



Home Suite Home.....

Having a Secondary or Accessory Suite to help offset a mortgage or as a way of keeping family close is becoming more and more appealing to homeowners in Lake Country. A secondary suite is designed to be a self-contained living unit, whether built into an existing dwelling (secondary suite) or as a separate building (accessory suite). As such, suites have unique requirements to ensure the safety of all residents.

This guide is designed to help you understand the different types of suites allowed in our District and what the general process is for construction.

Secondary and Accessory Suites in Lake Country.....The addition of suites to homes in Lake Country is an important aspect to the fabric of our community. There are specific regulations that govern the existence of Suites and it is important to understand these requirements before you begin your project. Suites are allowed in specific circumstances and on certain lots; important things you need to know before you invest your money.

Background

Prior to 2009, suites were not legally allowed to be a part of a dwelling in Lake Country. In 2009, the Zoning Bylaw was amended to allow for secondary suites in most single residential dwellings. Any suites constructed under a Building Permit from the point of this bylaw amendment would be considered “legal” suites. Still to be addressed, however, were the many suites already in existence that were not constructed under a Building Permit. Some of these existing suites the District was aware of, but many were unknown. As well, even after the establishment of the Secondary Suite bylaw amendment, some homeowners constructed suites without the required Building Permits, in contravention of existing bylaws. All existing suites at this time had a deadline of April 30, 2011 to be registered.

Going forward, the District now has a number of suites of differing legal standing, which can be broken down as follows:

Existing Suites constructed prior to 2009.

- ❖ **“Illegal”** If not upgraded through a Building Permit.

Note: for an existing suite to become “Legal” (aka “Legalized”), the suite may need to be deconstructed and re-constructed under a current Building Permit – talk to our staff for more information.

Suites constructed after 2009.

- ❖ **“Illegal”** If not constructed under a Building Permit.
- ❖ **“Legal”** If constructed under a Building Permit.

What is a secondary suite?

Secondary suite means a self-contained, dwelling unit located within a single detached dwelling. A secondary suite has its own separate cooking, sleeping and bathing facilities. It has direct access to the outside without passing through any part of the principal unit. This use does not include duplex housing, semi-detached housing, apartment housing, or boarding and lodging houses in accordance with District of Lake Country Zoning Regulation Bylaw.

What is an accessory suite?

Accessory suite means a self-contained accessory dwelling unit located within an accessory building. An accessory suite has its own separate cooking, sleeping and bathing facilities.

Where are secondary or accessory suites allowed?

Secondary and accessory suites are only allowed in certain zones in the District. Land zoned Rural Large Parcel (RLP) and Rural Residential 1, 2 and 3 (RR1, RR2, RR3) allow secondary and accessory suites. Land zoned Single Family Housing (RU1) and Agricultural 1 (A-1) allow secondary suites only.

A property may have one secondary OR one accessory suite (not both) in accordance with the property zoning. No strata titling will be permitted.

A secondary or accessory suite is not permitted in conjunction with lodgers, bed and breakfast accommodation or a group home.

No structural alterations or additions shall be undertaken that alters the existing character and form of the neighbourhood.

Secondary Suites

Secondary suites, when permitted, are to be located only in a new or converted single detached house.

Accessory Suites

Accessory suites, when permitted, are to be located only in an accessory building, except in the RLP and RR1 zones, where a manufactured or mobile home may be considered an accessory suite.

No accessory suite will be allowed without connection to a community sanitary sewer unless the lot is at least 1.0 ha and meets the requirements of the District for septic disposal capacity.

What is the maximum size allowed for a secondary or accessory suite?

A secondary suite must not exceed the lesser of 90 square metres (968 square feet) or 40% of the total floor area of a home.

An accessory suite must not exceed the lesser of 90 square metres (968 square feet) or 75% of the total floor area of the principle building. If a manufactured or mobile home is being used as an accessory suite, the maximum floor area of the unit shall not exceed 90m².

Do I have to provide parking for the suite?

You must provide two parking spaces per suite, plus spaces required for the corresponding principal dwelling unit on the property.

How do I register a new suite?

If you are building a new suite you must apply for a Building Permit. When the dwelling receives its final occupancy permit, the suite will receive a Certificate of Registration.

What happens once a suite is registered?

A suite will receive a Certificate of Registration, a new address (the street address with an 'A' appendix) and you will be charged for utilities, if applicable.

What are the requirements and charges for utilities?

Owners of secondary and accessory suites are responsible for the following utility charges:

- Dwellings on municipal sewer are required to pay an additional 40% of a user charge for the suite.
- Dwellings on municipal water are required to pay an additional 40% of a user charge for the suite, or, if the dwelling has a water meter, will be charged based on use.
- Utilities charges will begin when the suite receives a Certificate of Registration, and will be charged regardless if the suite is rented or otherwise occupied.

Owners of residences on private water utilities are required to provide a confirmation letter from the private utility that there is sufficient capacity for the suite.

Owners on well water are required to provide a hydrologist report indicating sufficient capacity (enough water for two dwellings) and quality, and have a Section 219 covenant registered on the title of the property.

Owners on surface water are required to provide a water license indicating ability to draw sufficient capacity (enough water for two dwellings) and quality, and have a Section 219 covenant registered on the title of the property

What if I do not register my suite?

If a suite is not registered (regardless of occupation) and the District becomes aware of its existence the District will initiate bylaw enforcement action and ticket the owners of the suite. If the District is concerned about the immediate health and safety of the tenants eviction procedures will be commenced.

Owners of un-registered suites will be charged for municipal utilities as if the suite was an additional dwelling unit. Therefore, the owner will be responsible for two full utility charges for municipal water and sewer.

What about changes in the BC Building Code for Secondary Suites?

In December 2019 changes were introduced to the 2018 BC Building Code that centered mainly around secondary suites. While some of this information may be highlighted in this bulletin, additional information may be obtained through the BC Government Information Bulletin# B19-05 which can be found here:

[Technical Bulletins - Province of British Columbia \(gov.bc.ca\)](http://www.gov.bc.ca/technical-bulletins)

[b19-05 secondary suites changes to design and construction reqs 2012_12_13.pdf \(gov.bc.ca\)](http://www.gov.bc.ca/b19-05_secondary_suites_changes_to_design_and_construction_reqs_2012_12_13.pdf)

Safety Compliance

“Legalized Suites”

In order for a suite to be considered a legal suite, all suite construction must comply with the Zoning Bylaw and the BC Building Code. All suites constructed after 2009 must be legalized. Suites shall not be Stratified.

Some thought should be given where the access to the suite is concerned. For example, a sloped property with a walkout oriented to the rear of the property with minimal side yard where the suite entrance is located at the side or rear of the dwelling may need to have proper BC Building Code compliant access to the suite. (ie. Lighting, stair rise/run, handrail, protection from windows adjacent to access routes...)

Persons attempting to escape from one dwelling must not be exposed to fire emanating from the other dwelling. Where an unenclosed exterior stair, ramp or exit path that provides the only means of egress from a dwelling unit in a building that contains a secondary suite, the stair, ramp or exit path must be protected from the hazards of fire from unprotected openings in the exterior wall of another fire compartment.

Checklist for Suites within a Principal Dwelling (Secondary Suite)

(These are SOME requirements to consider when looking to add/construct)

- Hinged exit door (minimum 34”) with door viewer or clear glass.
- The minimum height of rooms or spaces in a secondary suite shall be not less than 2.0 m. It shall be possible to travel throughout areas within a secondary suite without reduction of the room height.
- Exit stairs and public corridors shall be not less than 860 mm (34”) wide. Exit doors and doors within public corridors shall be not less than 800 mm (31.5”) wide.
- Openings/windows from an adjacent fire compartment that are near an exit route must not present a hazard to person using stair, ramp or exit path.
- Where stairs are incorporated into the design and form part of the means of egress for the suite, they must be shown on the plans and comply with the BC Building Code (ie. Rise, run, handrail, etc.)
- Required minimum bedroom window opening size (minimum 15” width/height, minimum 3.75 square feet in area) & depending on exit type, a larger minimum window size may be required
- Shut-offs shall be installed where the water supply enters each dwelling unit, so that when one suite is shut off, the water to the remainder of the building is not interrupted.
- A furnace or HVAC that services the main dwelling should not be located in the suite. Where located in service/mechanical room the walls and ceilings must be separated with the same fire resistance rating as required between the suites & have a self-closing fire-rated door.

- Kitchen and bathroom fans are to exhaust to the outdoors. Remember: in existing buildings this may impact the location of kitchen/stovetop and bathrooms, their respective exhaust fans & where ducting will need to be installed to meet this requirement.
- Principal exhaust fan is to run continuously and have a maximum sound rating not exceeding 1.0 sones. Passive exterior air inlets are required in all bedrooms and one in a common living area. If the suite is using a “Central Recirculation Ventilator System”, an additional fan will be required to supply air to bedrooms as well as the common living space. See the TECA Mechanical Ventilation Checklist for additional details. BC Building Code Amendment April 18, 2018: Passive ventilation supply air is permitted for secondary suites in residential buildings designed to BC Energy Step Code Requirements.
- 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.
- Ducts penetrating fire separations need not be equipped with fire dampers provided they are non-combustible with all openings in the duct system serving only one fire compartment.
- If the heating system is shared, each unit is required to have its own heating system controls (for independent temperature control of each suite)
- Interconnected ionization smoke alarms are required in the suite bedrooms as well one is to be located within 5 meters of the bedroom doors. These ionization alarms are not to interconnect to the alarms in the main dwelling.
- To reduce the required 45-minute fire separation between the secondary suite and main dwelling to 30 minutes, interconnected photo-electric smoke alarms shall be installed in each suite.
- The doors and frames between the suite and the main dwelling are required to have a 20 minute fire rating or be 45mm (1 3/4”) thick solid core wood and be self-closing.
- Carbon monoxide alarm(s) are required where there is a fuel-burning appliance or an attached garage in the building & must be installed as per manufacturer’s instructions OR in each bedroom or within 5 meters of all bedroom doors. Carbon Monoxide alarms must be interconnected between suites.
- Each dwelling unit must be separated from each other (and also from ancillary/common spaces) with a fire separation with a fire resistance rating. Fire resistance rating may be determined with smoke alarm type and placement and/or whether the building is sprinklered.

To obtain a 45-minute fire separation, two layers of ½” Type X gypsum board must be applied to the suite ceiling. One layer of ½” Type X gypsum board applied to both sides of demising walls with studs 16” on centre.

To obtain a 30-minute fire separation, one layer of 5/8” Type X gypsum board must be applied to the suite ceiling. One layer of ½” standard gypsum board applied to both sides of the demising walls.

A 15-minute fire separation, can be obtained by following the prescribed construction options in Clause 9.11.1.1.(2)(a) of the BC Building Code: ie. one layer of regular ½” gypsum board both sides of demising walls (that have been filled between joists spaces with sound-absorbing material-insulation and resilient channel on one side)

Additional options may be available as described in the current edition of BC Building Code.

Have questions? We’re here to help. Please contact the Building Department at 250-766-6675 for more information.

Please note: Building Bulletins are prepared to provide convenient information for customers, and should not be considered a replacement for reviewing the current bylaws, building code or associated legal documents. If there is any contradiction between this guide and relevant municipal bylaws and/or applicable codes, please refer to the bylaws and/or codes for legal authority.