

This guide provides an overview of the bylaw regulations, minimum BC Building Code health and safety standards, and building permit requirements to construct a legal secondary suite in an existing home. It also outlines the process for bringing an unauthorized secondary suite into legal compliance.

## WHAT IS A SECONDARY SUITE?

A secondary suite is a self-contained dwelling unit with a kitchen, sleeping, and washroom facilities, that is accessory to, and contained within a larger dwelling. The two dwelling units and any common spaces (such as corridors, storage rooms, service rooms, and laundry facilities) make up a single, undivided real estate entity.

## CAN MY EXISTING HOME CONTAIN A SECONDARY SUITE?

Compliance with *both* the BC Building Code and relevant City bylaws is required. A building permit will also need to be obtained prior to commencing any construction. The following section offers a step-by-step process for constructing a secondary suite in an existing dwelling.

### 1. CONFIRM IF SECONDARY SUITE IS ALLOWED ON YOUR PROPERTY

The City's Zoning Bylaw regulates *what* you can build on your property, including how many dwelling units are permitted, whether secondary suites are allowed in your building type, planning requirements for the in-home secondary suite, and how much off-street parking is needed.

Secondary suites are generally permitted under the following zones: R-1, RM-1, RM-2, CD-1A1, CD-1A2, CD-1A3, LS-R, RU-1, RU-2 and RU-3. Off-street parking requirements for lots with one to four dwelling units require one parking stall per unit. For further zoning information (i.e. lot coverage, building height, setbacks, etc.), refer to the City's Zoning Bylaw.

### 2. UNDERSTAND BC BUILDING CODE REQUIREMENTS

The [BC Building Code](#) regulates *how* dwelling units must be constructed to provide minimum health and safety standards for occupants and has tailored requirements for in-home secondary suites. To obtain a permit to construct a secondary suite in an existing dwelling, conformance to BC Building Code requirements must be met.

## WHAT ARE THE BC BUILDING CODE REQUIREMENTS?

The following information provides a summary of key Building Code requirements to meet minimum health and safety standards for secondary suite occupants and is not an exhaustive list of Code provisions. There may be requirements that are not specified within this guide, as every project has its own unique characteristics. The construction options in Table 1 apply to retrofitting an existing building to add a secondary suite and offer a code-compliant fire-resistant rating and sound barrier options. Table 2 includes additional key Building Code requirements.

**Note:** Requirements listed in the tables below are applicable to single-family, duplex, townhome or row home, and triplex unit types. The exception applies to the requirement for a vertical one-hour fire separation in all duplexes, townhomes or triplexes. Not every home is suitable for the installation of a secondary suite, as configurations vary by property. For example, side-by-side duplexes have the potential to meet vertical one-hour fire separation requirements, whereas top and bottom configured duplexes cannot. For more information, speak to the Building Services Department.

**TABLE 1: FIRE PROTECTION AND SOUND BARRIER OPTIONS FOR CONSTRUCTING A SECONDARY SUITE IN AN EXISTING BUILDING**

The appropriate fire resistance rating option depends on how and where a secondary suite shall be built. If you are unsure which option best suits your proposed project, consult with the City's Building Department.




Regulation	Option 1 (applies to secondary suites within existing construction only)	Option 2 (applies to secondary suites within existing construction only)	Option 3 (applies to all construction types)
<b>Fire Resistance Rating (FRR in mins)</b>	15 minutes	30 minutes	45 minutes
<b>Sound Transmission Class (STC)</b>	Estimated 32-37 STC	Estimated 34-37 STC	43 STC
<b>BC Building Code References</b>	9.10.9.16(4)(a), D-2.3.4-F And A-1.1.1.2(1)	9.10.9.16(4)(b) and A-1.1.1.1.(6)	9.10.9.16 (4)(c) and 9.11.1.1.(2)
<b>What does each option mean for your design?</b>		OR 	OR 
<b>Wall Construction</b>	Wood Studs with ½" gypsum board on both sides.	Add a resilient channel and layer of ½" gypsum board to one side.	Options for increased fire and sound rating in Subsection 9.10.3 and 9.11.1.
<b>Ceiling Construction</b>	Wood joists with ½" gypsum board on the underside.	Add a resilient channel and layer of ½" gypsum board to existing finished ceiling	Options for increased fire and sound rating in Subsection 9.10.3. and 9.11.1.
<b>Smoke Alarm Locations</b>	Smoke alarms shall be located and interconnected in each unit – in all bedrooms, as well as between the bedroom door and all other spaces, at least one on each storey, and in any common areas		
<b>Smoke Alarm Interconnection</b>	All smoke alarms in both unit and common spaces shall be photo-electric type and interconnected.	One additional photo-electric in each dwelling and common spaces shall be interconnected.	No interconnections between units and common space is required.
<b>Carbon Monoxide Alarms (CO)</b>	Where the home has an attached garage or a fuel fired appliance a CO Alarm is required inside each bedroom or within 5m of each bedroom door, all interconnected.		

TABLE 2: ADDITIONAL BCBC REQUIREMENTS FOR BUILDING A SECONDARY SUITE IN AN EXISTING BUILDING

Code Item	Requirement	Notes
<b>Ceiling Heights</b> (BCBC References: Division B, Article 9.5.3.1., 9.8.2.2. and 9.9.3.4., Alternate Compliance Methods – Division A, Table 1.1.1.1.(6)	Except as required by Sentence 9.9.3.4.(3), the minimum ceiling heights in a secondary suite over the required area as indicated in Table 9.5.3.1. shall be not less than 1.95 m. It shall be possible to travel from the required area of one room to the required areas of all other rooms within the secondary suite without reduction of the ceiling height to less than 1.95 m. Except as required by Sentence 9.9.3.4.(3), the minimum clear height under beams and ducting, including where located over stairs, in a secondary suite shall be not less than 1.85 m.	
<b>Plumbing</b> (BCBC Reference: Division B, Section 9.31.)	<ul style="list-style-type: none"> <li>Each dwelling is required to have a kitchen sink, bathtub or shower, bathroom sink and a water closet (toilet).</li> <li>Drainage, venting and water systems must meet Plumbing Code requirements to ensure that an acceptable level of performance is maintained.</li> <li>All plumbing must be completed by a certified plumber who has obtained a plumbing permit from the City prior to the work or the property owner residing in the dwelling.</li> </ul> A shut-off valve is required for each suite, as close as possible to where the water line enters the suite.	<ul style="list-style-type: none"> <li>Pumping for sanitary may be required for units built below ground level.</li> </ul> Existing service lines may need to be upgraded to a larger size to sufficiently accommodate increased water and sewer requirements needed for an additional dwelling.
<b>Bedroom Windows</b> (BCBC References: Division B, Article 9.9.10. and Section 9.10.15.4(3))	Each bedroom is required to have an openable window with a minimum clear opening area of 0.35m <sup>2</sup> (3.77 ft <sup>2</sup> ) and with no dimension less than 380mm (15”) to provide a safe fire escape route.	Compliance with spatial separations indicated in the Building Code will be required if the windows will face a side yard.
<b>Safe Exiting</b> (BCBC Reference: Division B, Section 9.9.)	<ul style="list-style-type: none"> <li>Each dwelling must have a safe way to exit such as an exit door directly from the suite to the exterior, through a fire separated hallway or common space.</li> </ul> Exit doors must be an exterior door with a deadbolt and door viewer (or glazing) that swings on a vertical axis (not a sliding patio door).	Ensuring clear and unobstructed access to exits, along with a protected pathway from the building to a clear, open area ensures occupants have a safe way to evacuate in the event of an emergency.
<b>Heating and Ventilation</b> (BCBC References: Division B, Section 9.33 and Division B, Part 6.)	<ul style="list-style-type: none"> <li>Suites must be provided with individual temperature controls and heating systems capable of maintaining a minimum indoor air temperature of 22° C year-round and must contain one living space within the dwelling that can maintain a maximum temperature of 26° C.</li> <li>Duct work is not permitted to interconnect dwelling units (unless protected with fire dampers and duct smoke detector to shut down system).</li> <li>A secondary suite requires a ventilation system that ensures fresh air is circulated throughout the</li> </ul>	Heating systems for the secondary suite should be independent of the main dwelling (i.e. baseboard heating). It is recommended that you engage a professional for the design of shared systems.

	<p>suite (i.e. passive ventilation system) Each bathroom and kitchen must be equipped with an exhaust fan vented to the exterior.</p>	
<p><b>Gas and Electrical Capacity</b> (BCBC Reference: Division B, Section 9.34)</p>	<ul style="list-style-type: none"> <li>Gas and electrical permits are required for any alteration to the respective systems and must be obtained through Technical Safety BC</li> </ul> <p>All gas and electrical work must meet requirements set out in the <i>Safety Standards Act</i> and must be completed by a licenced gas or electrical contractor</p>	<ul style="list-style-type: none"> <li>A licenced electrical contractor should assess whether current electrical system can meet the demands of a new unit or whether an upgrade is necessary.</li> </ul> <p>Occupants will either need free access to the main electrical panel or a sub-panel servicing their unit.</p>

### 3. APPLY FOR A BUILDING PERMIT

#### SECONDARY SUITE BUILDING PERMIT APPLICATION SUBMISSION CHECKLIST

The following checklist is required when submitting a secondary suite building permit application. Property owners must obtain a building permit prior to constructing a secondary suite. Incomplete documentation will not be accepted.

- Site plan to indicate all necessary parking and egress path.
- Floor plans containing the following:
  1. Designated areas for suite/main dwelling/common areas
  2. Room labels
  3. Fire separation locations, including assembly details
  4. Window and door sizes and locations
  5. Smoke detector locations and type
  6. Ventilation system design
  7. Heating system
  8. Sound transmission assembly ratings
- HAZMAT Survey if existing building was built prior to 1990
- Completed building permit application form
- Completed Owner's Undertaking form
- Completed Damage to Infrastructure Agreement

#### UNAUTHORIZED SECONDARY SUITES

All necessary permits must be in place for a secondary suite to ensure BC Building Code compliance standards are met to protect the health and safety of occupants. Additionally, like all forms of housing, the City's Zoning and [Building Bylaw](#) regulate the provision of secondary suites. If the City becomes aware of an unauthorized secondary suite, either through a Bylaw complaint or other means, the options to consider are:

- 1) Legalizing the suite by meeting minimum level of health and safety for the occupants as noted in

this guide, through a building permit process.

- 2) If you are unable to comply, a building permit could be obtained to decommission the secondary suite, which generally consists of removing cooking facilities and restoring the building to a single-family dwelling unit.
- 3) If neither option is pursued, fines may be imposed for bylaw contraventions (as per part 23 of the City's Building Bylaw), and/or council may elect to file a notice in the land titles office against the land title record (as per section 57 of the *Community Charter*).

## BENEFITS OF LEGALIZING YOUR SECONDARY SUITE

Legalizing your secondary suite provides a source of protection for your financial investment. Some benefits include:

- **Occupant safety** - when you legalize your suite, you comply with a variety of safety standards designed to provide minimum levels of health and safety to occupants.
- **Property and home insurance coverage** – if your suite is legal, you can obtain the proper insurance coverage that will protect you in cases of emergencies and/or potential damages to your property.
- **Potentially increasing property value** – the work undertaken to legalize a suite is often seen as providing more value because all work has been completed and inspected, and has the potential for supplemental income.
- **Recognized income for mortgage calculations** – some financial institutions won't weight rental income highly when determining your capacity to take on debt and meet mortgage payments unless the rental income is derived from a legal suite.
- **Avoiding costly penalties** – Upon complaint, the City will investigate to confirm whether a secondary suite is permissible and/or legal. A homeowner found with an unauthorized secondary suite must either legalize or decommission the suite and may be faced with bylaw compliance fines.
- **Eligible for Amnesty Period Program** – To ensure greater occupant safety while increasing the city's existing housing supply, residents either legalizing an existing suite or building a new suite will be exempt from building permit fees from the summer of 2024 until December 2027 (after which all associated fees will apply).
- **Reduced utility fees** – Effective early 2025, legal secondary suites will be charged lower utility fees for sewer and water (20% less than single-family rates), effective until December 2027.
- **Reduced Building Code requirements for existing dwellings** – As there is no direct impact on the safety of occupants, the City has implemented a reduction in BC Building Code sound transmission class requirements for property owners retrofitting **an existing home** to construct a secondary suite. The reduced sound requirements will take effect from September 2024 until December 2027, after which **all** secondary suites constructed will be expected to comply with requirements set out in the Building Code.
- **Access grant funding opportunities** – Grant funding may be available to help offset the construction costs associated with secondary suite legalization.

## HOW TO LEGALIZE AN EXISTING SUITE

A building permit will be required with bring an unauthorized secondary suite to compliance. Refer to the building permit application submission requirements section above and complete the checklist before applying with the City.