



Appendix A

Secondary and Garden Suites in Peachland What you need to know to apply to register your suite

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Background

- Prior to 2016: suites were not permitted in Peachland without special permission from Council.
- After 2016: changes to the Zoning Bylaw allow for secondary and garden suites in most single residential dwellings.
- Suites built with a building permit from 2016 onward are considered 'legal' and can be registered with the District of Peachland.
- Suites built from 2016 onward *without* a building permit are considered 'illegal' and need to be made legal.

If you own or live in an unregistered suite, there may be reason for concern, as it may not have been built with the appropriate permits and inspections, and may not meet fire and life safety standards. Additionally, your house insurance may not be valid if the suite is not brought up to compliance and registered.

Know What is Expected

Knowing what is involved in registering your suite is important, because it might not be as easy as you think. The process of legalizing your suite may involve costs and time, but you will benefit in the end with a safe, rentable unit to use as a mortgage helper. And you can rest easy knowing your home and the suite meet proper safety standards, and that the Bylaw Officer won't be knocking on your door.

The registration form has you verify certain things about your property, principal dwelling, and suite that relate to bylaws from the Planning, Operations, and Building departments. Review the form as it will give you a good idea of where you stand and what you will be required to do. If you can't meet the requirements, the suite will not be approved. Please talk to the Planning department about options if this is the case for you.

The most challenging requirements to meet for suite registration are:

- Compliance with BC Building Code;
- An adequate septic system (if not on sewer); and,
- Required off-street parking.

If you don't know where to start, or you have identified areas that need work, we recommended working with a *licensed contractor familiar with District Bylaws* to:

- inspect your home;
- provide a scope of work and an estimate to bring it into compliance; and,
- help you through the registration process.

If you decide you don't want a suite, or you can't reasonably register it, you can decommission it. Please contact the Building department for details.

Keeping an unregistered suite is not a good option. At some point the District will become aware of it (i.e. through a complaint, or a realty inquiry, etc.) and it will cost more to register as a result of Bylaw involvement.

FIND OUT WHAT YOU NEED TO DO, MAKE A PLAN, AND COMMIT TO MAKING A SECONDARY SUITE A VALUABLE ASSET TO YOUR HOME.

General Summary Information for Suites

This summarizes some general information relating to suites. A section specific to building requirements follows. The information is divided into sections for secondary suites, garden suites, and both, where applicable. It is up to you to ensure you understand what is required to register a suite with the District of Peachland. Please direct questions to the appropriate departments for efficiency in responding. See Page 2 of the Suite Registration Application Form for contact information.

Secondary and Garden Suites

1. The District requires registration (legalization) of all existing and new secondary or garden suites. Illegal suites may be subject to Bylaw Enforcement.
2. A building permit is required for registration of a secondary or garden suite. The cost of a building permit varies based on things like construction value and number of plumbing fixtures. Only in rare circumstances will a building permit not be required.
3. All suites must meet requirements of the current Building Bylaw and BC Building Code.
4. A principal dwelling must be constructed on the lot and issued an Occupancy Permit prior to a building permit being issued for a garden suite or an occupancy permit being issued for a secondary suite.
5. A garden suite is not permitted on a lot with a secondary suite and vice versa. One lot may have either one secondary suite or one garden suite, not both.
6. All suites are required to pay additional water and sewer (if applicable) rates of 40% of the base fee for a single detached residential home.
7. At the owner's request, the District will arrange for waste collection. The options are either to increase the size of the collection bins (if possible) and have the suite share the existing garbage, recycling, and yard waste bins with the primary dwelling, or to have an additional set of bins specifically for the suite. The owner will be responsible to pay the fees associated with the chosen option.
8. Once the suite is registered, the owner is required to pay the Suite Licence Fee and renew it annually.
9. The District will assign a new address to the suite upon registration, but it is the owner's responsibility to contact Canada Post to set up a mail box for the suite.
10. A suite is not permitted on a property, where a bed and breakfast is being operated.
11. The property must be able to accommodate all of the required parking **on-site**—two spots for the principal dwelling and one, unobstructed spot, for the suite. Where possible, all parking shall use an existing driveway. Tandem parking is permitted for the second space required for the principal dwelling. Where two stalls are located in a garage, a third stall is required.
12. A Driveway Permit Application may be required depending on whether changes need to be made to the existing driveway to provide access to the suite, a new access is requested, or if changes need to be made to provide the required off-street parking. In some instances, a driveway access was never approved for the property, and in those cases, a driveway permit application will be required as well.
13. A Development Permit may be required, depending on the property and where the suite is located. In general, development permits are not needed for internal renovations to a building, but may be needed if there are external renovations, extension to the building footprint, or land alteration.
14. The owner is responsible to work with an **electrician** and **gas fitter** to obtain the necessary permits from Technical Safety BC for any electrical and/or natural gas work and subsequent inspections, not the District's Building Inspector.
15. The owner is responsible to contact BC Hydro prior to construction of a suite to determine if any additional utility costs are applicable.

16. It is the owner's responsibility to arrange for telephone, cable, and internet services for the suite (or for the owner to pass that responsibility on to the tenant of the suite).
17. Prior to issuance of a Building Permit for a suite to any property with direct access to Highway 97, the approval of the Ministry of Transportation will be required. In cases where Ministry requirements cannot be satisfied, the proposed suite may not be supported. Any questions should be directed to Ministry of Transportation Development Approvals.

Secondary Suites— Specific Information

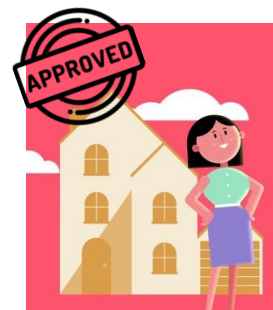
1. Secondary suites are permitted in the following zones: A-1 Agricultural (ALR); A-2 Rural (Non-ALR); RR-1 Rural Residential; RR-2 Country Residential; R-1 Single Detached Residential; RC-1 Compact Lot Residential.
2. Not more than one suite shall be permitted in a single family residence (strata titling of the suite shall not be permitted).
3. District Development Cost Charges (DCCs) are not applicable to secondary suites; however, the Regional District of Central Okanagan will charge the Westbank Sewage DCC if the construction value exceeds \$50,000.
4. Any structural alterations or additions undertaken to provide a secondary suite shall be done in a manner which is sensitive to the residential character of the area in which it is situated.
5. The secondary suite shall not exceed 110m², or 40% of the habitable floor space of the principal dwelling unit, whichever is less.
6. If the secondary suite is intended for short-term rental (30 days or less), the owner must first register the suite and then hold a valid Business Licence. Note: some requirements, like parking, differ for short-term rental. Refer to the Bed and Breakfast regulations in the Zoning Bylaw and Business Licence Bylaw for more information on requirements.
7. All secondary suites must be connected to the Municipal water and sewer system. As an exception, a secondary suite may located on a property with a septic system if:
 - a. The lot is 1.0 ha (2.47ac) or bigger and the septic system has been installed in accordance with regulations; or
 - b. The lot is smaller than 1.0 ha (2.47ha) and both the principal dwelling and the secondary suite are connected to the same septic system, *and* the owner provides written confirmation from a Registered Onsite Wastewater Practitioner (ROWP) that the system has disposal capacity for both dwelling units.



**Find out what
you need to do**



**Make a plan and
get your permits**

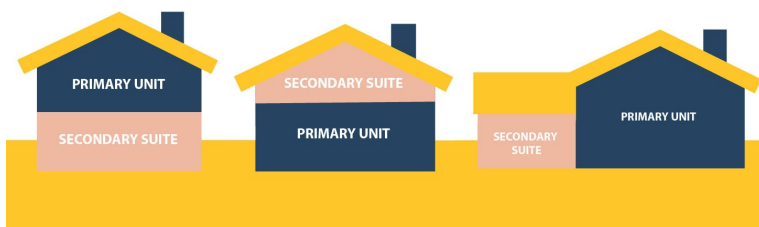


**Complete your
project and add
value to your home**

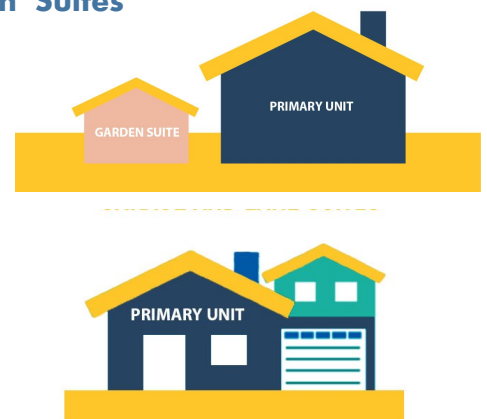
Garden Suites

1. Garden suites are permitted in the following zones: A-1 Agricultural (ALR); A-2 Rural (Non-ALR); RR-1 Rural Residential; RR-2 Country Residential; R-1 Single Detached Residential.
2. Not more than one suite shall be permitted on a lot with a single family residence (strata titling of the suite shall not be permitted).
3. Bed and Breakfast and short-term rentals (30 days or less) are not permitted in a garden suite.
4. The owner proposing to build a new garden suite is required to pay Development Cost Charges (DCCs) upon issuance of a Building Permit. Rates are set out in the Development Cost Charge Bylaw. The owner is required to pay both the Peachland DCCs and the RDCO Westbank Sewage DCC. Garden suites with a construction value less than \$50,000 do not have to pay DCCs.
5. A garden suite is not permitted on any lot less than 830m² (8,934ft²) in area.
6. A garden suite shall have a minimum floor area of 33m² (355.2ft²) and a maximum floor area of 90m² (968.7ft²) or 10% of the lot area, or 75% of the floor area of the principal dwelling, whichever is less.
7. The maximum height of a garden suite is the same as the maximum height for accessory buildings as set out in the applicable zone— this height is 4.5m (14.8ft) or 5.0m (16.4ft) depending on the zone.
8. If the garden suite has direct street access or lane access and the suite is located on the second storey above a one-storey garage, the maximum height of the garden suite may be increased to 6.0m (19.6ft) as long as the elevation of the highest point of the garden suite does not exceed the highest point of the principal dwelling. This requirement is to ensure that, on sloping lots, garden suites do not block views from homes above the lot with the proposed garden suite.
9. The setback requirements for garden suites are the same as the setbacks for accessory buildings as set out in the applicable zone, except that all garden suites shall be setback a minimum of 3.0m (9.8ft) from a rear lot line.
10. The distance between a principal dwelling and a garden suite in any zone shall be a minimum of 3.0m (9.8ft).
11. An unobstructed pathway at least 1.5m (4.92ft) wide shall be provided between the front lot line and the garden suite.
12. All garden suites shall be connected to the Municipal water and sewer system unless the lot is 1.0ha (2.47ac) or greater in size and an onsite septic system has been installed in accordance with the Sewerage System Regulation under the *Public Health Act*. For lots larger than 1.0 ha (2.47ac), the garden suite may be connected to an onsite septic system that is separate from the one for the principal dwelling.

Secondary Suites



Garden Suites



Building Code Summary for Suites

This is a brief overview of some of the minimum health and safety requirements for secondary suites outlined in the BC Building Code. Refer to the BC Building Code, available at www.bcpublications.ca for more details and the most up-to-date information. **These details must be shown on the submitted plans.**

• Fire Separation

The secondary suite must be separated from the rest of the house by a fire separation with a certain minimum fire resistance rating, providing a continuous barrier against the spread of fire and smoke. This required rating applies to all vertical (i.e. walls) and horizontal (i.e. floors/ceilings) assemblies dividing the suite from the primary residence or dividing shared spaces from the two dwelling units.

Any doors or windows located in a fire separation must have the appropriate fire-protection rating.

Generally, a minimum 45-minute fire-resistance rating is required for the secondary suite fire separation. This can be reduced by providing additional fire safety measures:

- 45 minutes — No fire safety measures
- 30 minutes — Install one photo-electric smoke alarm in the secondary suite and one in the primary residence. These alarms must be interconnected with each other and are in addition to any other required smoke alarms.
- 15 minutes — Ensure all smoke alarms within the house are photo-electric and interconnected with each other so the activation of one alarm will cause all other alarms in the building to sound (in both the suite and primary residence).
- 0 minutes — Install fire sprinklers throughout the building

An example of an acceptable separation would be:

- 45 minutes rating— one (1) layer 15.9mm (5/8") Type X drywall on ceiling and on both sides of a wall
- 30 minutes — two (2) layers of 12.7mm (1/2") drywall on ceiling and on both sides of a wall

Doors located in a fire separation must be labelled and rated for the fire separation, complete with a self-closing device.

• Alarms—Smoke

Smoke alarms are mandatory in all dwellings under the British Columbia Fire Code. All homes, sleeping rooms within boarding and lodging houses, hotels, and recreational cabins are required to be protected by smoke alarms.

Dwellings constructed before the B.C. Building Code required smoke alarms in 1979 are also required to have a smoke alarm. Smoke alarms are permitted to be battery operated in a dwelling unit constructed before the March 31, 1979 British Columbia Building Code inception date or in a building which is not supplied with electrical power. Dwelling units constructed after the 1979 building code changes require the smoke alarms to be permanently wired to the home's electrical system and interconnected.

Location of Smoke Alarms

- Within dwelling units, sufficient smoke alarms shall be installed on or near the ceiling so that:
 - * There is at least one smoke alarm installed on each storey, including basements and,
 - * On any storey of a dwelling unit containing sleeping rooms, a smoke alarm is installed:
 - ⇒ In each sleeping room;
 - ⇒ In a location between the sleeping rooms and the remainder of the storey; and,
 - ⇒ If the sleeping rooms are served by a hallway, the smoke alarm shall be located in the hallway.

Smoke alarms must be installed in conformance with CAN/ULC-S553 standards.

- **Alarms—Carbon Monoxide**

Carbon monoxide (CO) alarms are required in houses with an attached garage or that contain a fuel-burning appliance such as a fireplace. They must be located:

- inside each bedroom or,
- centrally located in a hallway or corridor.

If CO alarms are required in a house with a secondary suite, they must be interconnected so the activation of one alarm will cause all other alarms in the building to sound (in both the secondary suite and the primary residence).

- **Sound Transmission**

Controlling sound transmission between the secondary suite and the primary residence is important for the health and well-being of the occupants. The separation between the two units must have an STC (Sound Transmission Class) rating of not less than 43, or an ASTC (Apparent Sound Transmission Class) rating of not less than 40.

Alternatively, the BC Building Code allows you to use one of the following two prescriptive construction assemblies to meet the sound transmission requirements:

- Suites in New Buildings or Additions
 - * Joist and stud spaces filled with sound absorbing material;
 - * Resilient channel on one side of the separation; and,
 - * Gypsum board on ceilings and on both sides of walls (must be appropriate type and thickness to meet the required fire-resistance rating).
- Suites in Existing Buildings—(add to one side of an existing finished assembly)
 - * Resilient metal channel spaced 400 or 600mm on centre; and ,
 - * An additional layer of gypsum board (must be appropriate type and thickness to meet the required fire-resistance rating).

- **Mechanical Systems**

Ventilation:

The control of smoke transfer between dwelling units, or between the dwelling units and other spaces in the house, is a critical safety issue. The ideal solution is to provide a second, separate ventilation system to serve the secondary suite. Any alternatives to this must address the issue of smoke control. If a heating and ventilation system serves more than one dwelling unit, the system must be designed and installed to prevent the circulation of smoke upon a signal from a duct-type smoke detector. Ducts that penetrate fire separations, and have openings on both sides of the separation, must be equipped with fire dampers.

Heating:

The secondary suite should be equipped with a method of heating, independent of the main dwelling. In order to prevent the migration of smoke between dwelling units during a fire, duct work is not permitted to interconnect the dwelling units. A separate system, such as electric baseboard heating, may need to be installed in the suite. If heating or ventilation duct systems serve both the suite and the main dwelling unit, the system must contain a duct-type smoke detector that shuts the furnace fan motor off. Fire dampers are also required.

Electrical:

For electrical requirements, please contact Technical Safety BC.

A licensed electrician or the B.C. Safety Authority should be consulted to analyze the existing service size and configuration to determine if additional loads created by the suite can be accommodated. A separate electrical panel is required if unrestricted access cannot be provided to the existing main panel.

- **Mechanical Systems Continued**

Electrical (continued):

A separate electrical meter is not required, but is an option if you want the tenants to be solely responsible for their electrical consumption.

If the electrician determines that the existing service is inadequate for the addition of a suite, and a service upgrade is required, or if you want to have a separate meter installed for the suite, contact BC Hydro to determine costs and meter location. Hydro costs vary on service characteristics.

The electrician is responsible for all building attachments and internal electrical work. Contact BC Hydro to discuss specific circumstances and related fee structure when you are ready to proceed.

Plumbing:

A shut-off valve shall be installed where the water supply enters each dwelling unit, so that, when the water supply to the suite is shut off, the water supply to the remainder of the building is not interrupted.

It is not mandatory that the secondary suite has its own hot water tank – it can be shared between the suite and the rest of the house.

A secondary suite is required to have a kitchen sink, lavatory, bathtub or shower, and a water closet. Within existing homes, the water supply line may not be large enough to meet the minimum code requirements for supplying all the plumbing fixtures, including the suite. For example, if the house is serviced by a 12.7 mm (½ in.) supply pipe, it would be necessary to upgrade to a 19 mm (¾ in.) or larger water pipe, from the street to the house. All the fixtures in the building should be shown on the plans to complete a fixture calculation. A separate plumbing permit would be required to approve any new (or previously completed) plumbing work.

- **Ceiling Heights**

Ceiling heights must be at least 1.95m (6.4ft) above the floor in existing conversion and 2.1m (6.9ft) in new construction. Lower heights can be accepted under beams and duct work.

- **Bedroom Windows**

All bedrooms are required to have an opening window with a minimum clear opening area of 0.35 m² (3.8 ft²) with no dimension less than 380 mm (15 in). This area would allow for exiting in the case of an emergency.

- **Safe Exiting**

The secondary suite must have an exit door, ideally directly from the suite to the exterior. This door must be an exterior door conforming with B.C.B.C 9.9.6. In situations where the suite egress door opens into a common entrance, each unit must be served by a second and separate means of egress. A suite above the main floor may require a fire escape.

In the case of a fire, persons attempting to escape from one dwelling must not be exposed to fire emanating from the other dwelling. Where an unenclosed exterior stair, ramp, or exit path that provides the only means of egress, that must be protected from the hazards of fire from unprotected openings in the exterior wall of another fire compartment.

Building Plans and Drawings

The following drawings are required for a Suite Registration Application:

- Site Plan: dimensioned and to scale showing all buildings and structures on the property
- Parking Plan: indicate where the parking spots are for the principal dwelling and suite
- Floor Plans: dimensioned and to scale showing entry, room designations, ceiling heights, door dimensions, windows, water shut-offs, mechanical details, alarm locations, etc.
- Elevation Drawings: showing building height, additional windows, spatial separation calculations
- Cross Sections: showing details of all fire separations between dwelling units

**SEE THE ATTACHED SAMPLE FLOOR PLAN AND SITE PLAN FOR REFERENCE AND
USE IT AS A GUIDE**