

REPORT



Prince Rupert Secondary Suites

Common Practices and Policy Recommendations

October 2015

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1.0 Introduction

Many residents in Prince Rupert struggle to find affordable housing, or any housing at all in the rental market. As a result of the housing shortage and high rental rates, the City of Prince Rupert has undertaken several planning and community engagement initiatives on housing. Prince Rupert has assessed many options to increase the number and quality of affordable housing units for residents. Implementing a plan to encourage and regulate secondary suites is one of the most feasible options for increasing affordable housing in the short term. Secondary suites are a relatively simple way to increase the number of housing units on the market and there are many benefits to the homeowner, the tenants and the municipality.

This report is intended to answer the questions necessary for Prince Rupert to implement a secondary suite policy. These questions include:

- What are the benefits of secondary suites?
- What legislation exists that pertains to secondary suites?
- What issues can arise as a result of secondary suites?
- What policy options are available to allow, regulate, and encourage the registration of secondary suites?

The report concludes with recommendations for next steps Prince Rupert can take to implement the desired policy options.

2.0 Overview of Secondary Suites

The 2015 Prince Rupert's Housing Action Plan identifies a number of issues in Prince Rupert's market rental housing stock including: quality of housing and "renovictions" where tenants can no longer afford a unit once it has been updated, a lack of housing for residents with physical disabilities, a lack of affordable student housing, and very high rental rates due to the number of temporary workers in Prince Rupert. Following the Housing Action Plan, several more steps have been taken to assess how these issues can best be addressed. Secondary suites represent "low hanging fruit" for increasing affordable housing in the community, and it is anticipated that by encouraging new homes to be built with suites and existing suites to be registered and upgraded to meet safety standards, that the quantity and quality of the rental housing stock in Prince Rupert will improve.

2.1 Benefits of Increasing Secondary Suites

Secondary suites can help to address housing issues provided that the policies surrounding them are comprehensive and foster a climate where homeowners are incentivized to create quality, legal suites in single family homes.

Many other municipalities in BC and in Canada have approved policies and bylaws permitting and encouraging secondary suites in order to address similar issues that Prince Rupert is experiencing. Municipalities that have encouraged or legalized secondary suites have experienced the following benefits:

- **Affordable housing** - By encouraging suites, communities have seen an overall increase in housing units on the market. Suites are generally more affordable, which can lower rental rates in the community without the need for subsidization.
- **Mortgage helper** - Suites allow homeowners to generate income from their property, and can make mortgages more affordable. This can result in incentivizing first time home-purchases and allowing “aging in place” for senior citizens who are looking to supplement their retirement income.
- **Low-impact density** - Secondary suites can increase the density of a neighbourhood without the need for additional infrastructure. They can also reduce pressure for municipalities to expand at the outskirts of developed areas.
- **Family support** - Secondary suites can allow families with aging parents to stay together and they provide an alternative option to seniors homes before they are necessary.
- **Independent living for young people** - Suites can also be helpful for families with adult children who would like to take steps towards more independent living.
- **Accessibility** - Secondary suites are often ground-oriented and, in some cases, are accessible or can easily be retrofitted to be accessible.
- **Cost effectiveness** - Allowing suites is a relatively low-cost option for municipalities to increase the number of affordable housing units available. Although there can be administrative costs associated with inspections, applications and enforcement, secondary suites are still more cost effective than other large scale building projects that can require significant capital investment.

Many of these benefits would directly assist Prince Rupert in responding to the issues many residents face accessing affordable housing.

2.2 Authorized and Unauthorized Suites in Prince Rupert

Recently Prince Rupert undertook a housing inventory that identified the type, condition, occupancy, age and condition of house, and secondary suites. There are a total of 206 secondary suites recorded in Prince Rupert and 114 decommissioned suites. Figure 1 on the following page shows where the current and decommissioned suites are located. The City of Prince Rupert also has records of authorized and registered secondary suites, however, the housing inventory that was undertaken to produce the secondary suite map was limited to physical observation of the presence of a suite so it has not yet been determined the number of suites that are unauthorized.

Prince Rupert Harbour



NOTE:
 The Secondary Suite information shown was inventoried June 2014 and updated June 2015. Further work is still required to confirm unknown Secondary Suites.



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Coordinate System:
 NAD 1983 UTM Zone 9N

Data Sources:
 Integrated Cadastral Information Society (ICIS) (January 2014)
 Housing Inventory (Updated June 2015)
 Imagery provided by City of Prince Rupert (January 2014)



Legend

-  Municipal Boundary
-  Watercourse
-  Secondary Suites (206 units)
-  Decommissioned Suites (114 units)



City of Prince Rupert Land Base Indicator

Figure 1 -
 Secondary Suites

3.0 Legislative Tools

There are three primary statutes that apply to secondary suites and the powers of a municipality to allow, disallow, or regulate suites. The table below summarizes this legislation.

Legislations	Description
Local Government Act (Part 26 Section 903 Zoning)	Allows municipalities to “regulate with a zone the use of the land, buildings and other structures” as well as “the density of the use of land” which “includes the power to prohibit any use or uses in a zone. This includes secondary suites.
Community Charter (Chapter 26 Part 8 Section 260)	Allows municipalities to enforce bylaws including ticketing, prosecution and court action. If Prince Rupert was to take the approach of enforcing compliance, the community charter enables this activity.
BC Building Code (Section 9.36 Secondary Suites)	Contains regulations for secondary suites that primarily pertain to fire safety, but also have implications for livability and privacy. Maple Ridge has published an online summary of the Building Code requirements for secondary suites. This document is attached in Appendix A, for reference.

The most prescriptive legislation is Section 9.36 of the BC Building Code. As secondary suite policies change in a municipality it is very important that the Building Code regulations be accessible for community members. Access to these regulations is important for those considering adding a suite, or for home owners who have unauthorized suites and want to upgrade them to meet BC Building Code requirements and ensure registration with the municipality.

4.0 Issues Associated with Secondary Suites

Secondary suites are a relatively easy way to add affordable housing units to the housing stock of a community and there are many tangible benefits to both the homeowners and tenants. However, there are several issues related to public opinion, administration, and safety that need to be considered before a community adopts a more permissive secondary suite policy.

4.1 Public Opinion

Many communities find that residents have strong opinions on this topic. Some of the primary concerns amongst neighbourhood residents include the following:

- **Street parking** - Residents can be opposed to secondary suites if there is a shortage (or perceived shortage) of street parking. This can be a more serious issue if there is not adequate off-street parking for homes with suites.
- **Density** - Opposition to permitting suites can stem from the desire of some residents to maintain the same density in the neighbourhood to avoid increased potential for conflict about noise, traffic, and privacy.
- **Character** - Some residents express concern about the changing dynamics of the neighbourhood when new residents are introduced as a result of suites. The fear is often related to the loss of the “single family dwelling” character of the neighbourhood.
- **Bills** - Fairness of utility bills and taxes can be an issue, given more people are living in a house that has a secondary suite, but the municipality may or may not charge additional fees.

4.2 Administration Costs

Although secondary suites don't represent a large upfront cost to municipalities, especially when compared to some other types of affordable housing initiatives, changing policies related to secondary suites still requires additional staff capacity, inspection time and new regulations to properly manage. The primary cost considerations for Prince Rupert will most likely be:

- **Suite registration** - If Prince Rupert is going to encourage new secondary suites or the upgrading and registration of unauthorized suites, this will require staff time to process applications, answer homeowner questions and register new suites.
- **Inspection** - New and newly authorized suites will add to the workload of Prince Rupert's building inspectors. While inspection fees are usually charged to home owners to help cover these costs, there still may be an investment required on the part of the city to hire additional inspectors, or if it is decided to waive homeowner fees to encourage additional suites, which would come at a cost.
- **Utility billing and property tax** - Adjustments to utilities and taxes may be undertaken by Prince Rupert if suites are to be permitted or authorized in greater numbers. Many municipalities have taken time to draft regulations around revising utility billing and property taxes for homes with suites

to ensure fair and proportional billing to homeowners. This requires staff or consultant time in the short term, but would pay for itself in the long run with the increase in fees.

- **Bylaw Enforcement** - Increased need for bylaw enforcement staff may place a financial burden on Prince Rupert if a strict enforcement policy is adopted.

4.3 Safety

As mentioned in Section 3.0 (Legislative Tools), the BC Building Code is a key part of ensuring the safety of secondary suites. The provisions in the BC Building Code that regulate secondary suites cover items such as:

- Minimum window sizes;
- Escape options in case of fire;
- Minimum fire separation regulations between suites and the main dwelling; and
- Wired smoke alarm systems between both living spaces in a home.

Unauthorized suites are not guaranteed to have these safety features, and can pose hazards to both tenants and homeowners if these regulations are not followed. Existing legal precedents suggest that local governments would not be liable for adopting a non-enforcement policy, however some municipalities require homeowners to place a covenant on title indemnifying the municipality in case of an incident with the suite.

5.0 Secondary Suite Practices

This section provides a description of the policy options and incentives that Prince Rupert could undertake to increase the number, and quality, of secondary suites in the community.

5.1 Policy Options

There are several options that Prince Rupert could consider to encourage the construction of additional suites and/or the upgrading and registration of suites. The potential policy options include:

- 1) Permit secondary suites in one or both single family zones (or other appropriate zones). Prince Rupert could then actively or passively enforce authorization of existing unregistered suites;
- 2) Condone secondary suites without explicitly permitting them; or
- 3) Streamline and encourage spot rezoning for secondary suites without significantly changing zoning or policy.

5.1.1 PERMISSIVE SECONDARY SUITE POLICY

Permitting secondary suites would give residents confidence in obtaining building permits and authorizing their suites. Allowing suites as a permitted use in Prince Rupert's Zoning Bylaw would require new suites to meet the BC Building Code. Permissive policy would create more of an incentive for homeowners to seek out inspection of existing suites if they were confident that the city was actively working with homeowners to improve and register suites. Conversely, not permitting suites may lead to homeowners constructing suites without registering them, to avoid the possibility that their request may be turned down. There are benefits to homeowners that come with registering their suites, such as simplified insurance coverage (insurance is still available for unregistered suites), and increasing the value of their home.

Once the suites are permitted in the Zoning Bylaw, Prince Rupert can choose to actively enforce the registration of suites, which would require unregistered suites to be brought up to code. Alternatively, Prince Rupert can opt to only passively enforce its bylaws to deal with secondary suites, only when there is a complaint from a neighbour or tenant.

Example: Abbotsford and Coquitlam both have permissive policies on suites and allow them in most single family residential zones. However, where they differ is in the enforcement. Abbotsford actively enforces the registration of unauthorized suites by having a Bylaw Officer check advertisements and ensure that suites are registered. If an unregistered suite is discovered, homeowners have the option to have it decommissioned, or pay \$550 to register the suite. Coquitlam, on the other hand, will not enforce registration or decommissioning, but will charge double the regular utility fee for homes that have unregistered suites.

5.1.2 CONDONE SUITES WITHOUT PERMITTING THEM

Municipalities can adopt a policy that relaxes the enforcement of its bylaws and inspection of unauthorized suites without changing zoning bylaws to permit secondary suites.

Example: The City of Kamloops has an extremely low vacancy rate and a large student population. Affordable housing units are in high demand. There are some zones where secondary suites are permitted, however, these zones are not used for the majority of residential areas in the City. Although Kamloops does not allow secondary suites as a permitted use in the other residential areas/zones, City Council has adopted a non-proactive policy on the enforcement of unauthorized suites. The policy stipulates that:

- a) Enforcement will be carried out on a complaints basis only; and
- b) Two separate complaints are required with signatures, from different residents within 150 metres of the subject property, within a 12 month period.

This policy effectively condones secondary suites, and provides a certain level of comfort to those who want to have a suite in their house.

5.1.3 STREAMLINE REZONING (NO CHANGE OF POLICY)

A final option is to leave the Zoning Bylaw unchanged, and simply streamline the process for rezoning by reducing fees, faster turnaround times and communicating with the public that rezoning for secondary suites is being encouraged.

Example: Calgary has adopted an exemption program that waives the Development Permit fee for secondary suites. If property is not zoned to allow a suite, the fee for a Land Use Redesignation application is also waived. Applications are still required, but they are free. Secondary suites are still inspected to meet Alberta's building code, but the exemption program makes it faster and easier for those interested in developing a new suite or registering an unauthorized suite.

5.2 Secondary Suite Incentives

Adopting a policy that permits secondary suites or reduces barriers for homeowners wanting to construct a suite can considerably increase the number of suites in a community. However, due to the fact that Prince Rupert has a significant shortage of affordable housing, it may be beneficial to consider additional incentives to encourage new and authorize existing suites. The incentives summarized in this section are non-exhaustive, and cover a range of options designed to:

- Encourage new suites;
- Reduce barriers to updating and registering existing suites;
- Reward owners who offer lower rental prices.

5.2.1 GRANTS OR NO INTEREST LOANS

Municipalities can assist residents in constructing secondary suites by providing a low interest or interest-free loan and/or grants for construction costs related to the project.

Example: Kitimat

Function: Encourage new suites

Kitimat is offering five-year forgivable loans to homeowners who enter into a grant agreement to build a secondary suite in their home. Homeowners can apply for a grant if their homes comply with the zoning regulations for a suite. The grant will only cover one third of the construction costs, and can't be put towards authorizing an existing suite. In addition, the amount of the grant can increase if owners commit to keeping their rent below a certain level or build their suites to be accessible.

The breakdown for the grant program offered by Kitimat is as follows:

- Up to \$2,500 for any suite; or
- Up to \$5,000 if suite is rented at or below Level 1 affordable; or
- Up to \$7,500 if suite is rented at or below Level 2 affordable; and/or
- \$2,500 bonus if suite is accessible

5.2.2 ADDRESSING UNAUTHORIZED SUITES

Some municipalities actively reach out to homeowners and inform them that Bylaw Officers will be looking for unregistered suites and requiring owners to take action to legalize and register the suite.

Example: Fort St. John

Function: Require homeowners to register and update their suites

In spring 2015, Fort St John launched an effort to minimize the number of unauthorized secondary suites. After suites became permitted in more zones, a plan for mitigating secondary suite impacts was created, which included mailing information on authorizing secondary suites to all residents. It clearly indicated that homeowners must either authorize their suites or close them. Fort St John requires all homes with secondary suites to have a business license, off-street parking for the suite, be owner-occupied, and meet BC Building Code.

5.2.3 DENSITY BONUSING FOR SUITES WITH PROTECTED RENT

Because secondary suites remove usable floor area from the main occupant, a density bonus incentive allows a homeowner to build a larger house to regain some more area for themselves if they commit to maintaining low rental prices. This way a homeowner can reap the benefits of having a secondary suite and still have enough room for their personal use.

Example: Whistler

Function: Reward homeowners who offer lower rental prices

To address the affordable housing problem and the decline in secondary suite construction, the municipality recently amended its zoning bylaw to allow a density bonus, protected with covenant on title, for employee suites. In the residential RS1, 2 and 3 zones, a density bonus of up to 56 square metres (600 square feet) is permitted for a restricted employee suite. To ensure that the suite remains affordable, the property owner is required to place a covenant (s.219 Land Title Act) on the suite, which sets maximum rental rates at \$1.25 per square foot. A resale covenant is also placed on the suite in the event of a strata subdivision of that space to limit the resale of that space to \$125 per square foot.

5.2.4 UTILITY RATE DIFFERENTIAL FOR REGISTERED SUITES

As mentioned in Section 5.1.1 municipalities can take a passive stance on enforcing suite registration. If an unregistered suite is discovered, some municipalities increase utility fees.

Example: Coquitlam

Function: Encourage homeowners to register and update their suites to Code

Coquitlam has taken a passive approach with enforcing unauthorized suites. When Coquitlam is notified of an unauthorized secondary suite, the house is charged double the regular utility rates. If the secondary suite is subsequently registered, the utility rate drops to 40% extra.

5.2.5 BUILDING STANDARDS AND DESIGN GUIDELINES

As an incentive to improve the quality of existing secondary suites, some municipalities create flexible building standards and design guidelines that must be met when registering existing suites. These alternative standards are designed to help improve quality without being cost prohibitive to the homeowner.

Example: New Westminster

Function: Reduce barriers for homeowners to register and update their suites to Code

New Westminster has developed design guidelines that complement the BC Building Code requirements for Secondary Suites for new houses and the retrofitting of houses built before 1998. These design guidelines include regulations around landscaping and private outdoor space (requiring a minimum separated and private outdoor living space for secondary suites), off-street parking requirements, requirements for suite entrances (separate from principal entrances and accessible from the street), and suite livability (maximum number of feet below grade, heating system, separate laundry, storage, accessibility). There are flexible design standards that are based on a points system. If a suite complies with one of the design standards, points are given, and there is a minimum number of points that must be reached in each of the four categories.

New Westminster is able to ensure quality and safety of registered suites while providing flexibility for homeowners to decide how they want to meet the standards.

6.0 Recommendations

If Prince Rupert’s primary goal is to encourage more secondary suites to be built and to have existing unauthorized suites registered, it would likely be best achieved by amending the R1 - Single Family Residential Zone to allow secondary suites as a permitted use.

The more complex questions regarding secondary suites revolve around implementation; how policies should be enforced; and which incentives might help address potential pitfalls. The table below suggests options for each of the main issues that may arise as a result of a new secondary suite policy. Pros and cons are set out to help inform discussions amongst City staff and Council.

Implementation Issue	Options	Pros and Cons
Public consultation	Hold an Open House to gather information on the benefits, barriers and issues related to secondary suites. This information can be used to decide which, if any, additional incentives should be pursued to accompany a permissive secondary suite policy.	<ul style="list-style-type: none"> • Pro: Prince Rupert can ascertain the level of support and address potential issues proactively • Pro: more effective incentive selection • Con: costs associated with preparing and holding an engagement session
Enforcement	Strictly enforce registration by contacting the owners of known unregistered secondary suites, looking at advertisements for housing and requiring decommissioning of unregistered suites.	<ul style="list-style-type: none"> • Pro: safety standards can be better enacted • Con: could be costly to Prince Rupert to impose on Bylaw Officer capacity
	Take a passive approach to enforcement	<ul style="list-style-type: none"> • Pro: more cost effective • Con: could create a climate of non-compliance, and less control over safety regulations
Liability management	Require homeowners to register a covenant on homes with suites indemnifying the municipality	<ul style="list-style-type: none"> • Pro: less liability risk • Con: homeowners may be less likely to come forward and register suites
Utility fees and taxes	Keep utility bills and taxes the same for houses with suites	<ul style="list-style-type: none"> • Pro: administratively simple • Con: could be perceived as unfair
	Increase the cost of utilities and taxes	<ul style="list-style-type: none"> • Pro: helps to capture additional costs of suites • Con: only impacts registered suites

	<p>Increase the cost of utilities and taxes for unregistered suites at a higher rate than registered suites</p>	<ul style="list-style-type: none"> • Pro: helps to incentivize registration of suites • Con: may be administratively more complicated
<p>Incentives</p>	<p>Prince Rupert can pursue incentives to:</p> <ul style="list-style-type: none"> • Encourage new suites; • Reduce barriers to updating and registering suites; or • Reward owners who offer lower rental prices. <p>The decision on which incentives to use should be based on the results of public engagement. For example, if homeowners can't afford to build suites, an interest-free loan or grant may be appropriate. If there is no public support for suites without addressing quality and safety issues, creating flexible building standard guidelines may be the best option.</p>	<ul style="list-style-type: none"> • Pro: considering incentives will help Prince Rupert proactively address potential issues that may hinder the success of increasing affordable housing options • Con: many of the incentives represent a cost to the municipality, so it will be necessary to assess staff and administrative capacity to ensure the incentives are feasible for Prince Rupert

The next steps for Prince Rupert are to:

- 1) Ensure that City Council considers permitting secondary suites in all single family residential zones;
- 2) Hold a public consultation session to confirm the goals and objectives of a new secondary suites policy;
- 3) Identify work that needs to be completed to create new regulations and systems, while also examining staff capacity for implementing the new policy; and
- 4) Inform the public of the new policy to ensure community members are aware of the steps required to construct or register a secondary suite.

It is important to revisit secondary suite policy and implementation tools on a regular basis (most municipalities conduct an annual review for the first few years of the program). Adjusting the incentives and/or increasing communications methods will help ensure that policies are being followed and that they remain effective.

Appendix A:

BC Building Code for Secondary Suites Summary

2012 BC Building Code

Summary of Secondary Suite Requirements

Convenience consolidation of the BC Building Code

Secondary Suite means a dwelling unit:

- a) having a total floor space of not more than 90 m² in area,
- b) having a floor space less than 40% of the habitable floor space of the building,
- c) located within a building of residential occupancy containing only one other dwelling unit, and
- d) located in and part of a building which is a single real estate entity. (See Appendix Note A-9.36.1.1. of Division B)

NOTE: [Appendix A](#) references have been included in the booklet for your convenience.

Section 9.36 - Secondary Suites

9.36.1. - General

9.36.1.1. - Application

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

9.36.1.2. — Construction Requirements

- 1) The construction of a secondary suite or those 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 Appendix A.)

9.36.2. - Specific Requirements

9.36.2.1. - Heights of Rooms or Spaces (9.5.3.1.)

- 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).

9.36.2.2. - Solid Blocking (9.7.5.2.)

- 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.

9.36.2.3. - Exit Stairs (9.8.2.1.)

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

9.36.2.4. - Dimensions of Landings (9.8.6.3.)

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

9.36.2.5. - Handrails and Guards (9.8.7. and 9.8.8.)

- 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.

9.36.2.6. - Means of Egress (9.9.3.)

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

9.36.2.7. - Fire Separations for Exits (9.9.4.2.)

- 1) Except as permitted in 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 minutes, or
 - b) having a fire-resistance rating of not less than 30 minutes where the dwelling units are equipped with smoke alarms as referenced in Article 9.36.2.19.
- 2) A fire resistance rating is not required for a fire separation which separates an exit from adjacent floor areas where the building is sprinklered.

9.36.2.8. - Openings Near Unenclosed Exit Stairs and Ramps (9.9.4.4.)

- 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 Appendix A.)

9.36.2.9. - Doors in a Means of Egress (9.9.6.4. and 9.9.6.5.)

- 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.

9.36.2.10. - Travel Limit to Exits or Egress Doors (9.9.9.1.(2))

- 1) In a building which 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 openable window conforming to Article 9.9.10.1.

9.36.2.11. - Shared Egress Facilities (9.9.9.2., 9.9.9.3.(1))

- 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 which 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.

9.36.2.12. - Exit Signs (9.9.10.)

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

9.36.2.13. - Structural Fire Resistance (9.10.8.9.)

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

9.36.2.14. - Combustible Drain, Waste and Vent Piping (9.10.9.7.)

- 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 to a size of the diameter of the penetrating pipe, and
 - 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. (See Appendix A.)

9.36.2.15. - Separation of Residential Suites (9.10.9.14.)

- 1) Dwelling units in a building which 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 9.36.2.19., or
 - c) a fire separation having no required fire resistance rating where the building is sprinklered. (See Appendix A-9.36.2.17.)

9.36.2.16. - Separation of Public Corridors (9.10.9.15.)

- 1) A public corridor serving a building which contains a secondary suite shall be separated from the suites by:
 - a) a fire separation in conformance to the requirements of Article 9.10.9.15.,
 - b) a fire separation having a fire-resistance rating of not less than 30 minutes where the dwelling units are equipped with smoke alarms as indicated in Article 9.36.2.22., or

- c) a fire separation having no required fire resistance rating where the building is sprinklered. (See Appendix A.)

9.36.2.17. - Air Ducts and Fire Dampers (9.10.13.13.)

- 1) 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.
- 2) 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.(See Appendix Note A-9.36.2.17.)

9.36.2.18. - Exposing Building Face of Houses (9.10.15.)

- 1) Except as required in Article 9.10.15.3., in buildings which contain a secondary suite, the requirements of Article 9.10.14.5. do not apply provided:
 - a) the exposing building face has a fire-resistance rating of not less than 45 min where the limiting distance is less than 1.2 m, and
- 2) Window openings in the exposing building face referred to in Sentence (1) shall not be permitted if the limiting distance is less than 1.2 m and shall be limited in conformance with the requirements for unprotected openings in Article 9.10.14.4. where the limiting distance is 1.2 m or greater.

9.36.2.19. - Smoke Alarms (9.10.19.)

- 1) Except as permitted in 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 9.36.2.16. and Article 9.36.2.17. have a fire resistance rating of 45 minutes or greater, or
 - b) the building is sprinklered. (See Appendix A.)

9.36.2.21. - Sound Control (9.11.)

- 1) The assemblies separating the residential suites need not comply with the sound control requirements of Subsection 9.11.2. (See Appendix A.)

9.36.2.22. - Attic Space Access (9.19.2.1.)

- 1) An attic space access hatchway not less than 0.32 m² in an area with no dimension less than 545 mm may serve both suites in a building which contains a secondary suite.

9.36.2.23. - Garages and Carports (9.35.)

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

APPENDIX A

A-9.36.1.1. — Application

It is intended that Section 9.36 apply to the construction of a secondary suite, whether as an addition to an existing building, or as part of the construction of a new building. This Section may also be used as a standard for assessing an existing additional dwelling unit located in a single family dwelling building (house), but is not intended to be applied as a retroactive code to these existing units.

It is intended that the definition reflects that a secondary suite is an additional dwelling unit of limited size located within a house. Many of the changes in Section 9.36 are premised on the condition of limited size of the secondary suite, which may directly or indirectly relate to issues such as occupant load, travel distance and egress dimensions.

In order for an additional dwelling unit to be considered a secondary suite, the following criteria must apply:

- There is only one secondary suite permitted in the building.
- It must be located in a building containing only residential occupancy.
- The secondary suite is located in or is part of a building containing only one other dwelling unit.
- The area of the secondary suite cannot exceed 90 m² of finished living area. (This does not include the areas used for common storage, common laundry facilities or common areas used for egress.)
- The area of the secondary suite cannot exceed 40 % of the total living floor space (area) of the building it is located in. (The living floor area of the building does not include attached storage garages).
- The secondary suite cannot be subdivided from the building it is part of under the Strata Property Act. This means that both dwelling units are registered under the same title.

A-9.36.1.2. — Construction Requirements

The requirements of Part 9 of the BC Building Code apply to the construction of a secondary suite and the alterations to a building to incorporate a secondary suite, except those specifically referenced in Subsection 9.36.2.

A secondary suite may be constructed in a building that has been in existence for many years and that may not comply with current code requirements. As it may not be feasible to comply with the current Code, discretion should be used provided it does not substantially reduce the level of safety intended by the Code.

For example, existing stairs may not comply with current rise or run requirements, winders may not have the 150 mm tread at the narrow end; or guards may be a few millimeters lower than now required.

In some cases existing sidelights or windows may not comply with the Code's safety or security requirements. Acceptable safety requirements can be achieved by applying decals, rails or safety films.

Insulation requirements may not comply with the current Code; window and door glazing may not be insulated or installed in thermally broken frames.

Fire stops are required to be installed in new additions and in exposed existing locations but it is not intended either that existing finishes be removed to check for the presence of fire stops or that new fire stops be installed.

Doors required to have a 20 minute fire-protection rating, or to be 45 mm solid core wood, may be mounted in existing door frames that are less than 38 mm in thickness if it would require substantial framing alterations to accommodate a 38 mm thick frame.

It is not the intent to retroactively apply the current Code to all existing features in order to permit the construction of a secondary suite in an existing building.

A-9.36.2.3.(1) Exit Stairs

Existing internal and external stairs which formerly served one dwelling unit may now serve both the existing dwelling unit and the new secondary suite. It is not the intent to apply all current Code exit stair requirements in order to permit the construction of a secondary suite <in an existing building.>

A-9.36.2.6 Means of Egress

The additional occupant load created by a secondary suite does not warrant increasing the width of a public corridor, common exit stair or landing used by both dwelling units. The stairs, corridors and landings formerly serving one dwelling unit are likely to be of adequate size to accommodate the occupant load of both suites.

A-9.36.2.8. Openings near Unenclosed Exit Stairs and Ramps

Unprotected door or window openings in other fire compartments adjacent to exit stairs and ramps should be protected from the other suite to provide safe passage to a safe area. Normally such protection as required by Part 9 would extend both vertically and horizontally beyond the adjacent openings. This is considered excessive due to required fire safety measures and the relatively short travel distances in this type of building. The application of current Part 9 requirements would in many cases require the protection of all openings in entire faces of dwelling units, which could be very restrictive. Authorities should exercise judgment with regard to deciding which openings are close enough to the exit facility to pose a problem during the early stages of a fire and require appropriate opening protection. Those openings that directly pass the means of egress are required to be protected.

A-9.36.2.14. Combustible Drain, Waste and Vent Piping

Exposed combustible drain, waste and vent piping that penetrates a fire separation is required to be protected as described. This protection is not required for exposed fixture traps and arms serving fixtures within the suite provided they are not exposed from the underside of a horizontal fire separation. The intent is not to require removal of existing combustible piping which, as a result of the creation of a secondary suite, may now be on both sides of a rated fire separation. Rather, the intent is to protect this piping where it is exposed.

A-9.36.2.15. and 16. Separation of Residential Suites and Public Corridors

Two options are permitted for the separation of the residential suites required by Article 9.10.9.14. and the separation of suites and public corridors required by Article 9.10.9.15.

One option is to separate the suites with a fire separation having a fire-resistance rating of 30 minutes and provide in each suite an additional smoke alarm interconnected with the smoke alarm in the other suite (described in Article 9.36.2.19.). A 30 minute fire-resistance rating can be achieved with 12.7 mm Type X gypsum board on framing 400 mm o.c. for vertical assemblies, and 12.7 mm Type X or 15.9 mm gypsum board on frame floor/ceiling assemblies. This is often typical construction in modern single dwelling houses. This option will provide an equivalent level of life safety as the occupants of the building

will be made aware of the hazard by an automatic detection system in the early stages allowing them early evacuation.

The second option is to provide an automatic sprinkler system conforming to a NFPA standard throughout the building (i.e. both suites and common areas). With this provision, no fire-resistance rating is required, but the suites must still be separated by a fire separation. Automatic sprinkler systems are a recognized alternative to fire-resistance ratings as a sprinkler system should control the fire at its early stage, preventing its propagation.

A-9.36.2.17. Air Ducts and Fire Dampers

In order to prevent the migration of smoke from one suite to another during a fire, heating or ventilation systems incorporating ducts that serve both suites are permitted only if there is a mechanism to prevent smoke being circulated from one unit to the other. It is preferable for the secondary suite to have its own heating system independent of the rest of the building.

A-9.36.2.19. Smoke Alarms

This Article requires an interconnected photoelectric smoke alarm in each suite where fire separations having a fire resistance rating of 30 minutes are used. The purpose of these interconnected alarms is to provide early warning to both suites in the event of a fire in one suite. Photoelectric type alarms are required as they are less prone to nuisance false alarms such as can occur during cooking, but careful consideration is still required as to their location.

It is important to note that these alarms are additional to the requirements of Subsection 9.10.19. and that each suite is still required to be provided with alarms in conformance to Subsection 9.10.19.

The additional smoke alarm should not be interconnected to the other smoke alarm(s) located within the same suite.

This additional smoke alarm system is not required when the fire-resistance ratings required in Articles 9.10.9.14. and 9.10.9.15. are not reduced, or when the building is sprinklered.

A-9.36.2.20. Sound Control

Meeting the Code's level of sound transmission for secondary suites may be difficult and expensive, particularly in an existing building. As there is single ownership of both dwelling units, this requirement is not mandatory but designers are encouraged to take the subject into consideration where feasible.