



# STAFF REPORT

**TO:** Planning and Development Committee **MEETING DATE:** January 14, 2020  
**FROM:** Lesley-Anne Staats, RPP, MCIP **FILE NO:** 6440-18  
Director of Planning  
**SUBJECT:** Changes to the BC Building Code for Secondary Suites

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## RECOMMENDATIONS

**THAT** the report titled **Changes to the BC Building Code for Secondary Suites** be received;

**AND THAT THE Planning and Development Committee recommends that Council directs staff to update the zoning bylaw to allow secondary suites in more housing types and to reflect the December 2019 BCBC update.**

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Previously, secondary suites were only permitted in single family dwellings and could not exceed 40% of the floor area of the house and not more than 90 m<sup>2</sup> in size.

Effective December 12, 2019, the BC Building Code was updated to allow the construction of Secondary Suites in more types of houses, such as row housing and duplexes, as an effort to remove barriers and to allow the creation of more affordable housing.

Attached to this report is a bulletin prepared by the BC Ministry of Municipal Affairs and Housing.

## POLICY / PLAN IMPLICATIONS

### Strategic Plan Implications

This provincial update aligns with Council's core objective of Advocating for and facilitating a range of housing types.

### Financial Plan Implications

This has no negative implications to the Town's Financial Plan.

### Other Policy or Plan Implications

The Town's Zoning Bylaw No. 1065, 2007 allows secondary suites only within single family dwellings, and defines them as follows:

*“SECONDARY SUITE” means an accessory dwelling unit located within a single family dwelling, and having an area no more than 40% of the total gross floor area of the building.*

The Zoning bylaw definition may be interpreted as now allowing secondary suites in duplexes and townhouses, and does not allow secondary suites in conjunction with a Boarding Use, Bed and Breakfast Use, or Home Occupation of any kind.

Staff recommends that Council directs staff to update the zoning bylaw to allow secondary suites in more housing types and to reflect the December 2019 BCBC update.

**Attachment**

BC Ministry of Municipal Affairs and Housing – Bulletin – Changes to the BC Building Code for Secondary Suites

Respectfully Submitted,



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Lesley-Anne Staats, RPP, MCIP  
Director of Planning

**CHIEF ADMINISTRATIVE OFFICER’S COMMENTS:**

I have reviewed the report and support the recommendation(s).



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Emanuel Machado  
Chief Administrative Officer



No. B19-04  
December 12, 2019

## Changes to the BC Building Code for Secondary Suites

The Province of British Columbia is working to remove barriers to the creation of more affordable housing including secondary suites. Previously, secondary suites could only be built in single detached homes and could not exceed a certain size. Effective December 12, 2019, the BC Building Code will allow the construction of new secondary suites in more types of houses, such as duplexes and row housing. Size restrictions for secondary suites have also been removed. This will provide local governments with more options for land use planning.

This bulletin provides further information about Revision 2 of the BC Building Code 2018 (BC Code) for the design and construction of new secondary suites in more building types. Local governments are encouraged to share this information with local builders and property owners.

### Background

Allowing the construction of secondary suites in more building types helps to create more affordable housing units while still providing an acceptable level of health and fire safety to occupants. Secondary suites help provide more affordable housing options by expanding a community's rental stock. By making more efficient use of land and infrastructure, secondary suites facilitate low-impact densification that supports community vitality and sustainability. Secondary suites can be integrated within mature neighbourhoods with limited visual impact on the street, which helps communities retain neighbourhood character while providing more options for rental housing.

The BC Code historically limited the size of secondary suites and only permitted them in single detached houses. Land use bylaws were often based on these requirements. Mid-cycle revisions to the BC Code increase the options for the design and construction of new secondary suites in a wider range of building types and remove the restrictions on size.

The introduction of new requirements for the design and construction of secondary suites in the BC Code does not allow owners to contravene existing land use bylaws. The changes only provide acceptable design and construction solutions of a technical nature.

Local governments are encouraged to review their bylaws to determine if the BC Code changes will have any impacts. Local governments may wish to amend their bylaws to remove any previous code references or if they decide to permit secondary suites in more building types.

### Changes to the BC Building Code 2018

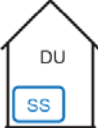
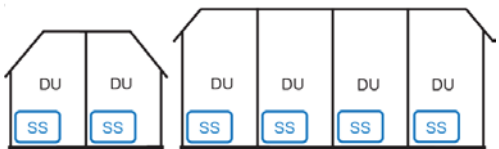
The BC Code **previously** defined a *secondary suite* as "a *dwelling unit*

- having a total floor space of not more than 90 m<sup>2</sup> in area,
- having a floor space less than 40% of the habitable space of the *building*,
- located within a *building* of *residential occupancy* containing only one other *dwelling unit*, and
- located in and part of a *building* which is a single real estate entity."

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The approved mid-cycle revision **discontinues the prescribed floor space amounts and percentage distribution**. The BC Code does not require the building owner to occupy either of the units, but the two units must be a single real estate entity.

### Comparison of Changes

Provision	Previous BC Code 2018	BC Code 2018 Revision 2 Change
<b>Total floor area of the secondary suite</b>	A secondary suite shall have a total floor space of not more than 90 m <sup>2</sup> in area.	<b>No limit</b> to floor space of a secondary suite.
<b>Percentage distribution of the floor space of the secondary suite to the habitable space of the building</b>	A secondary suite shall have a floor space less than 40% of the habitable space of the building.	<b>No limit</b> to the percentage distribution of the secondary suite to the habitable space of the building.
<b>Building type where secondary suites are permitted</b>	A secondary suite shall be located within a building of residential occupancy containing only one other dwelling unit. 	The building may contain other dwelling units or occupancies that are horizontally adjacent; they may not be located above or below each other. 
<b>Real estate entity</b>	A secondary suite shall be located in, and part of, a building which is a single real estate entity.	<b>No change:</b> the secondary suite and the other dwelling unit in the house constitute a single real estate entity; the secondary suite may not be separately strata-titled or otherwise subdivided from the other dwelling unit.

The **new** definition states that a *secondary suite* means “a self-contained *dwelling unit* located within a *building* or portion of a *building*:

- completely separated from other parts of the *building* by a vertical *fire separation* that has a *fire-resistance rating* of not less than 1 hour and extends from the ground or lowermost assembly continuously through or adjacent to all *storeys* and spaces including *service spaces* of the separated portions,
- of only *residential occupancy* that contains only one other *dwelling unit* and common spaces, and
- where both *dwelling units* constitute a single real estate entity.”

The change adopts and adapts permissions in the National Building Code to **allow construction of secondary suites in a building that may contain more than one dwelling unit or other occupancy**. These permissions are limited and only apply where a dwelling unit and its secondary suite are completely separated from other parts of the building with continuous vertical fire-rated construction. These permissions do not allow

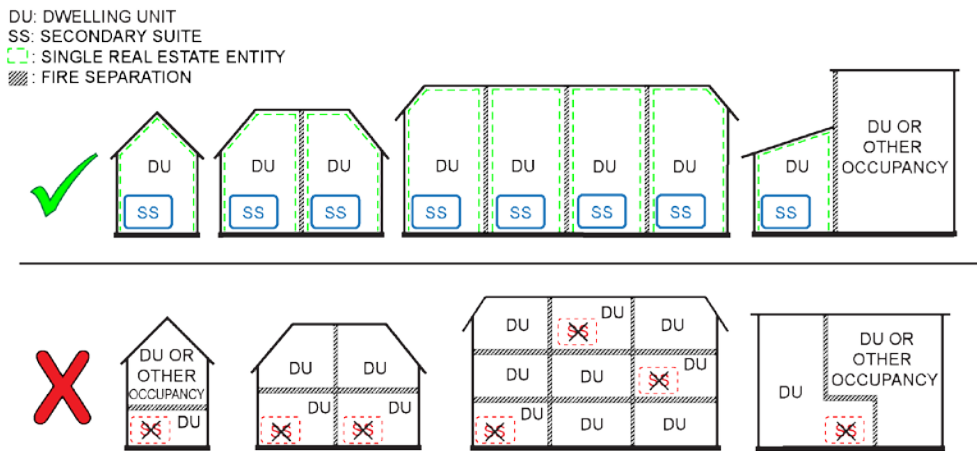
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secondary suites to be constructed in dwelling units that are above or below multiple dwelling units or other occupancies.

Examples where secondary suites are now permitted include side-by-side duplexes and row houses where a vertical fire separation separates the secondary suite from the remainder of the building.

Examples where secondary suites are not permitted are up/down duplexes and apartment buildings where dwelling units are above or below other dwelling units.

Figure 1: Examples of permissible and non-permissible secondary suites



## Resources

The new BC Code definition of “secondary suite” is included in the Appendix to this bulletin.

## More Information

[Technical Bulletin B19-05](#) provides information about the Revision 2 changes to the BC Code for the design and construction of new secondary suites.

Please direct any questions about land use bylaws to:

Ministry of Municipal Affairs and Housing  
Planning and Land Use Management Branch  
Telephone: 250-387-3394  
Email: [PLUM@gov.bc.ca](mailto:PLUM@gov.bc.ca)

Please direct any questions about technical code requirements to:

Ministry of Municipal Affairs and Housing  
Building and Safety Standards Branch  
Telephone: 250-387-3133  
Email: [Building.Safety@gov.bc.ca](mailto:Building.Safety@gov.bc.ca)

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## Appendix: Definition of “Secondary Suite” (from BC Building Code 2018 Revision 2)

**Secondary suite** means a self-contained *dwelling unit* located within a *building* or portion of a *building*

- completely separated from other parts of the *building* by a vertical *fire separation* that has a *fire-resistance rating* of not less than 1 h and extends from the ground or lowermost assembly continuously through or adjacent to all *storeys* and spaces including *service spaces* of the separated portions,
- of only *residential occupancy* that contains only one other *dwelling unit* and common spaces, and
- where both *dwelling units* constitute a single real estate entity.

(See Note A-1.4.1.2.(1) of Division B.)

### A-1.4.1.2.(1) Defined Terms.

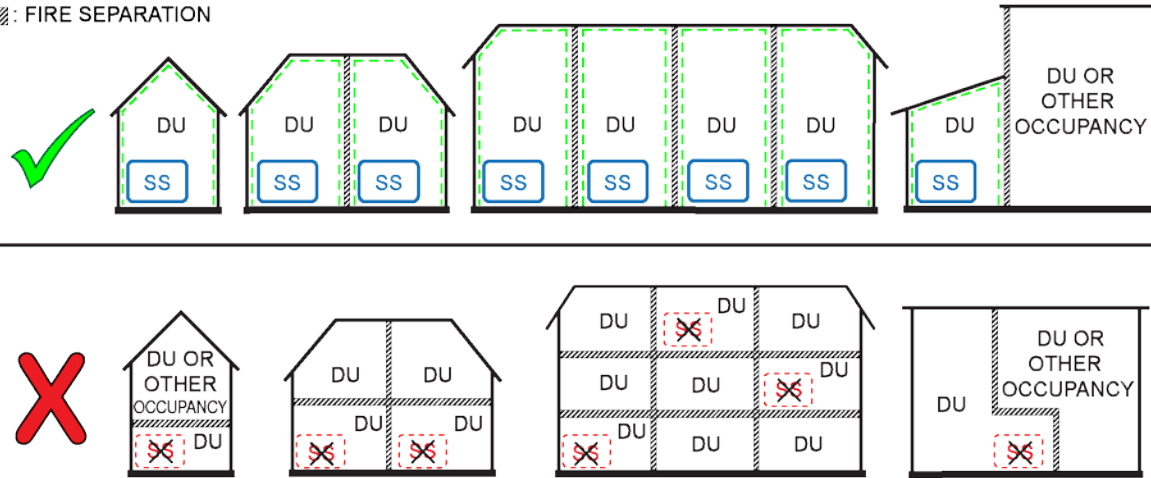
#### Secondary Suite

A secondary suite is a self-contained dwelling unit that is part of a house containing not more than two dwelling units (including the secondary suite) and any common spaces such as common storage, common service rooms, common laundry facilities or common areas used for egress. Secondary suites are typically created within an existing single dwelling building (house) either constructed as an addition or an alteration to an existing house or incorporated during the construction of a new house. A secondary suite may have more than one storey and may be on the same level as the other dwelling unit of the house or be above or below it.

Examples of buildings where secondary suites are permitted include individual detached houses, or where the secondary suite is located in a portion of a building, semi-detached houses (half of a double and also known as a side-by-side) and row houses where a vertical fire separation separates the portion from the remainder of the building.

Where a building has multiple vertically separated occupancies, the secondary suite can only be created in a vertically separated portion of the building that is of residential occupancy. A vertical fire separation that extends continuously through all crawlspaces, storeys and attic spaces of the building is required to vertically separate portions of a building. Apartment buildings have dwelling units above and below others that share a horizontal assembly and are therefore not permitted to have secondary suites. Figure A-1.4.1.2.(1)-C shows building types where secondary suites are permitted as well as building types where other dwelling units or other occupancies are located above or below such that secondary suites are not permitted.

DU: DWELLING UNIT  
 SS: SECONDARY SUITE  
 [Green dashed box]: SINGLE REAL ESTATE ENTITY  
 [Hatched box]: FIRE SEPARATION



**Figure A-1.4.1.2.(1)-C**  
 Building Types where Secondary Suites are Permitted

Neither the secondary suite nor the other dwelling unit in a house can be strata-titled or otherwise subdivided from the remainder of the house under provincial or territorial legislation. This means that both dwelling units are registered under the same title.