

DISTRICT OF NORTH SAANICH

BYLAW NO. 1 2 4 4

A BYLAW TO IMPOSE AN ANNUAL SECONDARY SUITE PERMIT REQUIREMENT

WHEREAS the District has authorized the use of a single family residential dwelling for secondary suites in certain circumstances further to the Zoning Bylaw;

AND WHEREAS Secondary Suites and additional dwelling units are commonly rented for consideration and the District wishes to encourage the use and operation of such dwellings in a manner that is conducive to the community, in form and function;

AND WHEREAS the *Community Charter* provides for the regulation and licensing of businesses, including rentals, and for a system of licenses, permits and approvals, and provisions for the protection and enhancement of the well-being of its community;

NOW, THEREFORE, the Council of the District of North Saanich in open meeting assembled, enacts as follows:

1. Citation

This Bylaw may be cited as the "Secondary Suites Permit Bylaw No. 1244, 2010".

2. Interpretation

- (1) The definitions and terms used in the District of North Saanich's Business License Bylaw and Zoning Bylaw apply to the interpretation of this bylaw.
- (2) "Secondary Suite Permit" refers to a permit issued in accordance with this bylaw, and which has not lapsed or been revoked.

3. Permit Requirement and Applications

- (1) Every owner of a single family residential dwelling that contains or is to contain a secondary suite must hold a valid and current Secondary Suite Permit.
- (2) A Secondary Suite Permit may be applied for by the registered owner:
 - (a) making an application in the prescribed form to the Licensing

Inspector,

- (b) providing a statutory declaration that the owner is the occupant of the main dwelling unit of the single family residential dwelling, and
- (c) paying the permit fee set out in Schedule A.

4. Issuance of Permits

- (1) On satisfaction that the application complies with this bylaw and the Zoning Bylaw, and has been issued a building permit for a suite, the Licensing Inspector shall issue the Secondary Suite Permit.
- (2) The Licensing Inspector may conduct inspections, and may require the applicant to provide additional information, as necessary to determine compliance with this bylaw and the Zoning Bylaw.
- (3) For certainty:
 - (a) issuance of a Secondary Suite Permit under this bylaw does not relieve compliance with all other District Bylaws and the British Columbia Building Code;
 - (b) the holder of a valid and current Secondary Suite Permit is not also required to obtain a Business License with respect to the rental of that secondary suite.

5. Terms and Applicability

- (1) The term of each permit shall commence January 1 and end on the following December 31.
- (2) A fee is not refundable and may not be pro-rated.
- (3) Every Secondary Suite Permit issued under this bylaw shall be deemed to be a personal license to the applicant and is valid only for the property indicated on the permit.
- (4) Every Secondary Suite Permit holder must post a copy of the permit at a conspicuous location in the secondary suite.

6. Renewal of Permits

- (1) A Secondary Suite Permit must be renewed annually before March 1, or the Secondary Suite Permit lapses and is no longer valid.
- (2) Each renewal application must be accompanied by an updated statutory declaration that the owner is the occupant of the main dwelling unit of the

single family residential dwelling, and the renewal fee set out in Schedule A.

- (3) If a Secondary Suite Permit lapses as a result of the permit holder failing to renew by March 1, a new application and permit fee are required.
- (4) A Secondary Suite Permit is not transferrable. If the holder disposes of its interest in the lands, the new owner must apply for a Secondary Suite Permit within 30 days of transfer.

7. Suspensions and Revocations

- (1) No holder of a Secondary Suite Permit or occupant of the property to which the Secondary Suite Permit relates may:
 - (a) cause unlawful nuisances or disturbances;
 - (b) park their vehicle (if any) anywhere other than designated off-street parking when at the residence;
 - (c) otherwise cause disturbances or other objectionable situations as identified in section 64 of the *Community Charter*.
- (2) A Secondary Suite Permit may be revoked, suspended or not renewed by Council for reasonable cause including but not limited to failure to comply with any of the provisions of this bylaw.
- (3) Council may impose conditions on the revocation or suspension of a Secondary Suite Permit, and if implemented by the owner or occupant (or both) within the time noted, will result in the Secondary Suite Permit remaining valid.

8. Forms

- (1) The Licensing Inspector may prescribe the form of permits, permit applications and statutory declarations for the purposes of this Bylaw.

9. Penalty

- (1) Any person who contravenes any provision of this bylaw commits an offence punishable on summary conviction and shall be liable to the maximum fines and penalties prescribed under the *Community Charter* and *Offence Act*, and the costs of prosecution.
- (2) Every Secondary Suite Permit fee payable by any person pursuant to the provisions of this bylaw is a debt due by that person to the District, which may be recoverable together with any costs in any Court of competent jurisdiction.

10. Severability and Headings

- (1) Any section, subsection, sentence, clause or phrase of this Bylaw, which is for any reason held to be invalid by the decision of any Court of competent jurisdiction, may be severed from the balance of this Bylaw without affecting the validity of the remaining portions of this Bylaw.
- (2) Section headings do not form part of this Bylaw. They are included for convenience only and must not be used in interpreting this Bylaw.

READ A FIRST TIME THIS 20th day of September, 2010.

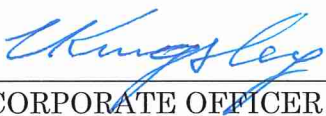
READ A SECOND TIME THIS 20th day of September, 2010.

READ A THIRD TIME THIS 20th day of September, 2010.

FINALLY ADOPTED this 4th day of October, 2010.



MAYOR



CORPORATE OFFICER



SCHEDULE A

Fees

Permit Fee	\$150.00
Renewal Fee	\$75.00