

SECONDARY SUITES STUDY

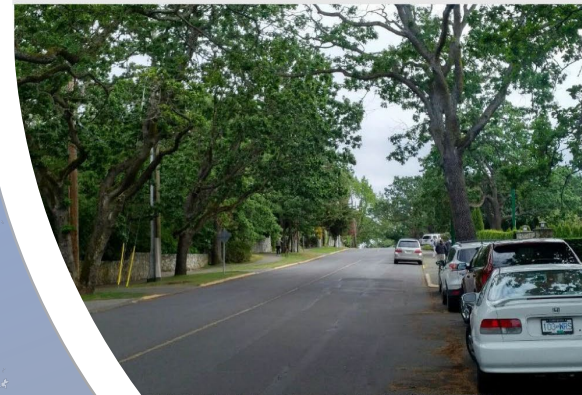
Community Feedback on the District of Oak Bay Secondary Suites Draft Strategy

May 2021



DISTRICT OF
OAK BAY

DISTRICT OF OAK BAY SECONDARY SUITES STUDY



Draft Strategy

December 2020

URBAN
SYSTEMS

312 – 645 Fort Street

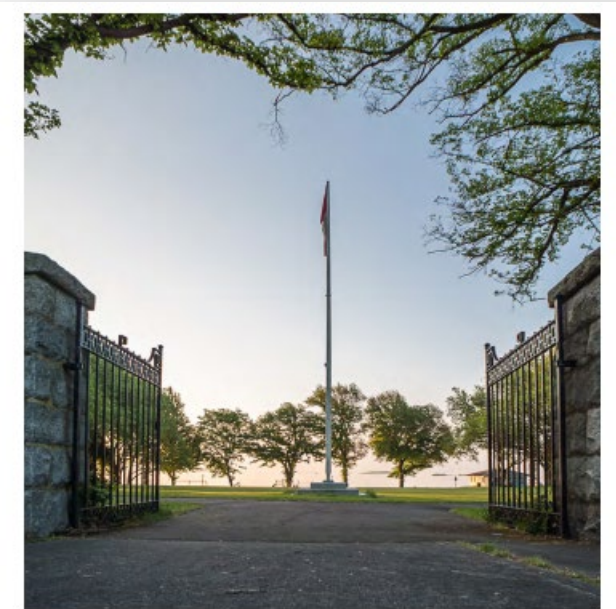
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Project # 2878.0008.01

Background

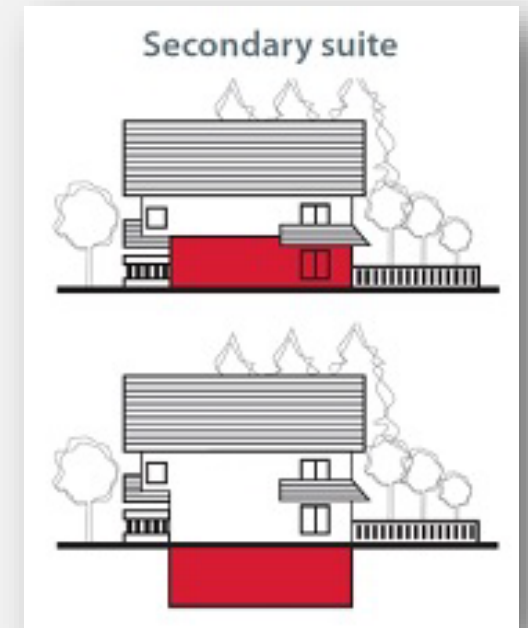
- The District of Oak Bay (and throughout the Capital Region) is facing a significant shortage of diverse, affordable housing options.
- This study looks to implement Official Community Plan (2014) Housing Policy #10
“Develop a policy and regulatory framework to permit secondary suites as a way of providing affordable housing.”
- Secondary Suites are one option to provide additional housing, allowing increased residential units without increasing the building area footprint.
- Secondary Suites also allow for aging in place, and can also be a “mortgage helper” to help reduce the financial challenges of entry into the housing market.



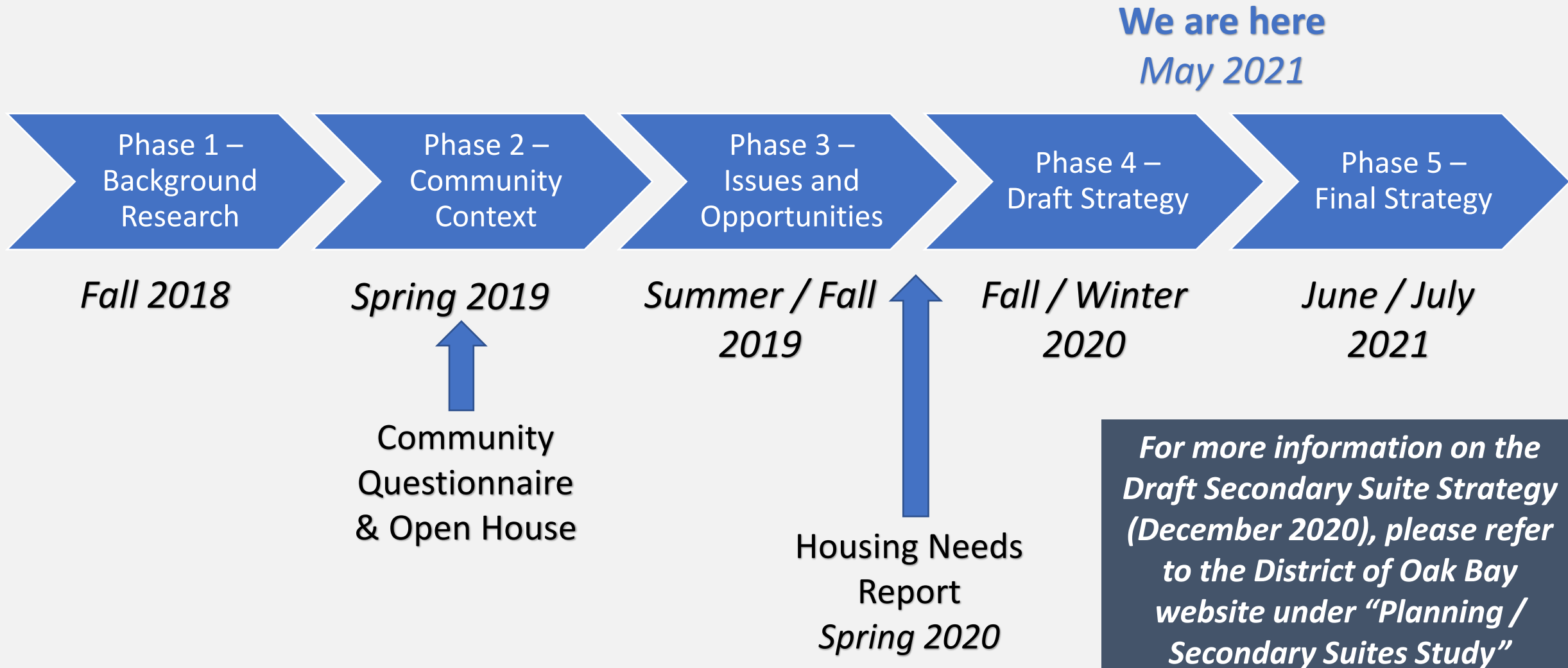
DISTRICT OF OAK BAY
Official Community Plan

Oak Bay Context for Secondary Suites

- For the purpose of this study, the following are considerations for secondary suites:
 - A separate dwelling unit with a separate entrance and separate kitchen.
 - Located somewhere within a single-detached dwelling (it does not need to be located in the basement).
 - Secondary suites within an accessory dwelling (e.g. garden suite, laneway home) are not being considered at this time.
- Currently, Oak Bay does not allow Secondary Suites (or “Basement Suites”) in its Zoning Bylaw.
- Boarding use is allowed within a single-detached dwelling, but is based upon having a shared kitchen and shared entrance (it is not considered a separate dwelling unit).



Project Review Process



Housing Needs Report

In February 2020, the District completed a Housing Needs Report which found that:

- The number of *primary rental units* (i.e. purpose built) in Oak Bay has remained stagnant for the past 10 years (1,090 units in 2019).
- The rental vacancy rate in Oak Bay is critically low (0.2% in October 2019).
- There are an estimated 750 *secondary rental units* in Oak Bay (e.g. rented houses, condos, and secondary suites). Based on this and BC Assessment, there are an estimated 500 to 750 unregulated secondary suites in Oak Bay.
- An additional 290 studio/one-bedroom units are needed to address population growth/demand in Oak Bay over the next 5 years.
- Secondary Suites play a critical role (currently and in the future) in supporting the demand for affordable rental housing in Oak Bay.

For more information on the District of Oak Bay Housing Needs Report, please refer to the District of Oak Bay website under “Planning / Housing Needs Report”

Secondary Suites Community Consultation Process

- As part of the Phase 2 community consultation process, a MetroQuest survey was launched in Spring 2019, and a Community Open House was held on April 25th with over 120 community members in attendance. Additional feedback and dialogue sharing was obtained from the community as part of an information booth set up at the Oak Bay Night Market in Summer 2019.
- Similar to previous community feedback on this topic, there is both support and opposition to secondary suites in Oak Bay, with overall feedback generally leaning towards support (based on affordable housing options, diversity of housing stock, mortgage helper, etc.).
- Opposition to secondary suites is based upon the potential impacts to neighbourhood character, parking, increased density, and health and safety issues.
- There was support for additional regulations, but it was noted that they should not be overly restrictive (i.e. meet basic health and safety and building code compliance).

Policy Considerations for New and Existing Suites

- New Secondary Suites

- Providing secondary suites within new construction aligns with current OCP policies and the Housing Needs Report.
- Provides the opportunity to conform with required regulations at the time of building permit (e.g. zoning, parking, building code).

- Existing Secondary Suites

- Existing suites are unregulated, and are currently addressed on a complaint-driven basis.
- Introducing a formal program for legalizing existing suites could provide an opportunity to comply with District Bylaws and regulations, as applicable.
- However, careful consideration of the policy/regulatory impacts is required, as it may have the opposite outcome (e.g. increased non-compliance, decreased housing affordability).



Regulatory Considerations

As identified in the Draft Secondary Suites Strategy, there are a number of regulatory components which are being taken into consideration to provide the appropriate balance within the Oak Bay context, including:

- Zoning – definitions, lot size, unit size, siting, floor area, owner occupancy.
- Parking – potential for additional off-street parking.
- Registration / Licensing – tracking through a formal registration system and/or business licensing program.
- Building Code – recent changes to the BCBC provide alternate compliance standards for suites.
- Infrastructure – limited impact from secondary suites on utilities (e.g. water/sewer/drainage/solid waste)



British Columbia
BUILDING CODE 2018



Regulatory Spectrum of Secondary Suite Attributes

- Putting all of this together, there is a regulatory spectrum of attributes related to secondary suites that the community, and eventually Council, will need to take into consideration. These attributes can vary across the spectrum from lesser to more stringent regulations.
- Based on best practices and experiences in other communities, the more difficult it is to legalize secondary suites, the less likely the uptake will be for existing unregulated suites.
- Finding the appropriate balance of regulatory levers will be a key to the District of Oak Bay in managing the effectiveness of its secondary suite process, while tackling the affordable housing crisis within the Capital Region.
- The following graphic depicts some of the attributes of secondary suites and the spectrum of regulations under consideration. As part of this round of community engagement, we look forward to hearing from you in the survey regarding input on each of these components.

Regulatory Spectrum of Secondary Suite Attributes

Regulatory Spectrum (SFD = Single Family Dwelling)

Suite Type		New and Existing Secondary Suites		New Secondary Suites Only		Existing Secondary Suites Only	
Land Use		All Single Family Homes		RS1 - RS5 Zones	Select Zones	Select Neighbourhood	Site Specific Zoning
Lot Size		No Minimum Lot Size		Minimum Lot Size 275 m²			Minimum Lot Size 558 m²
Unit Size		No Restrictions		40% of SFD		40% of SFD or 150 m² Whichever is Less	
Owner Occupancy		No Owner Occupancy					Owner Occupancy
Dwelling Use		Single Family Dwelling - With Boarding and Secondary Suite				Single Family Dwelling - With Secondary Suite Only	
Parking		No Additional Parking		1 Parking Space for New / Exempt Parking for Existing			1 Parking Space for All
Enforcement		No Enforcement		Complaint Based			District Initiated
Building Code		No Code Compliance		Health and Safety			Full Building Code Compliance
Registration		No Registration		Voluntary Registration			Mandatory Business Licensing

Secondary Suite Program Scenarios

- Based on the spectrum of attributes, a series of sample scenarios have been identified to provide a scope of how suites could be regulated in Oak Bay, ranging from least regulated to most regulated. The scenarios are outlined in detail in the Secondary Suites Draft Strategy report.
- Each scenario has varying impacts based on a number of categories / attributes including:
 - Zoning – land use, parking, owner occupancy
 - Enforcement
 - Registration
 - Resource Implications.
- The regulations could be applied to new and existing suites, new suites only, or existing suites only.
- The following table depicts the various program scenarios under consideration. As part of this round of community engagement, we look forward to hearing from you in the survey regarding input on each of these scenarios.

Secondary Suite Program Scenarios

POTENTIAL DISTRICT-WIDE SECONDARY SUITE SCENARIOS				
<i>(Bolded Blue text indicates a more stringent regulation in that category from the previous scenario.)</i>				
CATEGORY	SCENARIO A	SCENARIO B	SCENARIO C	SCENARIO D
Land Use	Secondary Suites permitted in all single family homes	Secondary Suites permitted in RS1 to RS5 Zones	Secondary Suites permitted in RS1 to RS5 Zones	Secondary Suites permitted in RS1 to RS5 Zones
Minimum Lot Size	No minimum lot size	Min. lot size = 558 m²	Min. lot size = 558 m ²	Min. lot size = 558 m ²
Unit Size	No unit size restriction	No unit size restriction	Max unit size 40% of Gross Floor Area (GFA)	Max unit size 40% of GFA or 150 m² whichever is less
Boarding pemitted	Boarding and Secondary Suites permitted	Only Secondary Suites permitted	Only Secondary Suites permitted	Only Secondary Suites permitted
Parking	No additional parking required	One off-street parking space required, exempt existing Secondary Suites	One off-street parking space required, exempt existing Secondary Suites	One off-street parking space required for new and existing suites
Owner Occupancy	Not required	Owner Occupancy required	Owner Occupancy required	Owner Occupancy required
Registration	No registration	No registration	Voluntary registration list	Mandatory business license
Enforcement	Complaint basis	Complaint basis	Complaint basis	Complaint basis and District-initiated compliance program

In addition to District-wide secondary suite scenarios, two additional scenarios can be considered based on either geographic location or site-specific zoning requirements. We look forward to hearing your thoughts in the Community Survey.

Community Survey – May 2021

- During the month of May 2021, we have launched a Community Survey to obtain public feedback on the various attributes and program scenarios to be considered as part of an overall secondary suites strategy.
- The community survey is available on the District's engagement platform (see link below).
- If you would like a hard copy of the survey, please contact the District of Oak Bay at planning@oakbay.ca or call 250.598.2042. Completed surveys can be dropped off in the Mail Slot at the front of Municipal Hall (facing Oak Bay Avenue) at 2167 Oak Bay Avenue.

For more information and to participate in the survey, please use the following link:

www.oakbay.ca/secondary-suites-study

Thank you for participating in this important housing initiative!