



Decommissioning Secondary Suites for Multiple Joint Property Owners

Effective Date: April 3, 2012

Reaffirmed Date: July 3, 2012

Reaffirmed Date: July 21, 2015

Purpose:

The purpose of this policy is to clarify the criteria for considering a secondary suite decommissioned in a single family dwelling occupied by multiple joint owners.

Policy:

1. Despite Section 5.4 of the Zoning Bylaw No. 2505 and any amendments thereto, a secondary suite may be considered decommissioned if:
 - a) Both the principal dwelling unit and the secondary suite are occupied by joint property owners as recorded on title;
 - b) There is no separate tenancy as all property owners have equal care and control over the subject property in terms of addressing fire and building safety issues in all parts of the property;
 - c) No rent is collected;
 - d) The suite was in existence prior to the adoption of Bylaw No. 2505; and
 - e) A statutory declaration attesting to the above criteria is signed and submitted annually by the property owners before March 1 of that year.
2. Properties with a decommissioned suite through submission of a statutory declaration must have internal connection between the secondary suite and the principal dwelling unit, that does not involve locking doors, and shall:
 - a) Not be permitted an additional secondary suite or a garden suite;
 - b) Not apply to Duplexes;
 - c) Be considered a Single Family Dwelling for the purposes of utility charges;
 - d) Not be permitted boarders, bed and breakfasts or child care programs.



3. Decommissioning a suite by submitting a statutory declaration does not permanently eliminate the suite but rather allows the property to be considered as one single family dwelling unit for a term of only one calendar year. The suite will be reinstated as a second dwelling unit at the end of that period unless property owners voluntarily submit a statutory declaration in accordance with this policy.
4. The City will not reverse utility rates for properties that submit the required statutory declaration after the due date.
5. If there is a change in use and/or is no longer jointly owned, the property owner(s) must undertake to either decommission the suite or if compliant with the zoning bylaw obtain a valid business license in accordance with the City's secondary suites program.