
This informational guide is to provide homeowners in the Town of Smithers with an overview of the Town's requirements for secondary suites and the steps required to legalize an existing suite. This guide provides general information, but does not replace legal documents such as the Town's Zoning Bylaw or the BC Building Code.

What is a secondary suite? A secondary suite is an additional dwelling unit located within a single family home that complies with the BC Building Code and local Town bylaws. These requirements are summarized in the attached "Technical Requirements for Secondary Suites".

Where are secondary suites permitted in Smithers? Secondary suites are permitted within single family dwellings in all A-1, R-1, R-2, R-6, R-7 zones in the Town of Smithers. A copy of the Zoning Bylaw map, which shows these locations, are available at the Town office or online at www.smithers.ca.

What are the benefits to having a secondary suite? Some of the benefits of a secondary suite includes:

- Improves housing affordability as a mortgage helper.
- Allows families to stay together by providing a first home for an adult child or an elderly relative.
- Allows people to age in place and provides a sense of security to seniors or persons with a disability.
- Increases housing options within the Town.
- Increases home value.

How do I know if my suite is legal? For an existing secondary suite to be considered legal, it must comply with the conditions of the Zoning Bylaw, have necessary building permits and meet the basic life-safety standards of the BC Building Code. Homeowners, prospective homebuyers and renters can find out if a house has a legal secondary suite by contacting the Development Services Department at 250-847-1600.

If you have an existing non-compliant suite, you are encouraged to arrange for a voluntary inspection with the Building Inspector, who will assess the necessary steps to bring your suite into compliance. Homeowners are provided with an amnesty period from paying the \$200 voluntary inspection fee until **December 31st, 2016**.

How do I create a new legal suite or legalize an existing non-compliant suite? **Building Permit Application** – If you wish to proceed with creating a new suite or legalizing an existing suite, the first step is to apply for a building permit. You will be required to provide an estimated construction value and the applicable plans (see technical guide):

Building Permit – After reviewing your application and plans for compliance with Town bylaws and BC Building Code requirements, a building permit will be issued.

Inspection & Occupancy – Once the work is completed (as shown in the plans), it is your responsibility to arrange for an inspection. Once the Building Inspector is satisfied that your suite meets all legal requirements, the Town will issue a final occupancy permit.

Are there extra fees associated with having a secondary suite?

Yes, both legal and non-compliant suites are billed an extra 40% of the flat residential rate for water and sewer, plus an extra 100% of the flat rate fee for garbage collection only if a second cart is purchased from the Town. Utility fees are charged regardless of whether or not the suite is occupied.

How does the Town enforce its Secondary Suite regulations?

On September 13th, 2011, Town Council adopted a new Secondary Suites Policy, which outlines the following enforcement procedure.

- Secondary suites not in compliance with the Zoning Bylaw and the BC Building Code, including construction without a valid Building Permit, will be subject to enforcement.
- A complaint-based enforcement approach is used to investigate suites. Complaints must be received in writing. Upon receiving a written complaint, a notice letter will be sent to the property owner advising them of the complaint and legalization process.
- In cases where the owner of an existing non-compliant secondary suite elects not to bring the secondary suite into compliance, Town Council may consider the registration of a Bylaw Contravention Notice on Title of the property pursuant to Section 57 of the *Community Charter*. This notice will notify future homeowners, insurance providers, etc of the non-compliance.
- Where a secondary suite is determined to create an unsafe condition, Council may consider issuing a removal order.

I am building a home and am interested in having a secondary suite in the future. What should I consider?

Home owners who do not want to install a secondary suite at the time of construction can make the home “suite-ready”, by having fire separation, rough-in wiring and plumbing, and means of egress. Suite-ready homes allows for a secondary suite to be added in the future without costly retrofitting.

For Further Information Contact:

Town of Smithers Development Services Department
1027 Aldous Street
PO Box 879
Smithers, BC V0J 2N0

Office Hours
Monday to Friday (except Holidays)
8:30 am to 4:30 pm
Telephone: (250) 847-1600

This brochure is meant for informational purposes only. Please consult the Local Government Act and Community Charter, the Town of Smithers Zoning Bylaw, Building Bylaw, BC Building Code and other bylaws for definitive requirements and procedures.
