

June 7, 2021

## Secondary Suite Zoning Bylaw Summary

The following provides a summary of the zoning regulations that apply to secondary suites within the CRD. This information is provided for convenience only. Please refer to the applicable Zoning Bylaw or Rural Land Use Bylaw for full details on all zoning and land use regulations that apply to secondary suites.

### What is a Secondary Suite?

A secondary suite is a specific type of dwelling unit. It is an additional dwelling within a building with all of the following characteristics:

1. Total floor space of not more than 90 m<sup>2</sup> (968 ft<sup>2</sup>).
2. Maximum of 40% of the total habitable floor space of the building.
3. Located in a residential building with only one other dwelling unit.
4. Located in a building that is a single real estate entity. A secondary suite cannot be strata titled.
5. The property use must include an owner who is a resident of the main dwelling unit or the suite.

If a suite satisfies these characteristics, its construction is regulated by the Secondary Suites provisions found in Section 9.37 of the BC Building Code. A summary of these provisions is provided in Schedule A of this Bulletin.

It is important to note that a suite is secondary to the principal use of a dwelling. That means it cannot be detached from the home. It also cannot be a single storey addition or wing. Secondary suites are most commonly on the basement or ground level of the home.

### Are Secondary Suites Permitted in all Residential Zones?

Most of the time, yes. Secondary suites are permitted in all residential zones except for R4 – Mobile Home Park. Secondary suites are not permitted in duplexes.

If a Land Use Contract is registered on your property title, it may restrict secondary suites. This is the case in the 108 Mile Ranch area. See “**I live in the 108 Mile Ranch**” below.

### Parking

A principal dwelling requires two parking stalls, plus one additional for the secondary suite, for a total of three stalls. Parking stalls can be located outside or in a carport or garage, but they must be a minimum size of 2.8 m. (9.2 ft.) x 6.1 m. (20 ft.). Parking is not normally a problem on large lots of the Cariboo, but if you have a smaller property, you will need to show parking stall size and location on your site plan.

### How many secondary suites are permitted per property?

Only one secondary suite is permitted per property.

To stay up to date, subscribe to our Building Newsletter at [cariboord.ca/building-newsletter/](http://cariboord.ca/building-newsletter/).



# BUILDERS BULLETIN

## **Is the owner of the property required to live on site?**

Yes. An owner declaration form must be completed as part of the application process.

## **Is home occupation allowed?**

Home occupation and home industry uses are not permitted within secondary suites.

## **What are the sewage disposal requirements?**

The province requires an approved means of on-site sewage disposal with sufficient capacity to accommodate both principal dwelling and secondary suite. Usually this requires an updated sewerage system filing by a Registered Onsite Wastewater Practitioner (ROWP). Contact an ROWP or the Interior Health Authority (Northern Health in the Quesnel area) for information.

## **Where in the dwelling can I add the suite? 2<sup>nd</sup> floor, main floor, basement, etc.?**

A secondary suite must be ***within*** a principal dwelling. That means it must be within the existing walls of the main house. It cannot be added on to the side of a building, or as an additional storey. It cannot be separated from the house by a breezeway or located in a detached building. Most secondary suites are on the main floor or in the basement of a house.

## **Can I stratify my property with a suite?**

The suite and principal dwelling must form part of a single title. A suite cannot be stratified.

## **I live in the 108 Mile Ranch. Can I have a secondary suite?**

Most properties within the 108 Mile Ranch area have a land use contract registered on the property title. This is the original zoning contract which regulates land use within the 108 Mile Ranch development. The land use contract allows only one dwelling unit per property and so does not permit secondary suites. You need to check your property title for this document. It may also be on the title of properties in the 103 and 105 Mile areas.

The provincial government has created a sunset date for all land use contracts in BC. They will expire on June 30, 2024. After this date, secondary suites will normally be permitted on properties in the 108 Mile Ranch area. If you wish to construct a secondary suite in the 108 Mile Ranch area before June 2024, you can apply to the CRD to discharge the land use contract from your property title. This is a similar process to rezoning, including public notice and a public hearing. The application fee is \$1,400 and the process normally takes about eight months.

**It is the owner's responsibility to contact all other authorizing authorities for required permits.**

To stay up to date, subscribe to our Building Newsletter at [cariboord.ca/building-newsletter/](http://cariboord.ca/building-newsletter/).



# BUILDERS BULLETIN

## Application Process

Building permits are required for any new construction, alteration or addition to a structure within the CRD building inspection service areas. The following is required for your building permit application:

- a) Building Permit Application
- b) Affidavit
- c) Site plan as per CRD site plan requirements
- d) Drawings showing:
  - a. Floor plan of all levels of the house including secondary suite,
  - b. Fire separation walls and floors between the suite and main dwelling,
  - c. Use and size of rooms,
  - d. Size of doors and windows,
  - e. Location of smoke alarms and primary exhaust fans,
  - f. Wall construction details,
  - g. Location of heating sources.

## SCHEDULE A - Building Code Summary

The following information is a summary of the BC Building Code requirements regulating the construction of secondary suites within a dwelling unit. This summary is provided for convenience only. The BC Building Code should be referenced for all requirements.

### Section 9.37 Secondary Suites

#### 9.37.1. General

##### 9.37.1.1. Application

- 1) This Section applies to construction of a secondary suite and alterations to an existing building to accommodate a secondary suite. (See Note A-9.37.1.1.(1).)

##### 9.37.1.2. Construction Requirements

- 1) Construction of a secondary suite and alterations to an existing building to accommodate a secondary suite shall conform to the requirements in this Part except as provided in this Section. (See Note A-9.37.1.2.)

#### 9.37.2. Specific Requirements

##### 9.37.2.1. Heights of Rooms or Spaces

- 1) The minimum height of rooms or spaces in a secondary suite over the required minimum area as indicated in Table 9.5.3.1. shall be not less than 2.0 m.
- 2) It shall be possible to travel from the required area of one room to the required areas of all other rooms within a secondary suite without reduction of the room height as required in Sentence (1).

##### 9.37.2.2. Solid Blocking

- 1) Solid blocking may be omitted for doors described in Sentence 9.7.5.2.(9) where the interior wall finish adjacent the door is in place prior to the construction of a secondary suite.

##### 9.37.2.3. Exit Stairs

- 1) Exit stairs within or serving a building that contains a secondary suite shall have a minimum width, measured between wall faces or guards, of not less than 860 mm. (See Note A-9.37.2.3.(1).)

#### **9.37.2.4. Dimensions of Landings**

- 1) Landings for exterior stairs serving both suites in a building containing a secondary suite need not exceed 900 mm in length.

#### **9.37.2.5. Handrails and Guards**

- 1) Handrails and guards shall conform to the requirements of Subsections 9.8.7. and 9.8.8. as if serving only one dwelling unit.

#### **9.37.2.6. Means of Egress**

- 1) The width of every public corridor and exit corridor that serves a building that contains a secondary suite shall be not less than 860 mm. (See Note A-9.37.2.6.(1).)

#### **9.37.2.7. Fire Separations for Exits**

- 1) Except as permitted by Sentence (2), every exit other than an exit doorway shall be separated from adjacent floor areas by a fire separation
  - a) having a fire-resistance rating of 45 min, or
  - b) having a fire-resistance rating of not less than 30 min where the dwelling units are equipped with smoke alarms as referenced in Article 9.37.2.19.
- 2) A fire-resistance rating is not required for a fire separation that separates an exit from adjacent floor areas where the building is sprinklered.

#### **9.37.2.8. Openings Near Unenclosed Exit Stairs and Ramps**

- 1) Where an unenclosed exterior exit stair or ramp provides the only means of egress from a dwelling unit in a building that contains a secondary suite and the stair is exposed to the hazards of fire from unprotected openings in the exterior wall of another fire compartment, the openings shall be protected in conformance with Articles 9.10.13.5. to 9.10.13.7. (See Note A-9.37.2.8.(1).)

#### **9.37.2.9. Doors in a Means of Egress**

- 1) Every exit door or door that opens into or is located within a public corridor or other facility that provides access to exit from a suite shall
  - a) be not less than 1980 mm high,
  - b) have a clear opening width of not less than 800 mm, and
  - c) be permitted to swing inward.

## **9.37.2.10. Travel Limit to Exits or Egress Doors**

1) In a building that contains a secondary suite, the travel limit from a floor level in a dwelling unit to an exit or egress door may exceed 1 storey provided the floor level within the dwelling unit is served by an operable window conforming to Article 9.9.10.1.

## **9.37.2.11. Shared Egress Facilities**

1) Except as provided in Article 9.9.7.3., where an egress door from a dwelling unit opens onto a public corridor or exterior passageway, it shall be possible from the location where the egress door opens onto the public corridor or exterior passageway to go in opposite directions to 2 separate exits unless the dwelling unit is served by a second and separate means of egress or an opening window conforming to Article 9.9.10.1.

2) Each dwelling unit shall be provided with a second and separate means of egress or an opening window conforming to Article 9.9.10.1. where the egress door from either dwelling unit opens onto

- a) an exit stairway that serves both suites,
- b) a public corridor serving both suites and served by a single exit stairway,
- c) an exterior passageway serving both suites and served by a single exit stairway, or
- d) a balcony serving both suites and served by a single exit stairway.

## **9.37.2.12. Exit Signs**

1) Exit signs are not required within a building that contains a secondary suite.

## **9.37.2.13. Structural Fire Resistance**

1) Table 9.10.8.1., Fire-Resistance Ratings for Structural Members and Assemblies, does not apply to a building that contains a secondary suite.

## **9.37.2.14. Combustible Drain, Waste and Vent Piping**

(See Note A-9.37.2.14.)

1) Combustible drain, waste and vent piping is permitted to be located within or penetrate a fire separation required to have a fire-resistance rating provided

- a) except for the permitted penetration in Clause (b), the combustible piping is located within an assembly protected by a membrane of a minimum 12.7 mm gypsum board,
- b) the permitted penetration through the gypsum board membrane is limited in size to the diameter of the penetrating pipe, and

To stay up to date, subscribe to our Building Newsletter at [cariboord.ca/building-newsletter/](http://cariboord.ca/building-newsletter/).

- c) the combustible piping does not penetrate the gypsum board protection membrane on the underside of a horizontal fire separation.
- 2) Combustible drain, waste and vent piping enclosed in an assembly or protected as described in Sentence (1) is permitted on both sides of a fire separation.

#### **9.37.2.15. Separation of Residential Suites**

- 1) Dwelling units in a building that contains a secondary suite shall be separated from each other by
  - a) a fire separation conforming to Article 9.10.9.14.,
  - b) a fire separation having a fire-resistance rating of not less than 30 min where the dwelling units are equipped with smoke alarms conforming to Article 9.37.2.19., or
  - c) a fire separation having no required fire-resistance rating where the building is sprinklered.

(See Note A-9.37.2.15. and A-9.37.2.17.)

#### **9.37.2.16. Separation of Public Corridors**

- 1) A public corridor serving a building that contains a secondary suite shall be separated from the suites by
  - a) a fire separation conforming to Article 9.10.9.15.,
  - b) a fire separation having a fire-resistance rating of not less than 30 min where the dwelling units are equipped with smoke alarms conforming to Article 9.37.2.19., or
  - c) a fire separation having no required fire-resistance rating where the building is sprinklered.

(See Note A-9.37.2.16.(1).)

#### **9.37.2.17. Air Ducts and Fire Dampers**

(See Note A-9.37.2.17.)

- 1) Except as provided in Sentences (2) and (3), and notwithstanding Sentences 9.32.1.1.(1) and 9.33.1.1.(1), Sections 9.32 and 9.33 applies to a building that contains a secondary suite.
- 2) Where a heating or ventilation duct system serves more than one suite, the system shall be designed and installed to prevent the circulation of smoke upon a signal from a duct-type smoke detector.

3) Ducts penetrating fire separations need not be equipped with fire dampers in conformance with Article 3.1.8.9. provided they are noncombustible with all openings in the duct system serving only one fire compartment.

#### **9.37.2.18. Spatial Separation**

1) Notwithstanding Sentence 9.10.15.1.(1), Subsection 9.10.15. applies to a building that contains a secondary suite.

#### **9.37.2.19. Smoke Alarms**

(See Note A-9.37.2.19.)

1) Except as permitted by Sentence (3), an additional smoke alarm of photo-electric type conforming to CAN/ULC-S531, "Standard for Smoke Alarms," shall be installed in each suite.

2) Smoke alarms required in Sentence (1) shall be wired so that the activation of the additional alarm in one suite will cause the additional alarm in the other suite to sound.

3) An additional interconnected smoke alarm is not required to be installed in each suite provided

a) the fire separations required in Articles 9.37.2.15. and 9.37.2.16. have a fire-resistance rating of 45 min or greater, or

b) the building is sprinklered.

#### **9.37.2.20. Sound Control**

1) The assemblies separating the residential suites need not comply with the sound control requirements of Section 9.11. (See Note A-9.37.2.20.(1).)

#### **9.37.2.21. Attic Space Access**

1) An attic space access hatchway not less than 0.32 m<sup>2</sup> in an area with no dimension less than 500 mm may serve both suites in a building that contains a secondary suite.

#### **9.37.2.22. Garages and Carports**

1) Section 9.35 is applicable to garages and carports serving a building that contains a secondary suite.

**Effective December 10, 2018 to December 11, 2019**