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## STAFF REPORT

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**TO:** Chief Administrative Officer  
**FROM:** Alex Guterson, Building Official / Bylaw Officer  
**SUBJECT:** Inspection Of 135 North Shore Road  
**MEETING DATE:** October 14, 2025

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### **PURPOSE**

The purpose of this report is to provide Council with additional information as directed during the August 19, 2025, Special Council Meeting. The property owner applied for a zoning amendment to permit short-term rental use at the property identified as 135 North Shore Road, legally described as Lot 4, Section 5, Cowichan Lake District, Plan, VIP62342, PID 023-278-340.

During the meeting, Council gave first and second reading to Zoning Amendment Bylaw, No. 1121-2025. Council further directed that staff investigate the building and fire department portions of the application and to report back once completed.

### **BACKGROUND**

Staff has completed a review of the dwelling unit, including the secondary suite, to verify if it conforms to the BC Building Code. The findings of the inspection are outlined below.

### **Inspection findings**

The secondary suite was originally approved as an unfinished basement, not a suite. Somewhere along the line it has been changed into a suite without a building permit. While this property is zoned to be able to have a suite, because there is no building permit it is an illegal suite. If the homeowner would like to make it a legal suite that would conform to the BC Building Code, then they would have to design a plan that would conform to the Building Code and apply for a permit.

At this point in time, there are several identified deficiencies in the **suite** which must be corrected in order to meet the requirements of the Building Code, such as:

- A. Missing smoke detectors;
- B. Missing Carbon monoxide alarm;
- C. Insufficient emergency egress in one of the bedrooms;
- D. Ventilation of spaces and for a hood fan; and
- E. Appropriate fire separation between the suite and the main dwelling which is a critical deficiency for life safety reasons.

In addition to the deficiencies identified in the suite, there are also several deficiencies identified in the main dwelling unit, which would also require work to become compliant with the Building Code, such as:

- A. Obtaining WETT certification for an existing woodstove which was installed without permit;
- B. Replace existing and provide adequate smoke detectors, including in bedrooms;
- C. Installing handrails;
- D. Ensuring adequate fire separation with the suite which is a critical deficiency for life safety reasons.

It is important to note that while the dwelling **likely met** the requirements of the Building Code at the time of construction, it does not meet the requirements of the Building Code today, a requirement triggered by the addition of the suite for the reasons outlined above.

## **IMPLICATIONS**

**a. Financial:**

N/A

**b. Policy/Legislation:**

This property must address identified deficiencies and comply with the BC Building Code prior to allowing short-term rental activities. Subject to Council's consideration of this report, a decision whether to advance the Zoning Bylaw to 3<sup>rd</sup> reading and adoption must be made by Council.

**c. Strategic Priority:**

N/A

**d. Sustainability:**

N/A

**e. Communication:**

N/A

**f. Staffing Implication:**

N/A

**Options:**

- 1) Receive this staff report and advance the zoning bylaw amendment to 3<sup>rd</sup> reading and adoption; or
- 2) Receive this staff report and pause further consideration of the zoning bylaw amendment until such time that deficiencies are remedied and the property is compliant with the BC Building Code

**RECOMMENDATION**

Staff is recommending option2.

THAT the Committee of the Whole recommends to Council that this staff report be received;

AND THAT Council pauses further consideration of the zoning bylaw amendment until such time that deficiencies are remedied, and the property is compliant with the BC Building Code.

Signed:

**Alex Guterson**

Alex Guterson

Building Official / Bylaw Officer

Concurrence:

**John Thomas**

John Thomas

Chief Administrative Officer