

## Creating or legalizing a secondary suite.

The allowance of secondary suites in most zones in Quesnel recognizes that secondary suites provide needed affordable rental housing while achieving greater bylaw compliance and public safety.

The secondary suite policy in the City's zoning bylaw and business license bylaw addresses the number of accessory uses permitted per site, 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 neighborhoods;
- 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 with all of 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 suits are now permitted in single-detached dwellings, townhouses, 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.
- Located in a building that is a single real estate entity. A secondary suite cannot be separately strata titled.

Allowance of the construction of secondary suites by the BC Building Code was established in 1995. This allows certain relaxations from normal code requirement while maintaining an acceptable level of health and safety for the building occupants. Consideration was given to make it easier to create secondary suites, particularly in existing single family homes. Most required modifications to convert a typical home into a home with a secondary suite can be made without major renovations.

As an example, an additional layer of drywall to one side of ceilings or walls may provide the needed fire protection and the renovation need 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 critical requirements for the **construction of a new house with a secondary suite or alterations to an existing house to accommodate a secondary suite**. It is not the complete list of construction requirements and owner/builder should consult Part 9 of the BC Building Code for 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 recently 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.

- Contact city hall to arrange for an inspection of the suite by the building inspector if suite is occupied.
- If not occupied or once the inspector has reviewed the suite to confirm there are no immediate safety concerns, there are two options available to you:

- One option would be to apply for a building permit to recognize the suite and construct the suite to meet all applicable codes.
- Second option would be to apply for a permit to decommission the suite, this would involve removal of the 220 service to the stove, removal of the kitchen sink, and open the area to provide access to the main dwelling to use as a single housekeeping unit.
- If the owner chooses to apply for a building permit to legalize the suite they will be required to ensure a secondary suite is permitted on their property, submit a building permit application form, provide a set of drawings showing the suite and all required fire separations as well as a site plan to show egress and parking.

### **Fees for building permits to legalize a secondary suite.**

- Building permit fees for the legalization of a suite or addition of a suite into an existing dwelling will be waived for a period of two years ending February 2022.
- Following the two year grace period there will be a surcharge added to permits for illegal suites which have not complied.
- Permit fees are subject to the cost of construction required to bring the secondary suite into compliance with the BC Building Code.