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For Information:

CAO Mayor/Council

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Mayor and Council
Township of Esquimalt
1229 Esquimalt Road
Esquimalt, BC, V9A 3P1

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Referred:
 For Action For Response COTW
 For Report Council Agenda IC

Council members, who follow the Facebook page Esquimalt Community Connection, will have seen the problem faced by Stephanie Plant who is being evicted from a duplex with illegal suites in both sides, so the landlord can bring the units up to code. Since secondary suites are not permitted in duplex units the only option is to comply with the zoning bylaw. The owner is said to be removing the lower kitchen and putting in stairs between the upper and lower units.

It also says the municipality has chosen to not enforce the bylaw on illegal suites in side-by-side duplexes until a review of the OCP as some time in the future.

This suggests the Council is only considering side-by-side duplexes and is ignoring all the illegal secondary suites in single-family buildings, which do not comply with the bylaw or the building code.

If Council would consider the rental of suites as a **business** and require them to have a business licence, it would provide a register of all the suites in the municipality and renters would know that these units meet the requirements of the building code.

Following is a suggested mechanism by which this could be accomplished and I ask Council to have staff review it and report to Council on the implications. This does not require a delay until a review of the OCP, since the secondary suites bylaw is already in place governing these units.

By adding "**Rental Suite**" shown below to the definitions list in bylaw 2810, the Business Licence and Regulation Bylaw, it means a person having a suite in their house is operating a business and requires a business licence. To get a business licence the unit must be permitted under other bylaws and be up to code (Section 9(3)).

Under section 40(1) one cannot carry on this business without a licence, and under section 41(1) to do so without a licence is an offence. Under section 41(2) they would be subject to a fine not exceeding \$10,000, and each day could be a separate offence.

Rental Suite: means a dwelling unit within a residence that is not an apartment building, which is not occupied by a member of the owner's immediate family, but is rented for gain or profit.

You will note that temporary accommodations for "granny suites", or "in-law-suites", would be exempt from requiring a business licence, but if rented to an outsider a licence would be required.



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