

DETACHED ACCESSORY DWELLING UNIT (DADU) GUIDE



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WHAT IS A DETACHED ACCESSORY DWELLING UNIT (DADU)?

A Detached Accessory Dwelling Unit (DADU) is a self-contained dwelling unit, detached from and clearly accessory to a single-family residential dwelling. Other names for DADUs include garden suite, backyard cottage, granny flat or laneway house. DADUs have been permitted in Esquimalt since 2021.

HOW CAN YOU USE A DADU?

- Rent it out to long-term tenants: DADUs can provide rental income for homeowners and additional diverse rental options for the community.
- House family, adult children, or caregivers: DADUs can be a good option for accommodating multiple generations on one property or provide caregivers an independent space to live while remaining close by.
- Live in it yourself and downsize: DADUs can provide an attractive alternative to moving for those looking to downsize and stay in their neighbourhood, whether you are a senior or an empty nester. DADUs can help seniors “age in place.”

DADUs CANNOT:

- Be used for short term vacation rentals.
- Be subdivided from the principal residence and stratified (which means you may not sell it separately). The dwelling is an accessory use to the principal residence like a secondary suite in a house.
- Be located on any Parcel with a Secondary Suite or a duplex (as per the Zoning Bylaw).



WHO CAN BUILD A DADU?

Anyone with a property where a DADU is a permitted use can build one, though it is recommended that you work with a registered architect or designer. Ensure you have all of the necessary information about the process including the required permits, fees, and documents before you begin. It is helpful to understand the cost, time, and effort required to build a DADU.

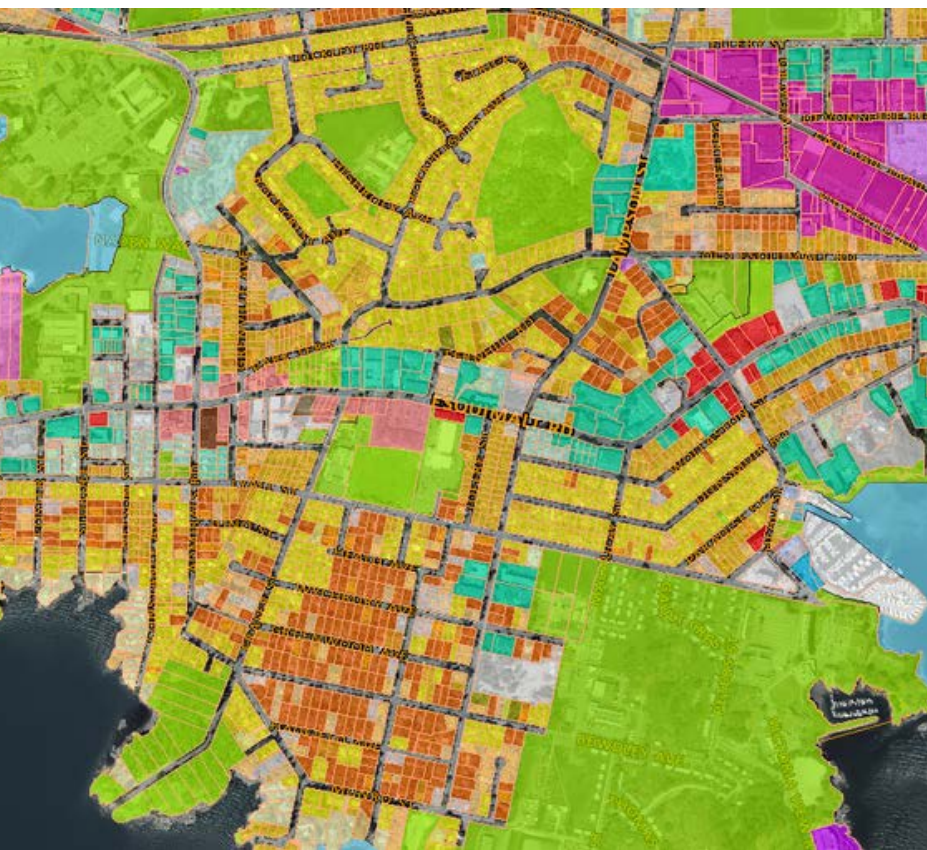
If you choose to build a DADU yourself, provincial regulations require you to pass the Owner Builder Exam offered through BC Housing.

WHERE CAN A DADU BE LOCATED?

DADU's are permitted in the following Zones:

- Single Family Zones RS-5 and RS-6
- Duplex Residential Zone RD-4 (for lots with a single family dwelling)
- Select Comprehensive Development Zones

In addition to these basic requirements, there may be other considerations that could affect the eligibility of your lot for DADU such as the shape of the lot, area of existing buildings, hazardous areas or a statutory right-of-way.



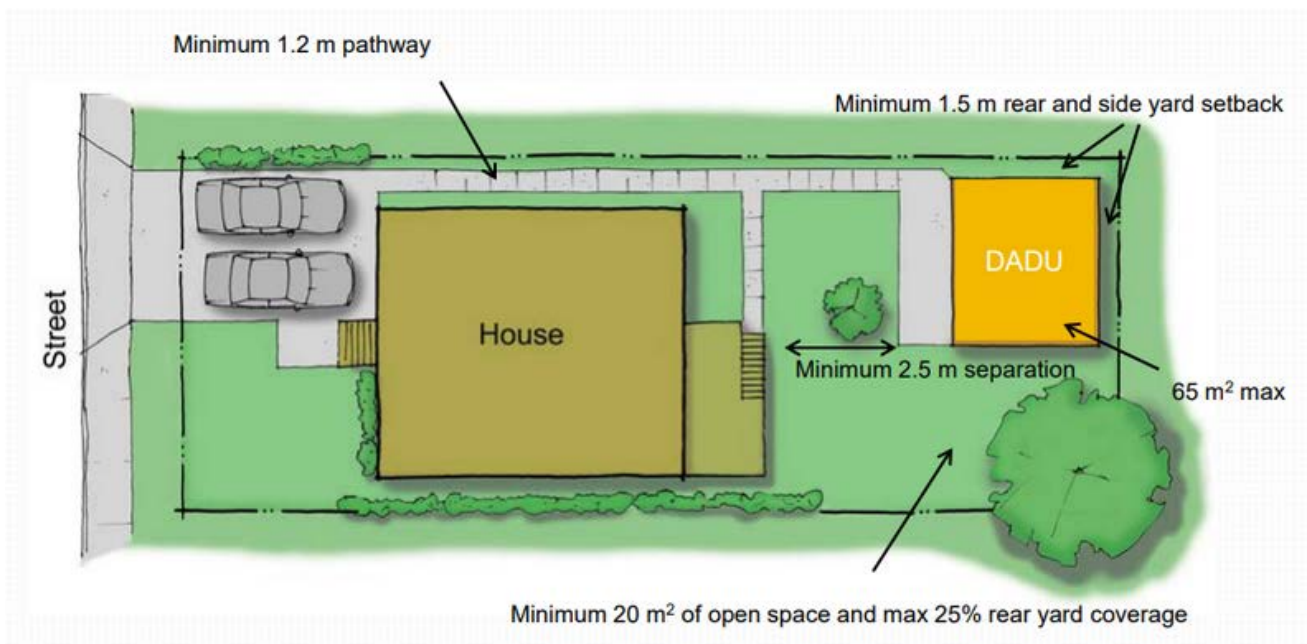
What is a Zoning Bylaw?

The Zoning Bylaw is a document that regulates how land, buildings and other structures may be used in Esquimalt. The Zoning Bylaw specifies the permitted uses in a zone and regulates aspects of building construction such as building size and location on a lot. You can view the Township of Esquimalt's Zoning Bylaw online. If your property is not within one of these zones, you will need to submit a rezoning application and potentially an Official Community Plan amendment application.

DADU REGULATIONS

Excerpt from Zoning Bylaw 1992, No. 2050, Section 30.7

1. No DADU is permitted on any parcel unless the Single Family Dwelling to which the DADU relates has been built or is being built simultaneously with the DADU.
2. A DADU may not be located on any Parcel with a Secondary Suite.
3. Only one (1) DADU shall be permitted on a Parcel.
4. DADUs must not have a basement or any habitable space below or above the first storey.
5. DADUs must share services with the Principal building. The feasibility of this must be confirmed at the time of construction (or upgraded accordingly). Services must be underground.
6. DADUs must be provided with a minimum of 20 square meters of open space at grade that: is developed for the exclusive outdoor recreational use of the resident(s) of a DADU; is immediately adjacent to and accessible from the DADU; is defined and screened through the use of any combination of landscaping, plantings, fences, trellises or changes in grade; is distinct from the street; is not usable as a vehicle parking space; and has no dimension less than 2.0 meters and no slope greater than 10%.
7. An accessory building built after the date of adoption of this bylaw cannot be converted to a DADU unless it fully complies with all the provisions of this section and first obtains a development permit.



ZONING REQUIREMENTS

Zoning Bylaw 1992, No. 2050

Requirement	Permitted
Location	Rear yard only
Maximum Floor Area	65 meters squared (700sqft)
Maximum Height	4.2m (13ft.)
Setbacks	Side: 1.5m Rear: 1.5m (4.9 ft.)
Setbacks	Exterior side: 3.6m (11.8 ft.)
Distance from principal dwelling	2.5m (8ft.)
Lot coverage	All buildings: 30% Accessory building & DADU: 10% Rear yard: 25%
Floor Area Ratio (FAR)	See specific zone for FAR requirements
Parking	1 additional onsite space

To find out how your property is zoned, please look at the property parcel information map at <https://www.esquimalt.ca/municipal-services/maps>

DESIGN GUIDELINES

Excerpt from Zoning Bylaw 1992, No. 2050, Section 30.7

- The entrance to the DADU must be oriented to and visible from the street, well-lit and provide protection from the elements by either a projecting roof or by recessing the front door.
- On corner lots and laneways, the primary entry to the DADU should be oriented to the side street or laneway, rather than the front lot line. If this orientation is not possible, the entryway should face the interior of the lot rather than the exterior.
- Exterior side yards on corner lots should be designed and treated as the main entrance to the DADU. Screening and landscaping between the street and outdoor space should be used to define the transition from public to private space.
- A minimum 1.2m wide, unobstructed pathway must be provided to the front door of the DADU from the street (this cannot be a driveway).
- Siting should respect mature trees both on-site and on adjacent properties by locating the DADU to minimize the impact on a tree's root system. A certified arborist report may be required as part of the application.
- The DADU must have a garbage/recycling collection bin storage area onsite, screened from the view of pedestrians on the street.
- The DADU must have a bicycle storage area, onsite, screened from the view of pedestrians on the street.



DESIGN GUIDELINES CONT'D

- On sloping sites, the scale, mass, and location of the DADU should adapt to the topography and natural features. The view from adjacent properties should be considered in the design of the DADU.
- Windows oriented towards adjacent properties are discouraged, unless it can be demonstrated that overlook is mitigated by a design or natural feature.
- Hydro utility meters should not be placed on the front façade of a building and, if placed in a manner which is visible from the street, will be appropriately screened by the owner in a manner consistent with BC Hydro requirements.
- Roof decks and balconies on the roof are not permitted.

Rainbow Valley Design and Construction



CONVERTING AN ACCESSORY BUILDING TO A DADU

It may be possible to convert an existing accessory building into a DADU. The process, however, is different from the construction of a new DADU and may require additional steps to complete the necessary applications.



No. 01 —

Determine if your existing accessory building complies with the zoning and design regulations, and what alterations or variances may be required. Please contact Development Services if you have any questions about these regulations.



No. 02 —

Work with a Registered Architect, Licensed Residential Builder or other professional with experience in home building/design to complete a Building Code Assessment Report. This will allow you to determine how your accessory building must be modified to meet the BC Building Code for residential use.



SERVICING

Servicing requirements are contained in Subdivision and Development Control Bylaw No. 2175, Council Policy No. 27 and Zoning Bylaw No. 2050. Please consider:

- Services shall be shared with the principal dwelling. To achieve this, the DADU must connect to existing services on private property. While many properties in Esquimalt are connected to the municipal drain system, some are not. If the subject property does not have the benefit of a drain service connection, one is required to be provided. Both the principal dwelling and proposed DADU are to be connected to one drain service connection.
- Wiring for hydro, telephone and cable must be provided underground from the principal dwelling to the DADU.
- If the value of construction is greater than \$150,000, new sewer and drain service connections will be required (at the cost of the applicant) depending on the age and condition of the existing infrastructure. A "Test and Clear" can determine the condition of the infrastructure (\$750 each service). For a single family home, the typical cost to replace a service is \$5,000 each.
- If the value of construction is greater than \$300,000, new curb, gutter, and sidewalk along the property frontage may be required (at the cost of the applicant).
- A site servicing drawing and cost estimate (by a Professional Engineer) and Service Agreement with the Township is required where Works and Services (any of sewer, drain, curb, gutter or sidewalk) are required. As part of the Service Agreement, all servicing fees and deposits must be obtained by the Township.
- Water service is provided by the City of Victoria. Applicants must confirm the requirements with City of Victoria staff.
- Any existing sewer or drain infrastructure on private property without a right-of-way will be required to have a right-of-way registered on title as part of this process, at the applicant's expense.
- All costs associated with servicing are at the applicant's expense.

If you have servicing questions, please contact the Esquimalt Engineering Department

WHAT ARE THE STEPS?

Once you have confirmed that your property is zoned to allow a DADU, this is the general process to developing a DADU:

01 – Schedule a pre-application meeting

- Meet with a Planner in the Development Services Department to discuss your ideas and preliminary plans for your DADU. Pre-application meetings help to define the next steps in the process and ensure that all materials are gathered before the application is submitted (see next section ‘What Do I Need to Submit?’)
- The Township does not require notification to neighbouring properties about Development Permits, though it is suggested you discuss your proposal with your neighbours.
- Contact the Engineering Department to obtain utility information and possible servicing requirements.

02 – Apply for a Development Permit

- New DADUs must follow the design guidelines to ensure a good fit into existing neighbourhoods, use green building techniques and protect the environment.
- The application will be checked by Development Services staff to ensure that it is complete and the proposed building conforms to the Zoning Bylaw and all the Development Permit Area guidelines in the Official Community Plan. Staff will also refer the application to other relevant departments for their review and comment.

03 – Advisory Planning Commission meeting

- The application will be reviewed by the Advisory Planning Commission (APC), which was established to advise Council on land use issues including development permit applications. The APC consists of seven community members who are appointed by Council.
- The APC will provide a recommendation for approval or denial to Council and may provide comments or suggestions to improve the proposal. The APC meets on the third Tuesday of every month.
- You are welcome to make a short presentation to the APC at this time.



04 – Sign & Register Housing Agreement and S. 219 Covenant

- Legal documents must be signed and registered at the Land Title & Survey Authority (LTSA) before the application is approved by Council. The Housing Agreement Bylaw is read by Council before the full application is reviewed. See the "Legal Documents" page for more info.

05 – Council Meeting

- Council will make a final decision for the issuance of the Development Permit. Council will consider the application against the Development Permit Area guidelines and the recommendations provided by the APC. You are welcome to make a short presentation to Council at that time. Upon Council's approval, the Development Permit may be issued.

06 – Apply for a Building Permit

- Once the Development Permit is issued, you can apply for a Building Permit. The building inspector processes applications and reviews building plans to ensure compliance with the B.C. Building Code, and municipal bylaws, regulations, and policies. A Service Agreement may be required at this time.



Official Community Plan (OCP) – Section 5 – Housing & Residential Land Use

Policy: "Support the inclusion of Detached Accessory Dwelling Units on appropriate low density residential land use designated areas where only one principal dwelling unit exists."

PERMITS

Development Permits (DP)

- The purpose of a Development Permit is to provide guidelines for the exterior form and character of residential, multi-family, commercial, and business developments, to protect development from hazardous conditions, and to protect the natural environment. Development permits also aim to establish objectives for energy and water conservation and greenhouse gas reduction.
- See "What do I need to submit for a Development Permit?" section.

Building Permits (BP)

- A Building Permit is required to ensure that building plans are in compliance with the B.C. Building Code, and municipal bylaws, regulations, and policies. Building permits are issued by the building inspector.
- Building inspections are required to determine that conditions set out in a building permit have been satisfied. They are performed at various stages of construction. Inspections are booked online.
- Where a Service Agreement is required, it must be signed and paid for in advance of receiving the BP.

Development Permit Areas

Development Permit Areas are designated in order to promote appropriate development through the use of guidelines. The guidelines are meant to specify how proposed development can address the special conditions or objectives.

All new developments in the Township of Esquimalt are subject to Development Permit Area requirements set out in our Official Community Plan under:

- **DPA 1 – Natural Environment**
- **DPA 2 – Hazardous Conditions (please ask staff if this applies to the site)**
- **DPA 7 – Energy Conservation & Greenhouse Gas Reduction**
- **DPA 8 – Water Conservation**

DADU's are also subject to requirements in **DPA 3 – Enhanced Design Control Residential**. Details of these requirements can be found in the Township of Esquimalt's [Official Community Plan](#) and on the Township's website.

WHAT DO I NEED TO SUBMIT FOR A DEVELOPMENT PERMIT?

Applicants will submit a Development Permit application signed by all registered owner(s) of the property and a Certificate of Title (dated within 30 days of the application). A comprehensive Development Permit Application checklist and the application form can be found on our website or in person at the Development Services desk.

The application should contain 2 full-sized sets of the following plans, 1 set of plans reduced to 11"x17" and one set of high resolution digital plans, including:

- Site Plan (to scale, in metric)
- Landscape Plan (to scale, in metric)
- Architectural Plans (to scale, in metric)
- Site survey completed by a BC Land Surveyor
- Completed Development Permit Area questionnaires
- Green building checklist

WHAT DO I NEED TO SUBMIT FOR A BUILDING PERMIT?

Applicants must submit a Building Permit Application package consisting of:

- Completed Building Permit application
- Land Title Certificate (dated within 30 days of the application)
- Comprehensive construction drawings (to scale, in metric units of measurement)
- A site plan recently prepared by a British Columbia Land Surveyor, prepared as per the Township of Esquimalt [Building Regulation Bylaw](#)
- Proof of registration with BC Housing Home Warranty Insurance
- Any Letters of Assurance pertinent to the project

LEGAL DOCUMENTS

These documents are required to develop a DADU. It is recommended that you begin discussing and preparing these documents with your lawyer as soon as possible.



Section 219 Covenant

A Section 219 Covenant is a charge secured against the title to a property in favour of the municipality to impose a positive or negative obligation on the property owner, as per the provisions of Section 219 of the Land Title Act.

The municipality can enter into a Section 219 Covenant with property owners to regulate the use of land or the construction of structures or buildings, as part of the development approval process. **The Section 219 covenant required by the municipality to develop a DADU is as follows:**

- The owner agrees that the lands must not be subdivided, contain a secondary suite, or otherwise be built upon except for a maximum of one principal single family dwelling, a maximum of one detached accessory dwelling unit, and accessory uses permitted by Township Zoning. Strata titling is not allowed.
- The Owner agrees to pay the reasonable legal fees and land title office costs of the Township in connection with the preparation and registration of this Agreement.



Housing Agreement

Under section 483 of the Local Government Act, the Township may, by bylaw, enter into a Housing Agreement with an owner regarding the occupancy of the housing units identified in the agreement, including but not limited to terms and conditions referred to in section 483(2) of the Local Government Act. Notice of the Housing Agreement will be filed in the Land Title Office by the Township at the sole cost of the Owner. **By signing the housing agreement you agree:**

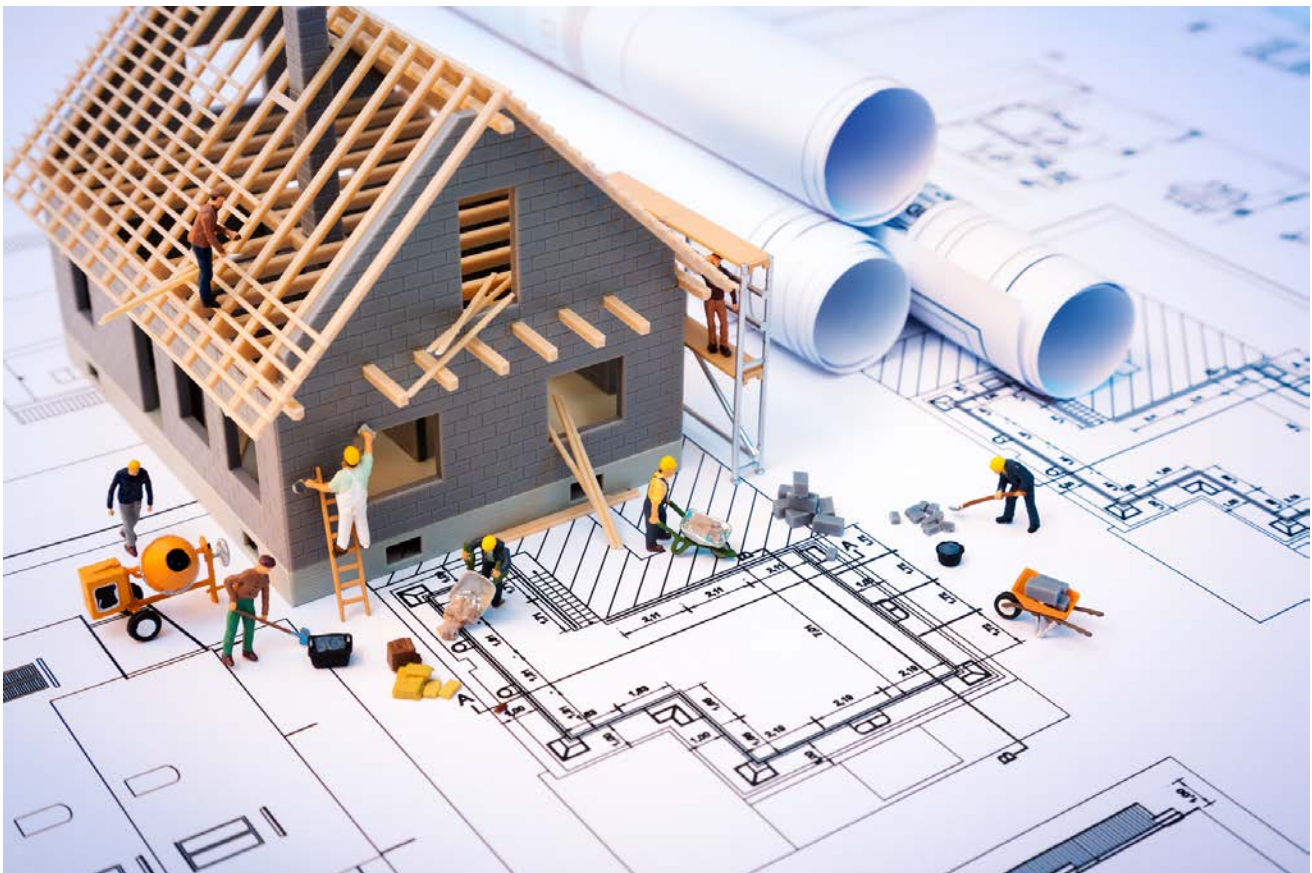
- The DADU is not restricted in its availability for use as a rental accommodation; and
- The registered owner of the lot must occupy either the principal dwelling located on the Lands or the DADU as the Owner's Permanent Residence.

The Housing Agreement Bylaw is read by Council in one meeting, and then adopted in another meeting at a later date.

PARKING

Parking requirements can be found in [Parking Bylaw No. 2011](#). Please consider:

- The Parking Bylaw requires that 1 additional off-street parking space be provided for the resident of the DADU. Tandem parking (a space that is "stacked" with the principal unit's parking space) is permitted to meet requirements for a DADU (Part 4.9.8).
- Parking Spaces in Residential zones shall be located no closer to the Front Lot Line than the front face of the Principal Building. This does not apply to Single Family Dwellings built prior to September 16, 1957 (Part 4.9.4).



FEES

For detailed information about fees, please see the following Township documents:

- Development Application Procedures and Fees Bylaw No. 2791 – Schedule B
- Building Regulation Bylaw No. 2899 – Schedule A
- Works and Services for Development – Policy Plan 27

Fees are subject to change. Please contact the Township if you have questions.

Fee Type	Cost
Development Permit Application	\$500
Housing Agreement (legal document)	\$250
Covenant (legal document)	\$250
Legal/Lawyer fees	At cost
Building Permit	See Bylaw No. 2899 – Schedule A
Land Title & Survey Authority filing fee	Ask Development Services
"Test and Clear" to determine servicing requirements	\$750 each
New sewer / drain connection	\$5,000 each
Landscape deposit / Security deposit for offsite servicing	120% of total cost estimate

ADDITIONAL FAQ

When can I occupy my DADU?

Once all inspections have been approved as per your Building and Plumbing Permits, and all pertinent final documents (Site Survey, Letters of Assurance, etc) have been received, reviewed, and approved, the Building Inspector will issue a Final Inspection report noted Occupancy Permitted. You may then move in.

How do I get an address for the DADU?

An official address notification letter will be sent to you in the mail around the time occupancy is granted. Addressing for DADUs is 2-(civic address). For example: 2-1001 Esquimalt Street.

How do I get a garbage or compost container?

Please confirm that you need a new garbage/compost container once your Building Permit is complete. The Engineering department will contact Public Works to arrange for the delivery of your garbage and compost containers. Recycling is managed by the Capital Regional District (CRD). Please contact the CRD for information about recycling.

I have trees on my property - what do I need to know?

- You will need a permit to cut, remove or alter a protected tree. This includes trees which are dead, dying, or hazardous.
- To find out which trees are protected, please see the [Tree Protection Bylaw](#).
- You will also be required to obtain a permit to cut, remove or alter a tree that interferes with construction, if no alternatives exist.
- When you receive a permit to remove a protected tree, you are required to plant a replacement tree within the time specified on your Tree Cutting or Removal Permit.
- Download a [Tree Cutting Permit Application](#) on the website or pick-up a permit at the Esquimalt Recreation Centre at 527 Fraser Street.
- Variances are encouraged where trees can be retained.

What if my project does not conform to the Zoning or Parking bylaws?

- In some cases you may apply for a variance to the bylaw. Please discuss your ideas with staff.

CONTACTS

Development Services - 250-414-7103

For questions regarding:

Planning, zoning, development permits, design guidelines, Official Community Plan, land use, legal documents, parking, Development Permit Areas, building conversions.

development.services@esquimalt.ca

Engineering & Public Works - 250-414-7108

For questions regarding:

Servicing, public works, infrastructure, roads, sidewalks, sewers, drains, road allowance occupation permits.

engineering.department@esquimalt.ca

Building - 250-414-7106

For questions regarding:

BC Building Code, building permits, plumbing, demolition, building conversions, or building inspections.

Main reception - 250-414-7100

If you are not sure who to contact or have any other questions, please reach out to the main reception at the Municipal Hall.

Location

The Municipal Hall is located at 1229 Esquimalt Road, Esquimalt B.C.

Township of
ESQUIMALT

The logo for the Township of Esquimalt features the text "Township of" in a smaller, blue, sans-serif font above the word "ESQUIMALT" in a larger, blue, serif font. Below the text is a stylized blue wave graphic that curves under the letters.