stain, or other preservative, or contain a natural preservative (i.e. cedar).