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REPORT TO ELECTORAL AREAS COMMITTEE MEETING OF WEDNESDAY, AUGUST 9, 2023

SUBJECT **Enforcement Practices for Alternative Forms of Housing – Recreational Vehicles**

ISSUE SUMMARY

Discussions with the Electoral Area directors regarding item 2 of the recommendation from the July 12, 2023, staff report titled *Enforcement Practices for Alternative Forms of Housing (Updated)* attached as Appendix A.

BACKGROUND

At the July 12, 2023, Electoral Areas Committee (EAC) the following items from the recommendation were approved by the EAC and subsequently the Capital Regional District (CRD) Board:

The Electoral Areas Committee recommends to the Capital Regional District (CRD) Board:

- 1. That the existing practice of CRD Building Regulation Bylaw and BC Building Code enforcement be continued, primarily responding to complaints and observations by Inspectors during their normal course of duty of safety, health, and environmental concerns and issuing Stop Work Notices and Do No Occupy Notices when warranted for non-compliant dwelling units; and*
- 3. That the CRD advocate to the Province for a review of inclusion of alternative forms of housing within the BC Building Code.*

Further, a new item 4 was added to the recommendation and approved by the EAC and subsequently the CRD Board as follows:

- 4. That the legal opinions received by staff be provided to Electoral Areas Committee (EAC) Directors prior to the next EAC meeting for review and discussion at the next EAC meeting which will be held in camera.*

Item 2 of the recommendation:

- 2. Occupancy of recreational vehicles, without alterations for permanent or long term use, will be considered a land use matter and referred to the local land use authority;*

had an alternative motion moved that was then referred back to staff for further discussion with Electoral Area directors as follows:

- 2. Occupancy of recreational vehicles, without alterations for permanent or long term use, temporary service connections, and steps, and decks not requiring a building permit will not be considered permanent alterations, will be considered a land use matter and referred to the local land use authority;*

Staff consulted with the three Electoral directors on the motion and revised the wording to reflect that any deck or stairs should not be affixed to the recreational vehicle (RV) so as not to impede relocation of the RV.

ALTERNATIVES

Alternative 1

The Electoral Areas Committee recommends to the Capital Regional District Board: That occupancy of recreational vehicles, without alterations for permanent or long term use, will be considered a land use matter and referred to the local land use authority. Temporary service connections, and steps and decks not requiring a building permit and that are not affixed to the recreational vehicle will not be considered permanent alterations.

Alternative 2

That the Enforcement Practices for Alternative Forms of Housing – Recreational Vehicles report be referred back to staff for further review based on Electoral Areas Committee direction.

IMPLICATIONS

Service Delivery

The construction of temporary stairs, landings and small decks with a maximum overall area of 10 square metres will not be considered as permanent provided they are self-supporting, not affixed to the RV and not impeding relocation of the RV. Decks must be less than two feet above finished grade and four feet clear of any slopes that may create a hazard to users. Ensuring complaints regarding unaltered recreational vehicles as residential dwellings will be referred to the local land use authority will alleviate the confusion for complainants and CRD staff.

Legal Impacts

The CRD undertook an external legal review which confirmed certified RVs would not be considered “buildings” unless altered or installed in a manner that suggests permanent or long term residency (additions, renovations, foundations, or non-temporary service connections).

CONCLUSION

Staff consulted with the three Electoral Area directors on item 2 of the recommendation from the July 12, 2023, staff report. RVs are typically not considered buildings and are addressed by the local land use authority. The motion was clarified to identify what is not considered a permanent alteration.

RECOMMENDATION

The Electoral Areas Committee recommends to the Capital Regional District Board: That occupancy of recreational vehicles, without alterations for permanent or long term use, will be considered a land use matter and referred to the local land use authority. Temporary service connections, and steps and decks not requiring a building permit and that are not affixed to the recreational vehicle will not be considered permanent alterations.

Submitted by:	Mike Taylor, RBO, Manager and Chief Building Inspector, Building Inspection
Concurrence:	Kevin Lorette, P. Eng., MBA, General Manager, Planning & Protective Services
Concurrence:	Kristen Morley, J.D., General Manager, Corporate Services & Corporate Officer
Concurrence:	Ted Robbins, B. Sc., C. Tech, Chief Administrative Officer

ATTACHMENT

Appendix A: July 12, 2023 Staff Report