

# Regional District of Nanaimo Secondary Suite Program

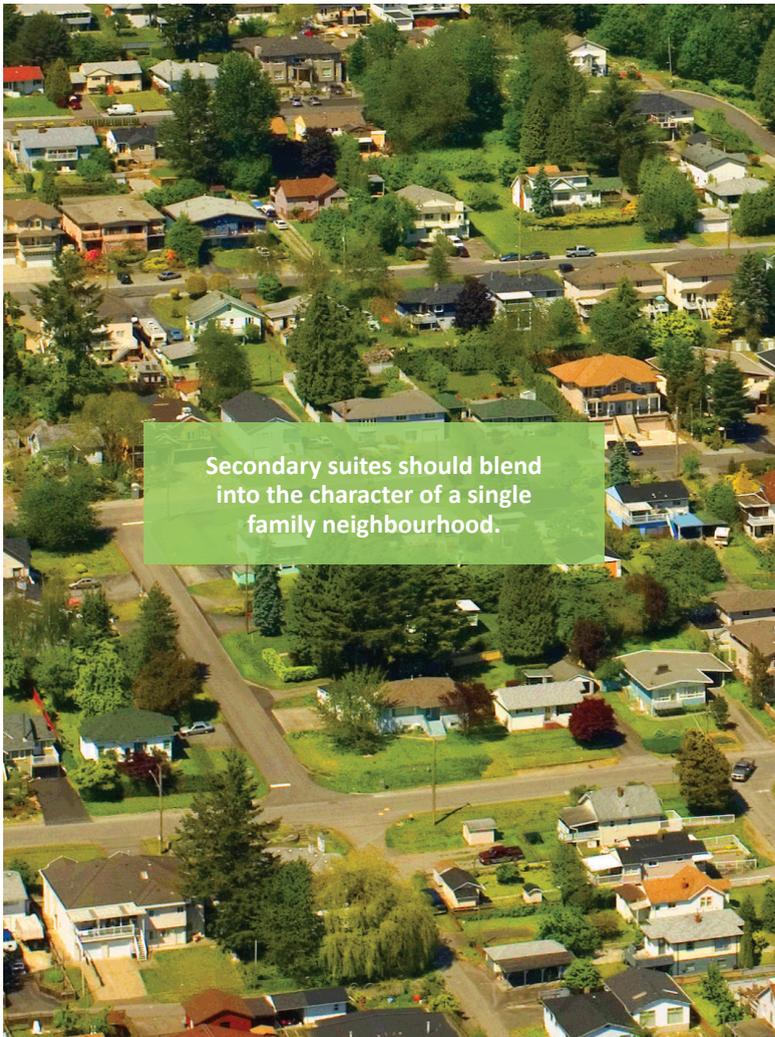


*Secondary suites are recognized for the important role they play in providing affordable housing in the region. They also provide many benefits to homeowners, tenants, and the community.*

Secondary suites provide an important form of affordable rental housing in the Regional District of Nanaimo (RDN) that benefits both renters and homeowners. The RDN secondary suites program is designed to provide affordable housing choices and options in RDN Electoral Areas A, C, E, F, G, and H.

In recognition of the important benefits that secondary suites provide, secondary suites are a permitted form of housing in most rural and residential zones within the participating Electoral Areas. Please refer to the applicable Zoning Bylaw to determine if a secondary suite is permitted on your property.

This brochure is intended to provide information about the RDN secondary suites program. Property owners can also find information to help them obtain RDN approval for both new and existing secondary suites. This brochure is only a guide and does not replace the requirements of the British Columbia Building Code (BCBC), Zoning Bylaw, or any other Provincial, Federal, or RDN Regulation.



Secondary suites should blend into the character of a single family neighbourhood.



Secondary suites are suitable for individuals and small families.



Secondary suites provide comfortable accommodation.

## What is a Secondary Suite?

A **secondary suite** is defined as “one or more habitable rooms and a cooking facility for residential accommodation, consisting of a self-contained unit with a separate entrance but which is clearly accessory to a principal dwelling unit located on the same parcel as the secondary suite and may not be subdivided under the Strata Property Act”.

A secondary suite can be located within a dwelling unit (i.e. basement suite) or detached as either a standalone building (garden suite or granny flat) or as part of an accessory building (carriage home).

A secondary suite is an accessory use on a property and must be maintained within the same legal title as the principal dwelling unit.





## Secondary Suite Categories

Within the RDN, secondary suites fall into one of three categories: Unrecognized, Recognized, and Fully-Compliant. The following table provides a description of each of the secondary suite categories.

UNRECOGNIZED SUITE	RECOGNIZED SUITE	FULLY - COMPLIANT SECONDARY SUITE
<p>A secondary suite which existed prior to <i>May 27<sup>th</sup>, 2014</i>.</p>	<p>A secondary suite on a parcel where:</p> <ol style="list-style-type: none"> <li>1. secondary suite is a 'permitted' or 'permitted accessory' use; and</li> <li>2. was constructed prior to May 27<sup>th</sup>, 2014; and</li> <li>3. where no building permit was originally issued or required for construction of the suite; and</li> <li>4. after May 27<sup>th</sup>, 2014, the secondary suite has since been the subject of a building permit and has been inspected to confirm that the secondary suite meets basic life safety requirements of the BCBC under Building Permit Requirements for Recognized Secondary Suites.</li> </ol>	<p>A secondary suite which fully complies with RDN zoning and building regulations and the current edition of the British Columbia Building Code.</p>

## Can I have a Secondary Suite?

Secondary suites are permitted in most residential and rural zones throughout the RDN Electoral Areas A, C, E, F, G, and H. To determine if a secondary suite is permitted on your property, please visit <http://www.rdnmap.ca> or call RDN staff for assistance.

Please note, if your property is located in an unserviced area, the Province requires an approved means of on-site sewage disposal with sufficient capacity to accommodate both the principal dwelling unit and secondary suite.

Secondary suites located within or attached to a principal dwelling unit are allowed on any appropriately zoned parcel regardless of property size. However, detached suites are only permitted on properties which are at least 800 m<sup>2</sup> in area when serviced with community water and community sewer, and 8,000 m<sup>2</sup> for all other lots.

Please refer to the zoning regulations summary provided on page 5 of this brochure or the applicable RDN zoning bylaw for more information. Also please note, compliance with current zoning regulations and a building permit are not required for unrecognized suites unless a complaint related to health and safety is received by the RDN or when a property owner wishes to have an Unrecognized secondary suite Recognized.

A secondary suite must be accessory to a principal dwelling unit located on the same lot as the suite itself.

Land Use and Zoning  
**Current Planning**

(250) 390-6510  
D69: (250) 954-3798

Toll Free: 1-877-607-4111

Building Permit and Inspections  
**Building Services**

(250) 390-6530  
D69: (250) 954-3809

## Secondary Suite Policies and Regulations

The following policies and regulations guide the RDN secondary suite program. It is recommended that you review the following to assist you with planning and constructing your secondary suite.

### Secondary Suites Board Policy

The purpose of this policy is to provide for a consistent and clear approach on how existing and new secondary suites will be treated with respect to enforcement of the zoning bylaw, obtaining confirmation from the RDN that basic life safety aspects of the BCBC have been met, and the building inspection process.

### Building Regulation and Fees Bylaw 1250/1595

These bylaws establish the regulations and fees in relation to the building permit process.

### Zoning and Land Use Bylaws 500 and 1285

These bylaws specify the regulations that pertain to secondary suites in the RDN.

### British Columbia Building Code (BCBC)

This provincial legislation contains regulations around the health and safety aspects of new construction. The Code outlines minimum standards of construction, structural integrity, fire safety, plumbing, heating and ventilation, and many other aspects of buildings that we rely on. This document may be purchased directly from the Queens Printer or book retailers.

## The RDN is Here to Assist You

RDN staff are here to assist you with your secondary suite project by offering the following services:

### Technical Advice

Our staff will answer your questions about the secondary suite program and steps you need to take to build a suite. We can explain what you need for obtaining a building permit, assist you in understanding the Zoning Bylaw and BCBC regulations, provide guidance on good building practice, and what to look for in a contractor. Good project planning will lead to good results, and we can help.

### Plans Examination

Our staff will review your drawing submissions. Staff will work with you or your designer to resolve any issues so that your building permit can be issued in a timely manner.

### Inspections

Inspections are part of the permit process. The type of secondary suite you are building, and whether it includes new or existing construction, will determine what inspections are required.

While permits which propose to recognize an unauthorized secondary suite require a basic visual inspection to ensure basic life safety concerns have been addressed, secondary suites in new construction require full compliance with the BCBC.

Our Building Inspectors will assess the suite and note items that may not meet standard regulations. Building Inspectors will endeavor to answer any technical questions you may have at that time, and will provide you with an inspection report.





## Secondary Suites Zoning Regulations Summary

The following provides a summary of the zoning regulations that apply to secondary suites within the RDN. This information is provided for convenience only, please refer to the applicable Zoning Bylaw for full details on all the zoning and land use regulations that apply to secondary suites.

- Secondary suites are permitted in the following zones:
  - Bylaw 500: AG1, RS1, RS1.1, RS2, RU1—RU10
  - Bylaw 1285 (Electoral Area F): A-1, R-1, R-2, R-3
- One secondary suite per dwelling unit to a maximum of two per lot are allowed, provided only one suite is detached.
- A secondary suite may be located within a dwelling unit or may be detached (either as a stand alone building or as part of another accessory building).
- Minimum site area requirements only apply to detached suites as follows: 800 m<sup>2</sup> for lots serviced with community water and sewer, 8,000 m<sup>2</sup> for all other lots.
- Secondary suites within a dwelling unit must not exceed 40 % of the habitable floor space<sup>1</sup> of the dwelling that it is accessory to, nor 90 m<sup>2</sup> of total floor area, whichever is lesser.
- Accessory buildings containing a secondary suite shall not exceed 40% of the habitable floor space of the dwelling unit which it is associated with, nor 90 m<sup>2</sup> of total floor area<sup>2</sup>, whichever is lesser.
- Properties with secondary suites must have at least two additional off-street parking spaces.
- Secondary suites must be limited to a maximum of two bedrooms and one cooking facility.
- Secondary suites must not be located within a duplex, manufactured home, or multiple dwelling unit development.
- Secondary suites must remain under the same legal title as the principal dwelling unit.
- Secondary suites must not be used for short term (less than one month) rentals.
- With the exception of Bed and Breakfast, Home Based Business is permitted on a parcel that contains a suite. There are additional restrictions on the type and number of Home Based Businesses on parcels less than 4,000 m<sup>2</sup> (8,000 m<sup>2</sup> in Electoral Area F).

1. When calculating dwelling unit floor space, the habitable floor space calculation excludes uninhabitable and unusable areas such as garages and open airspace above stairwells and entryways.

2. The total floor area of an accessory building containing a secondary suite includes the floor area of the entire building.

\*

## Submitting a Building Permit Application

Building permits are required for any new construction, alteration or addition to a structure in the RDN Electoral Areas.

A registered owner or agent for the owner may apply for the building permit. Construction must commence within six months from date of issuance, and must be completed within two years. It is the responsibility of the owner or agent to call for the required inspections.

For building permit application requirements, please visit the RDN website at [www.rdn.bc.ca](http://www.rdn.bc.ca), scan the QR Code, or contact RDN Building Inspection Services. Staff are available to answer your questions and assist you with making a building permit application.



SCAN THIS QR CODE  
TO VISIT THE RDN BUILDING  
INSPECTION SERVICES DEPARTMENT  
WEBSITE

## Benefits of Recognizing an Unrecognized Secondary Suite

*There are a number of advantages to recognizing an unrecognized secondary suite. Most of them relate to the protection of your financial investment and, most importantly, the safety of the occupants of your home and your suite – both your family and your tenants.*

**Safety of occupants** – When a suite is recognized, it complies with a variety of safety standards designed to keep occupants healthy and safe.

**Adequate property and home insurance coverage** – If an insurance provider is not aware of a suite a homeowner may not be covered in cases of emergencies and/or disasters caused by either a tenant or a member of your family. It is

It is good practice to advise your home insurance provider that you have a secondary suite to ensure that you have appropriate insurance coverage.

easier for homeowners to obtain insurance coverage if a suite has been recognized and meets certain standards.

**Peace of mind** – A recognized suite provides homeowners with peace of mind in knowing that they are protected from malicious or fictitious complaints.

**Maintain and potentially increase the value of your home** – The work undertaken to recognize a suite is often seen as providing added value to a home because all work has been completed and inspected and the recognized suite has potential for additional supplemental income.

**Addresses Existing Suites** - Provides a mechanism to resolve legitimate safety concerns or complaints, without the only option being to remove the suite.

## Benefits of Secondary Suites

*Secondary suites offer a number of benefits to both owners and tenants*

- provides homeowners with 'mortgage helper' income that, otherwise, might preclude mortgage qualification;
- improves housing options and choices for affordable housing;
- protects long-term housing security;
- provides housing options that support residents at various changing life stages, circumstances, and economic means; and,
- provides increased security by allowing for a caretaker or someone else in the dwelling unit.





## General Considerations When Designing A Suite

*When designing a suite, there are certain elements that require careful consideration. Keeping the following in mind while designing a suite may reduce costs, construction time and inconvenience, as well as improve space and efficiency. Please note, the following considerations are intended to apply to suites located within a dwelling unit only as there are different requirements for detached suites.*

**Suite Entrance** – Depending on the layout of your home, you may have very little flexibility. However, if you plan on adding or moving an entrance, consider the location so that it does not disrupt privacy of the principal unit. Also, the British Columbia Building Code (BCBC) requires that it be located in such a manner that it provides safe exit during the event of a fire. Our staff can assist you with this often complex item.

**Height of Rooms and Spaces** – The headroom clearance from the floor to the underside of the ceiling has to meet the minimum 2.0 metre height requirement of the BCBC.

**Minimum Window Areas** – Windows are an important part of the exiting requirements of a dwelling. If your house is older, you may have to replace some (or all) of the suite windows to meet the BCBC minimum size and area requirements.

**Fire Separations** – The secondary suite and the main dwelling are considered separate fire compartments. The secondary suite must be separated from the main dwelling by walls, floors and ceilings that have a minimum required fire resistance rating. This will help you determine which walls will separate your suite from the rest of the space.

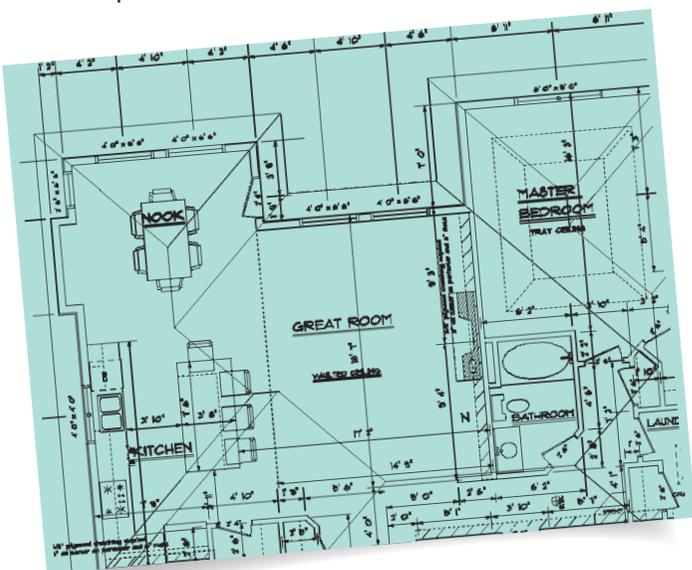
**Pipes and Ducts Penetrating Fire Separations** – Metal pipes and sheet metal air ducts may pass through fire-rated ceilings and walls between the suite and the main dwelling as long as they are tightly fitted. Ducts must be fitted with fire dampers if they are part of a forced air heating system.

**Heating** – Homes with shared forced air systems will require the heating and ventilation systems to be separated for health and safety reasons. If you want to control energy use in each unit separately, you may have to install separate heating and control systems. New homes with in-floor heating systems do not require modification.

**Laundry** – Although there is no regulation that states you must provide a laundry service to a suite, most homeowners do because it is a convenience most renters search for. Ask yourself if you want to provide a shared or dedicated laundry.

**Electrical and Gas** – Depending on the age of your home and the electrical wiring, you may require an upgrade to your service. Remember that electrical systems in older homes were not designed to power our modern needs, and the addition of a suite may cause serious interruptions or damage to your home. Contact the B.C. Safety Authority for suite requirements.

**Smoke Alarms** – Is your home up to date with modern smoke alarms and carbon monoxide detectors? Keep in mind that modern alarms are required to be continuously powered and “talk to each other”. In other words, an alarm in one part of your home will activate all alarms throughout your home. These alarm systems are much easier to install before your walls and ceilings are wallboarded and finished.



## Building a New Secondary Suite Within a Dwelling Unit

Before starting any construction work associated with a secondary suite, a **Building Permit is required**. The requirements and process depend on whether an attached or detached secondary suite is proposed.

The following information is a summary of Section 9.37 of the BC Building Code requirements regulating the construction of secondary suites within a dwelling unit. This summary is not an exhaustive list of the requirements, but rather an overview of the regulations in the BC Building Code. This summary is provided by the RDN for convenience only.



### SCOPE

Section 9.37 of the BC Building Code only applies to the construction of a secondary suite within a dwelling unit. This construction can be a renovation or an addition to an existing building, or a new building that incorporates a secondary suite.

This Section may also be used as a standard for assessing an existing secondary suite in a house.

Secondary suites within a dwelling unit must meet the following criteria: (note: other RDN bylaw requirements also apply).

- (1) The secondary suite is in a house (single-family dwelling) i.e., not in buildings of mixed use (commercial, industrial, etc.) or buildings of multi-residential use (duplex, etc.).
- (2) The area of the secondary suite cannot exceed 90 m<sup>2</sup> (approx. 970 ft<sup>2</sup>) of habitable floor space (this does not include the areas used for common storage, laundry facilities or egress).
- (3) The area of the secondary suite cannot exceed 40 % of the habitable floor space of the dwelling unit in which it is located (the habitable floor space of the dwelling unit does not include attached storage garages).
- (4) Under the Strata Property Act a secondary suite cannot be subdivided from the building it is part of.

### ROOM / EGRESS DIMENSIONS

#### 9.37.2.1.(1) - Height of Rooms or Spaces

The minimum height of rooms or spaces in a secondary suite shall be not less than 2.0 m (79") in all finished living areas.

#### 9.37.2.3.(1) - Exit Stairs

Exit stairs within or serving a building, which contains a secondary suite, shall:

- a) have a minimum width, measured between wall faces or guards of not less than 860 mm, and
- b) conform with stair requirements:
  - i. minimum rise: 125 mm
  - ii. minimum run: 210 mm
  - iii. maximum rise: 200 mm
  - iv. maximum run: 355 mm

#### 9.37.2.6 - Means of Egress

The width of every common corridor that serves a building that contains a secondary suite shall be not less than 860 mm (33").

### FIRE SEPARATION INFORMATION

#### 9.37.2.7 - Fire Separations for Exits

Except when the building is sprinklered, 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 30 minutes where the dwelling units are equipped with smoke alarms as referenced in Article 9.37.2.19.

#### 9.37.2.8.(1) - Openings Near Unenclosed Exit Stairs and Ramps

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 is exposed to fire from unprotected openings in the exterior wall of another fire compartment, the openings shall be protected with wired glass in fixed steel frames or with glass block.

**9.37.2.9.(1) - Doors in a Means of Egress**

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) not be less than 1980 mm (78”) high, and
- b) have a clear opening of not less than 800 mm (31.5”), and
- c) be permitted to swing inward.

**9.37.2.10(1) - Travel Limit to Exit or Egress Doors**

In a building which contains a secondary suite, the travel distance from a floor level in a dwelling unit to an exit or egress door may exceed one storey provided the floor level within the dwelling unit is served by an openable window of not less than 0.35m<sup>2</sup> (543 in<sup>2</sup>) in area with no dimension less than 380mm (15”) is provided.

**SAFETY**

**9.9.10.1 - Egress from Bedrooms**

- (1) Except where the suite is sprinklered, each bedroom shall have at least one outside window or exterior door openable from the inside without the use of keys, tools or special knowledge and without the removal of sashes or hardware.
- (2) Such windows shall provide an unobstructed opening of not less than 380 mm (15”) in height or width and 0.35 m<sup>2</sup> (543 in<sup>2</sup>) in area and maintain such an opening during an emergency without the need for additional support.

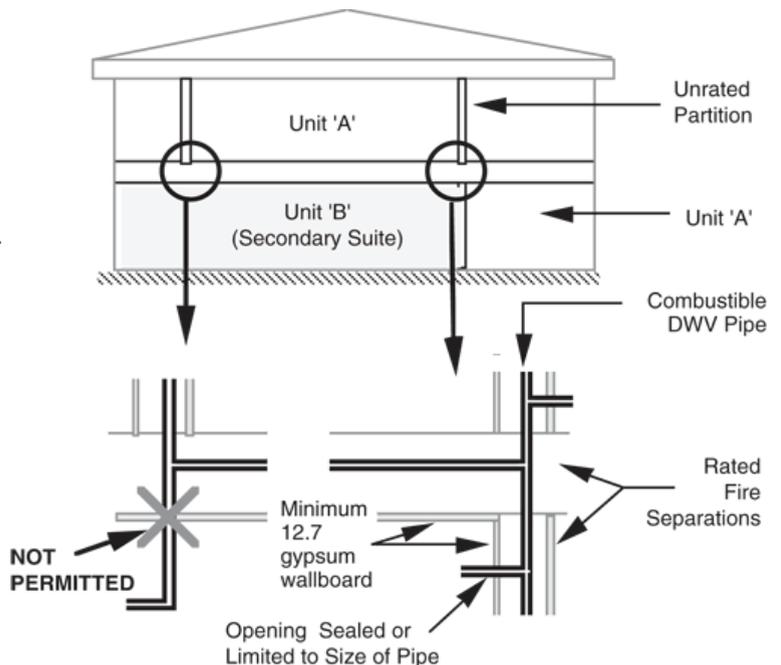
**9.37.2.11.(2) - Shared egress facilities**

Each dwelling unit shall be provided with a second and separate means of egress or an opening window conforming to Sentence 9.37.2.10. where the egress door from either dwelling unit opens onto an exit stairway which serves both suites, a public corridor servicing both suites and served by a single exit stairway, exterior passageway or balcony serving both suites and served by a single exit stairway.

**PLUMBING AND HEATING**

**9.37.2.14. - Combustible Water Pipes**

- (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 diagram below.)





#### **9.37.2.15.(1) - Separation of Residential Suites**

Dwelling units in a building, which contains a secondary suite, shall be separated from each other by the following:

- a) a fire separation having a 45 minute fire resistance rating for a one storey unit or a one-hour fire resistance rating for a two storey unit.
- b) a fire separation having a fire-resistance rating of not less than 30 minutes where the dwelling units are equipped with smoke alarms in conformance with Article 9.37.2.19.
- c) a fire separation having no required fire resistance rating where the building is sprinklered.

#### **9.37.2.16.(1) - Separation of Public Corridors**

A common corridor serving a building, which contains a secondary suite, shall be separated from the suites by the following:

- a) a fire separation with a fire resistance rating of 45 minutes.
- 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 9.37.2.19.
- c) a fire separation having no required fire resistance rating where the building is sprinklered.

#### **9.37.2.17 - Air Ducts and Fire Dampers**

- (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.

### **SPATIAL SEPARATIONS**

#### **9.37.2.18 - Exposing Building Face of Houses**

- (1) The exposing building face requires a fire resistance rating of not less than 45 minutes where the limiting distance is less than 1.2 m (4') and where the limiting distance is less than 0.6 m (2') the exposing building face must be clad with noncombustible material.
- (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 (4') and shall be limited in conformance with the requirements for unprotected openings in Article 9.10.15.1 where the limiting distance is 1.2 m (4') or greater. (ie., 8 percent openings permitted @1.5 m).





### 9.37.2.19 - Smoke Alarms

- (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 interconnected 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 9.37.2.15. and Article 9.37.2.16 have a fire resistance rating of 45 minutes or greater, or
  - b. the building is sprinklered.

### BUILDING A DETACHED SECONDARY SUITE

The construction of detached secondary suites does not fall under Section 9.37 of the BC Building Code. All detached secondary suites must satisfy the current edition of the BC Building Code as it applies to a regular dwelling.

### RECOGNIZING AN UNRECOGNIZED SECONDARY SUITE

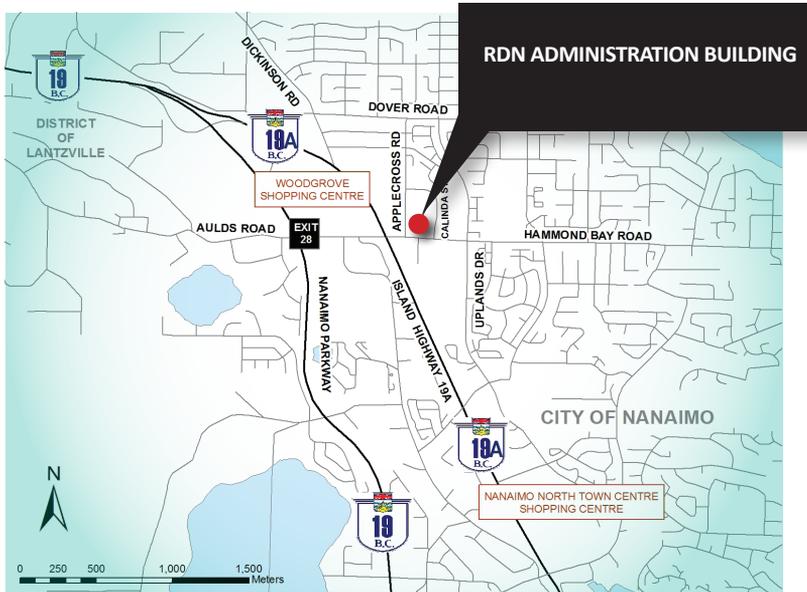
Should an owner make a building permit application to “recognize” an “unrecognized secondary suite”, a building inspector will conduct a visual inspection to determine if safety items pertaining to fire detection (smoke alarms), fire spread (drywall), and exits (a safe way out) have been addressed. These three items would form the basis for the upgrades (if required) to recognize an unrecognized secondary suite.

A Notice under Section 57 of the Community Charter may be registered on the title as a means of disclosure to future land owners that the suite was originally constructed without a building permit.



## Where to Find Us

The Regional District of Nanaimo Administration Building is located at 6300 Hammond Bay Road in Nanaimo. Our office is located on the corner of Hammond Bay Road and Calinda Street.



SCAN THIS QR CODE  
TO VIEW OUR LOCATION  
IN GOOGLE MAPS

## Questions

If you have any questions about secondary suites, please visit [www.rdn.bc.ca](http://www.rdn.bc.ca) or contact the RDN Strategic and Community Development Department during regular business hours Monday to Friday between the hours of 8:30 am and 4:30 pm, except Wednesdays 8:30 am to 5:30 pm. Staff are available to answer any questions you may have and can explain the requirements for secondary suites.

### Current Planning

(250) 390-6510 D69: (250) 954-3798  
Toll Free: 1-877-607-4111

### Building, Bylaw & Emergency Planning Services

(250) 390-6530 D69: (250) 954-3809  
Toll Free: 1-877-607-4111

## Other Agencies from Which You May Need Assistance

- **BC Safety Authority** – Gas and Electrical Permits and Inspections: [safetyauthority.ca](http://safetyauthority.ca)
- **Ministry of Health** - Onsite Sewage Disposal Regulations [www.health.gov.bc.ca/protect/lup\\_onsite.html](http://www.health.gov.bc.ca/protect/lup_onsite.html)
- **BC Hydro**: [bchydro.com](http://bchydro.com)
- **Fortis BC**: [fortisbc.com](http://fortisbc.com)
- **BC One Call** – Call Before You Dig: [www.bconecall.bc.ca](http://www.bconecall.bc.ca)
- Your home insurance provider
- Your telephone and cable provider
- Your local water service provider



Strategic and Community Development

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