

DECOMMISSIONING A SECONDARY SUITE or ACCESSORY SUITE

This guide outlines the options and steps that must be taken to decommission a secondary suite or accessory suite. From the BC Building Code Definition:

Secondary suite means an additional *dwelling unit*

- a) having a total floor space of not more than 90 m² in area,
- b) having a floor space less than 40% of the habitable floor space of the *building*
- c) located within a *building of residential occupancy* containing only one other *dwelling unit*, and
- d) located in and part of a *building* which is a single real estate entity.

From Zoning Bylaw 561, 2007:

An **“accessory suite”** means a self-contained accessory dwelling unit located within an accessory building. An accessory suite has its own separate cooking, sleeping and bathing facilities.

A **“dwelling”** means accommodation providing sleeping rooms, washrooms, and a kitchen intended for domestic use, and used or intended to be used permanently for a household. A dwelling may include only one room which, due to its design, plumbing, equipment and furnishings, may be used primarily as a kitchen; additional kitchens and wet bar facilities will be permitted in accordance with Section 3.3 General Definitions. This use does not include a room in a hotel or a motel, and does not include recreational vehicles.

A **“secondary suite”** means a self-contained, dwelling unit located within a single detached dwelling. A secondary suite has its own separate cooking, sleeping and bathing facilities. It has direct access to outside without passing through any part of the principal unit. This use does not include duplex housing, semi-detached housing, apartment housing or boarding or lodging houses.

Requirements for Decommissioning

Apply for a Building Permit (Change of Use) (Building permit fee is applicable)

1. The decommissioned suite area **MUST** be accessible to usage from within the single family dwelling, by all members of the household, otherwise the definition of a secondary suite still applies due to additional kitchens within a single family dwelling being allowed (see Bylaw 561). If there is an intervening, locking door of any kind between the secondary suite and single family dwelling the lock **MUST** be removed. If there is a wall between the decommissioned suite and single family dwelling with no opening, an opening **MUST** be created. The construction needed to achieve the opening would be part of the decommissioning permit and is required to be completed before the final inspection. The new opening has to be a minimum door width and height, as per the Building Code of the Day (not applicable for accessory suites); and
2. Complete a Statutory Declaration confirming the suite has been removed from the property and it will not be habitable or rented as a secondary or accessory suite; and

A FINAL INSPECTION IS REQUIRED TO CONFIRM ALL WORK COMPLETED

Once complete, the District will delete the "A" designation from the property address notation

Keep in mind that from time to time, a Bylaw-Enforcement Officer may, by appointment, review the property for confirmation.

APPLICATION TO CHANGE TO A SUITE AFTER BEING DECOMMISSIONED

All secondary suites will require a Building Permit and have to meet the requirements of the latest edition of the British Columbia Building Code and Zoning Bylaw requirements for Secondary Suites.

CANADA:)
Province of British Columbia)
TO WIT:)

IN THE MATTER OF:

Property location at _____
In the District of Lake Country

I, (name)

OF (address)

In the Province of British Columbia, do solemnly declare:

1. That the secondary or accessory suite located at the above noted address has been modified to decommission the suite located therein, pursuant to District bylaws and in accordance with the attached plans.
2. And furthermore, the suite is not habitable and will not be rented as a secondary or accessory suite.

And I make this solemn declaration conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under oath and by virtue of the "Canada Evidence Act".

Declared before me at the District of)
Lake Country, in the Province of)
British Columbia, this)
Day of , A.D.) _____
DECLARANT'S SIGNATURE

A Commissioner for taking Affidavits for
British Columbia or a Notary Public in and
For the Province of British Columbia.

