

PLANNING AND DEVELOPMENT COMMITTEE

*HIS WORSHIP, THE MAYOR
AND COUNCILLORS*

SUBJECT: SECONDARY SUITE PROGRAM UPDATE - 2015

RECOMMENDATION:

1. **THAT** Council receive the 2015 Secondary Suite Program Update report for information.

REPORT

The Planning and Development Committee, at its meeting held on 2015 January 27, received and adopted the attached report presenting an update on the implementation of the Secondary Suite Program.

Respectfully submitted,

Councillor C. Jordan
Chair

Councillor D. Johnston
Vice Chair

Councillor S. Dhaliwal
Member

Copied to:	City Manager Director Engineering Director Planning & Building Assistant Director Current Planning Chief Building Inspector Chief Licence Inspector Director Finance City Solicitor
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TO: CHAIR AND MEMBERS
COMMUNITY DEVELOPMENT COMMITTEE

DATE: 2014 January 22

FROM: DIRECTOR PLANNING AND BUILDING

FILE: 16000 20
Reference: Secondary Suites

SUBJECT: SECONDARY SUITE PROGRAM UPDATE - 2015

PURPOSE: To present an update on the implementation of the Secondary Suite Program.

RECOMMENDATION:

1. **THAT** Council receive the 2015 Secondary Suite Program Update report for information.

REPORT**1.0 BACKGROUND**

In September 2013, Council approved a Secondary Suite Program that was developed through a comprehensive public consultation program in order to reflect and support the needs of Burnaby residents. The objective of the program was to formalize the contribution that secondary suites provide in terms of rental housing stock, and while also achieving the related safety and other benefits for both property owners and tenants. A summary of the Secondary Suite Program approved by Council for public implementation is presented in *Appendix 1, attached*.

The approved phased implementation approach adopted by Council included required amendments to the Burnaby Zoning Bylaw, creation of a Home Rental Business Bylaw, application of the safety and other provisions of the BC Building Code, and associated administrative changes to include secondary suites into the City's permit, licence and fee systems. The approach also set the context for the management and inclusion of secondary suites within neighbourhoods by addressing matters related to the processing of complaints, suite size limits, the number of accessory uses, additional parking, payment of utility and other fees, and management of suites where the property owner does not reside within the residence.

In January 2014, the first two phases of the program were implemented. With the completion of one year of the program's operation, staff have undertaken a review of the City's accomplishments related to the implementation of secondary suites for the information of the Community Development Committee and Council.

2.0 IMPLEMENTATION OF THE SECONDARY SUITE PROGRAM IN 2014

The adoption of a Secondary Suite Program by Council formed the basis for advancing a phased implementation of project components. Under Phase I & II of the program, staff introduced to Council specific amendments to the Burnaby Zoning Bylaw and the proposed Home Rental Business Bylaw. Permitting of new suites commenced in January 2014.

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At the beginning of 2014, property owners were able to apply for a Building Permit for the construction and/or approval of a secondary suite. Additionally, the Licence Office was authorized to issue licences for any non-resident owners of single family homes that rent their property with a legally permitted secondary suite. The Finance Department also proceeded to implement billing for these properties for utility charges. In tandem with this work, staff initiated a comprehensive Public Information Program to advise applicants, residents and property owners of the new program.

In 2014, the following activities were undertaken to advance the Secondary Suites Program:

2.1 Non-conforming In-law Suites

Under the Secondary Suites Program, the City's Zoning Bylaw was amended which 'grand-fathered' existing permitted and currently licensed in-law suites as non-conforming, but legal suites. All new applications received and in process by the Building Department prior to the final adoption of the bylaw and its implementation date of January 1, 2014 were included.

Licensed in-law suites considered under the program include:

Authorized In-law Suites	In-law Suites in Process	Total
532	49	581

2.2 Secondary Suite Building Permit Applications

Under the Secondary Suites Program, the City's Building Permit process was amended to allow for issuance of a Building Permit to create an authorized secondary suite within a single-family dwelling. Section 9.36 of the BC Building Code is applied to guide the permitting of existing unauthorized suites within single-family dwellings, and for new suites within existing or new dwellings.

In total, 316 Building Permit applications for secondary suites in new and existing dwellings were or are being processed by the Planning and Building Department between the period of January 5, 2014 and January 5, 2015.

A summary of Building Permit Applications with the City is as follows:

Suite Permit Applications	Suite Permits Approved (new homes)	Suite Permits Approved (existing homes)	Suite Permits Pending	Total Suites Approved
316	223	29	64	252

2.3 Secondary Suite Feasibility Report Program

The Planning and Building Department offers to Burnaby's property owners a complimentary suite feasibility report prepared by the City, for two-years of the program. The Program also seeks to encourage voluntary inclusion of defined "suite ready" construction provisions in all new single-family

developments. These efforts have been made to support future development of a secondary suite that would meet the safety standards of the BC Building Code and to assist owners in achieving legalization of suites in constructed dwellings in the future.

The Secondary Suite Feasibility Reports completed in 2014 included the following applications:

Reports Completed	Reports Creating Suite	Reports Pending	Total
8	4	4	16

2.4 Secondary Suite Bylaw Enforcement Program

The City's approach to enforcement of unauthorized suites includes a focus on prioritizing citizen's complaints and facilitates approvals for suites as part of the enforcement and legalization process. The program seeks to decommission suites in two-family dwellings, and multiple suites in a single-family dwelling, that are the subject of a citizen complaint. When staff receive a citizen's complaint regarding infractions concerning the City's bylaws, an Enforcement File is opened by staff and processed to review and resolve the issue with a property owner. During 2014 the Building Department responded to and resolved 49 Enforcement Files.

3.0 IMPLEMENTATION OF PHASE III

Council's adopted implementation approach includes a final phase related to the notification and utility billing process for existing, unpermitted secondary suites. As outlined in previous reports to Council, this work program will include finalization of Burnaby's secondary suite databases which will guide the notification to property owners of utility billing for all existing non-permitted suites.

This aspect of the Secondary Suite Program has been advanced as part of the Planning and Building Department's annual work plan. As this work is completed throughout 2015, staff will continue to monitor issues of concerns that may warrant or support future reports to Committee and Council for ongoing adjustments to the Secondary Suite Program.

4.0 CONCLUSION

As outlined, the City's Comprehensive Secondary Suites Program adopted by Council has succeeded in advancing this affordable housing issue, which had been an outstanding goal of the City's Official Community Plan and was reconfirmed as part of the Social Sustainability Strategy. A comprehensive and phased approach to implementing the program has allowed the City to stage various aspects of the program for residents and property owners.

The advancement of all aspects of the Secondary Suite Program, as this update demonstrates, has overall met with the approval of citizens and property owners and meets their needs. The positive response and acceptance by the community to the new program provides a further indication that the City's Secondary Suite Program, which reflects a balanced consideration of a mix of diverse objectives, has achieved its goals during the first year of operation. The Program has successfully ensured the gradual, long-term increase in the number of legal permitted suites with their associated improvements including meeting

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minimum safety standards, better suite standards, managing neighbourhood impacts, and building community support over time.

In summary, in 2014 the Program successfully processed:

- 223 Secondary Suites in new residences.
- 29 Secondary Suites in existing residences.
- 16 Secondary Suite Feasibility Report requests.
- 581 In-law Suites Applications.

This 2015 update report is presented for the information of the Committee and Council. As the program proceeds, ongoing reviews of the Secondary Suite Program and updates will be prepared and advanced to Council through future reports.



Lou Pelletier, Director
PLANNING AND BUILDING

JW/sa/sla
Attachment

cc:	City Manager	City Clerk
	Director Finance	Assistant Director Current Planning
	Director Engineering	Chief Licence Inspector
	Chief Building Inspector	City Solicitor

APPENDIX 1 – SUMMARY OF SECONDARY SUITE PROGRAM¹

The approved Secondary Suite Program in the City of Burnaby provides for the approval of secondary residential suites within single-family dwellings. The program seeks to manage the legalization of a substantial inventory of existing unauthorized secondary suites in the city, and to allow for the development of new secondary suites in single-family dwellings. The overall approach addresses required amendments to the Burnaby Zoning Bylaw, application of the safety and other provisions of the BC Building Code, and proposals to include secondary suites into the City's permit, licence and fee systems.

The program seeks to reflect and support the needs of Burnaby residents by formalizing the contribution that secondary suites provide in terms of more affordable rental housing stock, and to achieve the related safety and other benefits for both property owners and tenants. The approach also seeks to help manage the inclusion of secondary suites within neighbourhoods by addressing matters related to the processing of complaints, suite size limits, the number of accessory uses, additional parking, payment of utility and other fees, and management of suites where the owner does not reside on the property.

Overall, the approach balances a number of objectives to:

- increase safety standards for homeowners and tenants;
- protect affordable housing options;
- ensure that neighbourhood impacts are minimized;
- provide for fair and equitable utility and permit fees;
- assist property owners with legalization efforts; and
- focus on citizen 'complaint-based' enforcement priorities.

The following summarizes the components of the Secondary Suite Program:

The City's Zoning Bylaw has been amended to:

- define a secondary suite as "an accessory dwelling unit fully contained within a single-family building";
- permit secondary suites within single-family residential zoning districts;
- regulate the maximum and minimum sizes of secondary suites;
- restrict the types of allowable home occupation businesses in dwellings that have a secondary suite;
- require an additional off-street parking space for dwellings with a secondary suite; and
- 'grand-father' existing permitted and currently licensed in-law suites.

The City's Building Permit process has been amended to:

- allow for issuance of a Building Permit to create an authorized secondary suite within a single-family dwelling;
- apply Section 9.36 of the BC Building Code as the guideline for permitting legalization of existing unauthorized suites within single-family dwellings, and for new suites within existing or new dwellings; and
- offer complimentary suite feasibility reports prepared by the City, for an initial two-year period, to assist owners in achieving legalization of existing unauthorized suites.

The City's approach to enforcement of unauthorized suites includes:

- a focus on prioritizing complaints received from citizens;
- facilitates approvals for suites as part of the enforcement and legalization process;
- seeks to decommission suites in two-family dwellings, and cases of multiple suites in a single-family dwelling, that are the subject of a citizen complaint; and
- seeks to encourage voluntary inclusion of defined "suite ready" construction provisions in all new single-family developments to support future development of a secondary suite that would meet the safety standards of the BC Building Code.

The Building Permit, Inspection and License Fees includes:

- the application of the existing Building Permit Fee Schedule for the construction of new secondary suites and the legalization of existing unauthorized suites; and
- a business licence requirement for non-resident property owners who are renting out both the principle single-family residence and the related secondary suite in the single-family residence. The licence would also be subject to adherence to the conditions of a new "Home Rental Business Licence" Bylaw.

Payment of Utility Fees includes:

- application of a supplementary utility fee (water and sewer), at a rate approximate to 50 percent of the single-family dwelling charge, for all properties with a secondary suite or grand-fathered in-law suite; and
- requiring all dwellings with a secondary suite to have one medium-sized garbage totter at the established charge.

A Public Education and Assistance Program includes:

- public notification, information materials and other guides, in multiple formats, on the requirements, expectations and processes related to the proposed Secondary Suite Program.

The above approach reflects a balanced consideration of a mix of diverse objectives associated with the approval of secondary suites, and draws on the past experience of other jurisdictions that have gone through similar approval processes, and addresses Burnaby specific issues and circumstances. The overall program, as presented, is expected to be a gradual, long-term process that will result in an increase in the number of legal suites with their associated improvements that meet minimum safety standards, improve integration of suites within neighbourhoods, and foster a supportive climate for approval and legalization of secondary suites in the community over time.

¹ The detailed description of the Secondary Suite Program is contained in the 2013 April 08 report to Council.