

## HOW-TO GUIDE – NEW SECONDARY SUITES

### Secondary Suite Definition

The British Columbia Building Code (2018) defines a Secondary Suite as “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.”

### Zoning and Off-Street Parking Requirements

#### Zoning

The City of Nelson Zoning Bylaw No. 3199, 2013, permits secondary suites within a single-detached residential dwelling or a duplex in specific zones subject to a number of conditions<sup>1</sup>. The minimum size (gross floor area) of a secondary suite is 26m<sup>2</sup> (280ft<sup>2</sup>). Secondary suites may not be stratified and sold as a separate strata unit. The right to apply for a secondary suite depends on the zone, and each zone dictates the minimum lot size needed for an additional dwelling. The City’s interactive zoning map will help you determine what zone your property is in. The map and a link to the current version of the Zoning Bylaw can be found at [www.nelson.ca/zoning](http://www.nelson.ca/zoning).

#### Parking

The property must accommodate off-street parking. One (1) additional parking space measuring 6m by 2.75m is required. The total parking requirement for the property will depend on the year of construction of the building and in certain cases, the parking requirement may be waived. Contact staff to discuss site specific situations and/or review the Off-Street Parking and Landscape Bylaw for more information on parking requirements.

#### Emergency Access Requirements

A number of regulations apply to all new dwelling units in order to ensure that emergency responders can find and get to the front door of any residential dwelling.

For more information, pick up a copy of the “Emergency Access Requirements” info sheet outside the Development Services office, or download it at [www.nelson.ca/DocumentCenter/View/1838/Dwelling-Unit-Emergency-Access-Requirements](http://www.nelson.ca/DocumentCenter/View/1838/Dwelling-Unit-Emergency-Access-Requirements).

### Building Code Summary

This is a brief overview of some of the minimum health and safety requirements for secondary suites outlined in the December 20, 2019 Revision to the B.C. Building Code (2018). This information must be shown on the submitted plans.

#### Ceiling Heights

Ceiling heights must be at least 1.95m (6.4ft) above the floor in existing conversion and 2.1m (6.9ft) in new construction. Lower heights can be accepted under beams and duct work.

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<sup>1</sup> If there is already a secondary suite and zoning permits a third dwelling unit, adding another suite may cause the building to be viewed as a “multi-unit building”, requiring a Development Permit. For more information, contact Development Services.

## **Fire Safety and Exiting**

### **Fire Separation**

In order to restrict the spread of fire and smoke, and to ensure that the occupants have safe egress from the building, a Fire Separation is needed to create a barrier between the suite and the rest of the house, and between dwelling units and any common space. The Building Code requires that the structure be built with a minimum fire resistance rating of 45 minutes between the dwelling units. The fire resistance rating may be reduced where there is an existing 12.7mm (1/2 in.) gypsum wall board ceiling provided interconnected photoelectric and hardwired smoke alarms are installed. Options for fire separations can be discussed with the Building Official.

Doors located in a fire separation must be labelled and rated for the fire separation, complete with a self-closing device.

### **Smoke and Carbon Monoxide Alarms**

Independent hardwired smoke alarms are required for both dwellings, on every level, and in bedrooms. If there is a reduced separation, interconnected photoelectric smoke alarms are required. In addition, if there are fuel-fired appliances or an attached garage, carbon monoxide alarms are required within 5m (16.4ft) of bedroom areas.

### **Safe Exiting**

The secondary suite must have an exit door, ideally directly from the suite to the exterior. This door must be an exterior door, with a deadbolt and door viewer (or glazing), that swings on a vertical axis (not a sliding patio door). In situations where the suite egress door opens into a common entrance, each unit must be served by a second and separate means of egress.

### **Bedroom Windows**

All bedrooms are required to have an opening window with a minimum clear opening area of 0.35m<sup>2</sup> (3.8ft<sup>2</sup>) with no dimension less than 380mm (15in). This area would allow for exiting in the case of an emergency.

## **Mechanical Systems**

### **Heating Systems**

The secondary suite should be equipped with a method of heating, independent of the main dwelling. In order to prevent the migration of smoke between dwelling units during a fire, duct work is not permitted to interconnect the dwelling units. A separate system, such as electric baseboard heating, may need to be installed in the suite. If heating or ventilation duct systems serve both the suite and the main dwelling unit, the system must contain a duct-type smoke detector that shuts the furnace fan motor off. Fire dampers are also required.

### **Ventilation**

An exhaust fan vented to the exterior shall be installed in each kitchen and bathroom. A ventilation checklist must be completed to ensure adequate fan size, duct size and make up air requirements are being met.

### **Plumbing**

A secondary suite is required to have a kitchen sink, lavatory, bathtub or shower and a water closet. Within existing homes, the water supply line may not be large enough to meet the minimum code requirements for supplying all the plumbing fixtures, including the suite. For example, if the house is serviced by a 12.7mm (1/2in.) supply pipe, it would be necessary to upgrade to a 19mm (3/4in.) or larger water pipe, from the street to the house. All the fixtures in the building should be shown on the plans to complete a fixture calculation. A separate plumbing permit would be required to approve any new (or previously completed) plumbing work.

## **Water and Sewer Services**

If a new secondary suite is being added within an existing single dwelling unit, the property is required to be serviced by a 3/4in. water line. If the secondary suite is the third unit on the property (where a single dwelling unit and a laneway house are already on the property for example) the water line may need to be upgraded to a 1in. line. The property owner is responsible for the cost of the upgrade.

To obtain details on your current water service or to get an estimate for a water line upgrade please contact one of the City's Engineering Technicians at 250-352-8270 or 250-352-8222.

Additional Water and Sewer Utilities Charges are collected for secondary suites. The rates are published every year in the Fees and Charges Bylaw No.3092, which can be found on the City of Nelson website. Conforming secondary suites that are rented on a long-term basis are eligible for a 75% discount on annual water and sewer rates.

For example, in 2019:

	Annual Water Charge	Annual Sewer Charge	Total
Single residential dwelling unit	\$397	\$755	<b>\$1,152</b>
Conforming secondary suite	\$99	\$189	<b>\$288</b>
Total Annual Water and Sewer Charges for a single dwelling unit and a conforming suite:			<b>\$1,440</b>

### Garbage Collection

Any number of garbage cans or bags can be put out for disposal providing they are individually tagged with a garbage tag (\$1.50 per tag). There are additional garbage collection fees.

### Electrical Connection

A licensed electrician or the B.C. Safety Authority should be consulted to analyze the existing service size and configuration to determine if additional loads created by the suite can be accommodated. A separate electrical panel is required if unrestricted access cannot be provided to the existing main panel. A separate electrical meter is not required, but is an option if you want the tenants to be solely responsible for their electrical consumption. If you choose to install a second meter for the suite, you must have a building permit for the suite installation prior to obtaining the service and meter from Nelson Hydro.

If the electrician determines that the existing service is inadequate for the addition of a suite, and a service upgrade is required, or if you want to have a separate meter installed for the suite, contact Nelson Hydro to determine costs and meter location. Nelson Hydro costs vary on service characteristics. The connection charge does not include the work to be completed by your electrician. The electrician is responsible for all building attachments and internal electrical work. Contact Nelson Hydro (250-352-8214) to discuss specific circumstances and related fee structure when you are ready to proceed.

### Building Permit Requirements

In order to authorize an existing suite or allow construction of a new secondary suite, a building permit is required to ensure adequate safety for all occupants.

#### **The Building Permit application must include:**

- Completed building permit application form;
- Current land title;
- Fee payment;
- 1 set of plans (*see example on next page*) showing all information from this handout (complying with the Building Code and Zoning Bylaw) for a suite, including:
  - Site plan showing all buildings, structures, and dimensioned parking spaces;
  - Plans of all floor levels, dimensions, room uses, ceiling heights and plumbing fixtures; and
  - Cross section or details of all fire separations between dwelling units.

#### **You may also be required to obtain:**

- A plumbing permit, prior to any plumbing installations;
- An electrical permit from the British Columbia Safety Authority, for new or unauthorized electrical work;
- Hazardous Material Survey following the guidelines for OHS Regulations 20.112 if renovating a house built in 1990 or earlier. If Hazardous Materials are identified you will also be required to obtain a Notice of Project form and number (provided by WSBC) and a Post-Abatement Report (provided by qualified removal contractor after hazardous materials have been safely removed). For more information contact WorkSafeBC at (250) 354-5700 or [www.worksafebc.com](http://www.worksafebc.com);
- Other documentation required by the building inspector due to a specific situation.

This guide was published in January 2020 and has been made available solely to assist potential applicants. It is intended for informational purposes only and it is not exhaustive of all requirements, fees, and regulations. Bylaws, other regulations, and other information may change from time to time and the City of Nelson is not obligated to update this document and does not guarantee the accuracy or completeness of this document, nor for the content of external links. In all cases, the City's standing bylaws prevail. This document presents a summary of key information from these bylaws, and may not be comprehensive of all applicable bylaws. It is the property owner's responsibility to ensure that they are in compliance with all bylaws.

**SEE SAMPLE OF PLANS ON NEXT PAGE**

