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## Suites and Secondary Suites

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### Background

Interest in providing secondary accommodation within homes is strong across British Columbia. The BC Building Code (BCBC) has specific provisions to allow for additional suites within homes. Also, many local governments have specific bylaws regarding this type of accommodation, while others are currently reviewing the issue. The interest in providing additional accommodations within homes raises many questions and can sometimes be the source of confusion between owners, builders, designers, and building officials. In part, the confusion arises because of the misunderstanding between *suites* and *secondary suites*.

### What is a suite?

A *suite* is any room or group of rooms operated by a single tenant. It may or may not be a distinct real estate entity. A *suite* is a general classification that can be a single dwelling unit in a condominium building, a store in a plaza, a guest room in a motel, or a secondary suite in a house (single family dwelling).

### 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:

- Total floor space of not more than 90m<sup>2</sup> (968 sq. ft).
- Floor space of not more than 40% of the habitable floor space of the building.
- Located in a residential building with only one other dwelling unit.
- Located in a building that is a single real estate entity. A *secondary suite* cannot be separately strata titled.

If a suite satisfies these characteristics, its construction is regulated by the *secondary suites* provisions found in Section 9.36. of the BCBC. This section of the Code was introduced in 1995 and allows certain relaxations from normal code requirements. Because of the specific characteristics of *secondary suites*, these relaxations maintain an acceptable level of health and safety for the building occupants. At the same time, 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* that meets all of the defined characteristics. Suites that do not meet the four characteristics of a secondary suite outlined above are not eligible for the specific provisions in Section 9.36. of the BCBC.

### What makes a secondary suite different from other suites?

A *suite* can take many forms, and the guidelines for construction of any *suite* are determined by where it is located and how it will be used. An apartment in a building, a store in a plaza, a guest

room in a motel, and a basement apartment or suite at grade in a house all have their own distinct construction requirements according to relevant sections of the BCBC. Each space in this list is considered a *suite*, but, in these examples, only the basement apartment or the suite at grade in a house are eligible to use the *secondary suite* provisions. The fact that it is in a single family home and is occupied as a separate dwelling unit makes it different from other *suites*, and subject to specific Code relaxations designed for *secondary suites*.

### **Can secondary suites be created in duplexes?**

As a rule, no\*. The BCBC limits *secondary suites* to buildings with only one other dwelling unit. A standard duplex, by definition, is a building with two dwelling units, so the additional suites could not use the *secondary suite* provisions. This is the same for row housing and other multi-unit buildings. Only buildings with a single dwelling unit can be used to create a *secondary suite*. The BCBC would permit additional *suites* in a duplex, however, local land use bylaws may regulate this from a land use perspective which is beyond the scope of the BCBC.

\*The exception to the rule is a side-by-side duplex with an appropriate fire wall between the two primary dwelling units. This configuration would be considered as two separate buildings by the BCBC and in this instance a *secondary suite* could meet all of the required characteristics listed above.

### **I live in a side-by-side duplex. Can I create an additional suite in my side of the duplex?**

The BCBC does not restrict the creation of additional *suites* in a duplex. However, additional *suites* created in a duplex are not eligible for the *secondary suites* provisions. Local land use bylaws may prohibit the creation of a suite in a duplex, but the BCBC does not restrict the creation of suites in a duplex.

### **Why is there confusion around this issue?**

The BCBC has a very specific definition of the term '*secondary suite*', limiting its application to *suites* meeting several criteria within a single family home. However, local bylaws may also use the same term when regulating other matters. These local bylaws regulate matters which are beyond the scope of the BCBC, such as parking or permitted uses and total number of dwelling units on a lot within a particular zone. Restriction of additional suites, including secondary suites in residential buildings, is a local bylaw issue, not a Building Code issue.

Especially in newly constructed buildings, conformance with the *suite* provisions as compared with the *secondary suite* provisions does not represent a significant increased hardship. A line by line comparison of the relaxations extended to *secondary suites* is provided in the appendix to this bulletin.

### **Who can I speak to for more information about secondary suites where I live?**

Contact your local government for information on *suites* and *secondary suites* where you live.

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## Appendix

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### Definitions (from the 2012 BC Building Code):

**Dwelling unit** means a *suite* operated as a housekeeping unit, used or intended to be used by one or more persons and usually containing cooking, eating, living, sleeping and sanitary facilities.

**Secondary suite** means an additional *dwelling unit*

- a) having a total floor space of not more than 90 m<sup>2</sup> 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.

**Suite** means a single room or series of rooms of complementary use, operated under a single tenancy, and includes *dwelling units*, individual guest rooms in motels, hotels, boarding houses, rooming houses and dormitories as well as individual stores and individual or complementary rooms for business and personal services occupancies.

	<b>9.36. Secondary Suite</b>		<b>Regular Suite</b>	
<b>Height of Rooms or Spaces</b>	9.36.2.1.(1)	Min ceiling height 2.0m	9.5.3.1.(1)	Min ceiling height 2.1m
<b>Solid Blocking</b>	9.36.2.2.(1)	Not required for doors where interior wall finish adjacent the door is in place prior to construction.	9.6.8.9.(1)	Required on both sides of door at lock height so jambs will resist spreading by force.
<b>Exit Stairs</b>	9.36.2.3.(1)	Exit stairs to have min. width of 860mm	9.8.2.1.(1)	Exit stairs to have min. width of 900mm.
<b>Dimensions of Landings</b>	9.36.2.4.(1)	Landings serving both dwelling units need not exceed 900mm in length	9.8.6.2.(4)(b)	Lesser of required width of stair or 1100mm.
<b>Handrails and Guards</b>	9.36.2.5.(1)	Conform to 9.8.7. and 9.8.8. as if serving only one dwelling unit	9.8.7. and 9.8.8.	Must fully conform to 9.8.7. and 9.8.8.
<b>Means of Egress</b>	9.36.2.6.(1)	Width of every public and exit corridor shall not be less than 860mm.	9.9.3.3.(1)	Width of every public and exit corridor shall not be less than 1100mm.
<b>Fire Separation for Exits</b>	9.36.2.7.(1)	(a) 45 min., or (b) 30 minute fire resistance rating where smoke alarms conform to 9.36.2.19., or (2) no rating where sprinklered.	9.10.9.14.	(2) 45 minute fire resistance rating between suites, or (3) 1 hr fire resistance rating where the dwelling unit is 2 storeys
<b>Openings Near Unenclosed Exit Stairs and Ramps</b>	9.36.2.8.(1)	If unenclosed stairs or ramp is the only mean of egress from the building and it is exposed to unprotected openings in another fire compartment, the openings must meet 9.10.13.5. to 9.10.13.7.	9.9.4.4.	Openings must meet 9.10.13.5. and 9.10.13.7. when the openings in the exterior walls of the <i>building</i> are within 3 m horizontally and less than 10 m below or less than 5 m above the <i>exit</i> stair or ramp.
<b>Doors in a Means of Egress</b>	9.36.2.9.	Doors that provide access to exit from a suite must be 1980mm high, clear opening of 800mm and may swing inward.	9.9.6.2. to 9.9.6.4.	Must be 2030mm high, clear opening of 800mm.
<b>Travel Limit to Exits or Egress Doors</b>	9.36.2.10.(1)	Distance to an exit may exceed 1 storey if suite has operable window conforming to 9.9.10.1.(2)	9.9.9.1.	Distance to an exit may only exceed 1 storey in limited circumstances.
<b>Shared Egress Facilities</b>	9.36.2.11.	(1) except as provided in 9.9.7.3., exit doors that open to a shared hallway shall provide two opposite directions of travel to exit, unless the suite is equipped with a means of egress conforming to 9.9.10.1.(2).	9.9.9.2.(1)	Except as provided in Sentence 9.9.7.3.(1), where an egress door from a <i>dwelling unit</i> opens onto a <i>public corridor</i> or exterior passageway it shall be possible from the location where the egress door opens onto the corridor or exterior passageway to go in

				opposite directions to 2 separate <i>exits</i> unless the <i>dwelling unit</i> has a second and separate <i>means of egress</i> .
		(2) Each dwelling unit shall have a second means of egress conforming to 9.9.10.1. where the egress door from either dwelling unit opens to a space used by both suites with only one exit.	9.9.9.3.(1)	Except as provided in 9.9.7.3., a separate means of egress to be provided where an exit door opens onto: (a) a stairway serving more than one suite, (b) a public corridor with a single exit stairway, (c) an exterior passageway more than 1.5m above ground and serving more than one dwelling unit, and (d) a balcony more than 1.5m above ground and serving more than one suite.
<b>Exit Signs</b>	9.36.2.12.(1)	No exit signs required.	9.9.10.3.(1)	Exit signs required in 3 storey building or where exit is not easily visible.
<b>Structural Fire Resistance</b>	9.36.2.13.(1)	Table 9.10.8.1. does not apply.	9.10.8.1.	All floors (except over crawl space) to have fire resistance rating of 45 min.
<b>Combustible Drain, Waste and Vent Piping</b>	9.36.2.14.	(1) Drain, waste and vent piping may be combustible and penetrate a fire separation provided (a) (except as allowed in (b)), it is protected by 12.7mm gypsum board, (b) the penetration through gypsum is limited to the size of the pipe, and (c) pipe does not penetrate the underside of gypsum in a horizontal fire separation.	9.10.9.7.	Combustible drain, waste and vent piping may only be used in limited circumstances.
<b>Separation of Residential Suites</b>	9.36.2.15.	Dwelling units must be separated by 45min fire separation, 30min if smoke alarms meet 9.36.2.19., or no required rating if building is sprinklered.	9.10.9.14.	45min separation between dwelling units or 1hr if either dwelling unit is 2 storeys.
<b>Separation of Public Corridors</b>	9.36.2.16.	(a) 45 min., or (b) 30 min. where smoke alarms meet 9.36.2.19., or (c) no required resistance if building is sprinklered.	9.10.9.15.	45min separation required
<b>Air Ducts and Fire Dampers</b>	9.36.2.17.	(1) HVAC system that serves both suites shall be equipped to prevent movement of smoke when detected by alarm. (2) Ducts do not need	9.10.13.13	<b>1)</b> Except as permitted by Sentences (2) to (5) and Sentence 9.10.5.1.(4), a duct that penetrates an assembly required to be a <i>fire separation</i> with a <i>fire-</i>

		to be equipped with fire dampers as per 3.1.8.9. provided they are non-combustible with all duct openings serving a single fire compartment.		<i>resistance rating</i> shall be equipped with a fire damper in conformance with Articles 3.1.8.4. and 3.1.8.9.
<b>Exposing Building Face of Houses</b>	9.36.2.18.	(1) Except as provided in 9.10.15.3., 9.10.14.5. does not apply provided (a) 45min rating on wall with limiting distance less than 1.2m, and (b) non-combustible cladding used where limiting distance is less than 0.6m. (2) Window openings are not permitted in building face referred to in (1) with limiting distance less than 1.2m and must conform to 9.10.14.4. where limiting distance is greater than 1.2m.	9.10.14. and 9.10.15.	If one of the dwelling units is above the other, 9.10.14. must be used.
<b>Smoke Alarms</b>	9.36.2.19.	(1) Can/ULC-S531 Smoke Alarm to be installed in each suite. (2) Smoke alarms to be interconnected between suites. (3) Smoke alarms in (1) and (2) not required if (a) fire separations in 9.36.2.16. and 9.36.2.17. have a fire resistance rating of 45 min., or (b) the building is sprinklered		Can/ULC-S531 Smoke Alarm in each dwelling unit. Smoke alarms must be interconnected within dwelling units but do not need to be interconnected between dwelling units.
<b>Sound Control</b>	9.36.2.20.	Section 9.11.2. does not apply.	9.11.2.1.(1)	Min. STC 50 between suites.
<b>Attic Space Access</b>	9.36.2.21.	Attic hatchway of min. 0.32m <sup>2</sup> in area of min. 545mm in any direction may serve both dwelling units	9.19.2.1.	<b>1)</b> Shared attic hatchway must be > 3 m <sup>2</sup> in area, > 1 m in length or width, and > 600 mm in height over at least the area described above. <b>2)</b> Single unit hatch may be 0.32 m <sup>2</sup> in area with no dimension less than 545 mm.
<b>Garages and Carports</b>	9.36.2.22.	Section 9.35. is applicable		Section 9.35 does not apply.