

Creating or legalizing a secondary suite.

The Quesnel recognizes that secondary suites provide needed affordable rental housing while achieving greater bylaw compliance and public safety. The Zoning Bylaw was updated in 2019 to allow secondary suites in most residential zones.

The secondary suite policy in the City's zoning bylaw and business license bylaw addresses the additional parking requirements, and the management of suites where the owner does not reside on the property. In addition, the City's Fee and Charges Bylaw regulates the fees for building permits and the utility fee requirements.

Objectives of legalizing suites include:

- Increased safety standards;
- Protection of affordable housing options;
- Minimizing the impact on neighbourhoods;
- Fair and equitable fees; and
- Assisting property owners with legalization efforts.

What is a secondary suite?

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

- No limit to floor space of a secondary suite.
- No limit to the percentage distribution of the secondary suite to the habitable space of the building.
- Secondary suites are now permitted in single-detached dwellings, row houses, and duplexes.
- The building may contain other dwelling units or occupancies that are horizontally adjacent. They may not be located above or below each other; and
- Located in a building that is a single real estate entity. A secondary suite cannot be separately strata titled.

In 1995, the BC Building Code permitted the construction of secondary suites. This change allows relaxation from the normal code requirements while maintaining an acceptable level of health and safety for the building's occupants. These considerations make it easier to create secondary suites, particularly in existing single-family homes. Most required modifications can be completed without significant renovations.

For example, an additional layer of drywall to one side of the ceiling or wall may provide the needed fire protection, and the renovation will not intrude into the primary dwelling area of the house. The relaxations are justified because of the limited additional risk posed by a secondary suite. Section 9.37. of the BC Building Code must be followed in the construction of a secondary suite.

Building Code Requirements

The following information highlights some essential requirements for the construction of a new house with a secondary suite or alterations to an existing house to accommodate a secondary suite. This is not a complete list of construction requirements, and the owner/builder should consult Part 9 of the BC Building Code for the complete secondary suite construction requirements. You can access the Building Code here for free:

<https://www.bcpublications.ca/BCPublications/>

Fire Separations between a Secondary Suite and Principal Dwelling Unit

- A minimum 45 minutes fire-resistance rating is required for walls and ceilings between the principal dwelling and the suite;
- A minimum 30 minutes fire-resistance rating is permitted if interconnected photoelectric smoke alarms are installed as per guideline below. (See smoke alarms below)
- **Smoke Alarms** – The principal dwelling unit and the secondary suite shall have interconnected smoke alarms as per code. If the fire separation between the secondary suite and the main dwelling unit has only 30 minutes fire-resistance rating, additional interconnected photo-electric type smoke alarms are required between the principal dwelling unit and the secondary suite.
- **Combustible Drain, Waste and Vent Piping** are permitted to penetrate a fire separation, provided the pipe is located within a wall or floor/ceiling assembly protected by a minimum of ½” gypsum board, and the penetration through the wall membrane is tightly fitted. The pipe is not permitted to penetrate a ceiling membrane.
- **Heating System** – It is preferable for the secondary suite to have its own heating and ventilation system independent of the principal dwelling unit. If heating and/or ventilation ducts are serving both the secondary suite and principal dwelling unit, duct-type smoke detectors must be installed to shut down the heating and the ventilation system in the event of fire. In addition, they must be equipped with fire dampers where penetrating required fire separations.
- **Central Vacuum Systems** – are not permitted to serve more than one suite.
- **Electrical panel** – The secondary suite in a new house must be provided with a separate panel or access to a panel located in a common space. This requirement does not apply to existing conditions.
- **Mechanical Ventilation** – A secondary suite is required to have its own mechanical ventilation which is usually overlooked. If the suite has a forced air furnace or is sharing the main dwelling system, you can up size the fans in the bathroom or kitchen range hood. If the suite is on baseboard or radiant heat, you must install an HRV or CRV for ventilation.
- **MRS Bylaw 1870** – You should also be aware that the City has created a Minimum Rental Standards Bylaw to regulate the maintenance and requirements of a rental unit. You can access the Bylaw and reference it here <https://quesnel.civicweb.net/filepro/documents/63>.

Legalizing an illegal suite not constructed with a building permit.

- If the suite is occupied, contact city hall to arrange for an inspection of the suite by the building inspector.
- If the suite is not occupied and once the inspector has reviewed the suite to confirm there are no immediate safety concerns, there are two options available to you:
 - Option one would be to apply for a building permit to recognize the suite and construct the suite to meet all applicable codes.
 - Option two would be to apply for a permit to decommission the suite. This would involve removing the stove plug and the stove breaker from the breaker box. The wiring would need to be cut back so it cannot be easily reconnected, with a confirmation letter required from a certified electrician. The rangehood must also be removed, along with any locks between the dwelling units, to ensure the building functions as a single housekeeping unit.
- If the owner chooses to apply for a building permit to legalize a suite, they must check the property's zone to ensure a secondary suite is permitted. The owner will need to submit a building permit application, a set of drawings showing the suite, all required fire separations, and a site plan showing egress and parking.