

Shawn Lutz

March 22,2023

To whom it may concern,

I am seeking a variance to omit the habitable space distribution bylaw so I am able to legalize the existing suite in my home at 1095 Willemar Avenue, Courtenay. The secondary suite is over the allowable square footage permitted for a secondary suite in the City of Courtenay. The bylaw states that a secondary suite must have "less than 40% of the habitable space of the building". The suite in my home is 45.3% of the habitable space of the building. My home has 2 floors and the secondary suite takes up the entirety of the lower floor, I don't believe there would have been a more efficient use of space than the current design. The British Columbia Ministry of Municipal Affairs and Housing changed the British Columbia Building Code to no longer require the 60/40 suite distribution law on December 12 of 2019 with the aim of removing barriers to creating more affordable housing options. Another change in the BCBC on that date was the size limit, which formerly stated a secondary suite should "have a total floor space of not more than 90 m² in area". From speaking with staff in the planning division it has come to my attention that the size limit rule was terminated following the 2019 change to the BCBC. I believe that the variance I am applying for is reasonable based on the aforementioned details.