

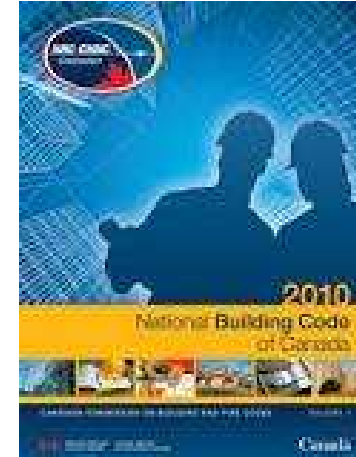
# SECONDARY SUITES



CODE REQUIREMENTS

**Disclaimer:**

**All references to building code in this presentation are taken from the National Building Code of Canada – 2010 Edition (NBC).**



**Each province and/or municipality may have adopted amendments to this code and may have other by-laws and regulations that have an impact on the acceptability of the construction and use of secondary suites.  
You should consult with your local authority having jurisdiction.**

## Secondary Suite Code Requirements

### What are Secondary Suites?

The NBC defines a secondary suite as:

***“ . . . a self-contained dwelling unit with a prescribed floor area located in a building or portion of a building 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.”***

A secondary suite is required to have its own entrance, kitchen, bathroom and living area and can take a variety of forms. These suites are typically located within the primary dwelling, but can also exist as a separate detached structure or be located within an accessory structure such as a detached garage.

Attached secondary suites are subject to **somewhat relaxed code requirements** when compared to duplexes or side-by-side dwellings.

The building code does not address detached secondary suites as they are separate, independent structures located on property that normally has only a single family dwelling and need to be treated as such. There are no code relaxations applicable to detached structures.

## Secondary Suite Code Requirements

### Types of Secondary Suites

**Attached secondary suites** occupy a portion of existing single family dwellings. Most often these are basement suites but they can also share the same storey as the principal dwelling.

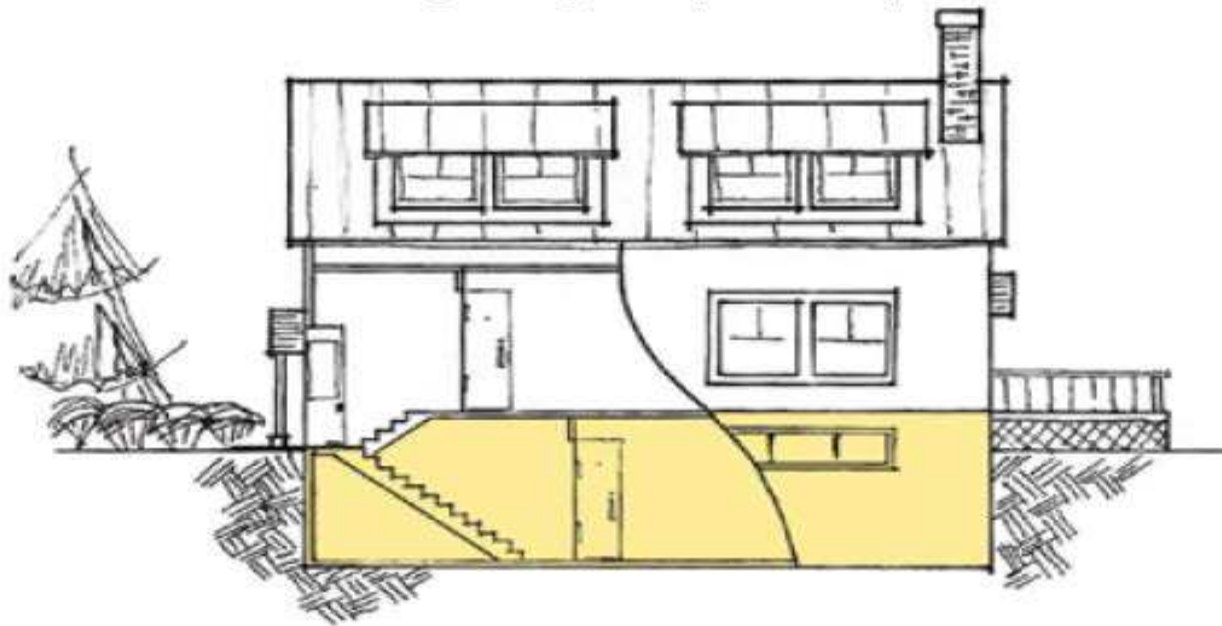


Image: Municipal Planning Guidelines for Secondary Suites - Government of Manitoba

## Secondary Suite Code Requirements

### Types of Secondary Suites

**Detached secondary suites** (sometimes referred to as garden suites or granny flats) are ground-level self-contained dwellings that are not connected to the principal dwelling located on the property.



Image: Municipal Planning Guidelines for Secondary Suites - Government of Manitoba

## Secondary Suite Code Requirements

### Types of Secondary Suites

- **Carriage houses** or **Laneway houses** are self-contained dwellings located above a detached garage that is situated on a property that has a principal, single family dwelling.



Image: Municipal Planning Guidelines for Secondary Suites - Government of Manitoba

## Attached Secondary Suite Code Requirements

### Building Code Requirements - Size

- The National Building Code (NBC) 9.1.2.1 restricts the total floor area of a secondary suite to the lesser of 80% of the total floor area of all storeys of the principal dwelling unit (excluding the garage floor area and common spaces serving both dwelling units) or 80 m<sup>2</sup> (861 ft<sup>2</sup>).

### Building Code Requirements - Exits

- NBC 9.9.9.1 requires a dwelling unit (including a secondary suite) must have at least one exit which leads directly outside. Subsection 9.5.5.1. of the NBC deals with the egress from dwelling units.
- Subsection 9.5.5.1 requires egress doors to have a minimum height of 1980 mm (6'-6") and a minimum width of 810 mm (2'-8").
- **Subsection 9.5.5.1. 2) permits a decrease in door height within a secondary suite to 1,890 mm (6'-2 3/8")** provided the ceiling height complies with 9.5.3.1 2).
- Egress windows are still required in all bedrooms and sleeping areas.

## Attached Secondary Suite Code Requirements

### Building Code Requirements – Ceiling Height

- While NBC Table 9.5.3.1 – Room Ceiling Heights calls for a minimum ceiling height of 2.1 m (6'-10 5/8"). However, **9.5.3.1. 2) and 3) reduces this requirement to 1.95 m (6'-4 3/4") and the area below beams can be further reduced to 1.85 m (6'-0 3/4") for secondary suites.**

### Building Code Requirements – Fire Resistance Ratings vs. Smoke Tight Barriers

- NBC **9.10.8.10 1) b) relaxes the requirement for a 45 minute fire resistant rating on the underside of the floor joist system provided the floor framing is protected with a smoke-tight barrier comprised of a minimum 12.7 mm (1/2") gypsum board.**
- NBC 9.10.9.15 4) and 9.10.9.3 2) require that doors in a smoke-tight barrier be 1 3/4" solid core (45 minute) with self-closing devices.
- **Smoke-tight barriers only require sealing of all penetrations only. Fire blocking is not required.**



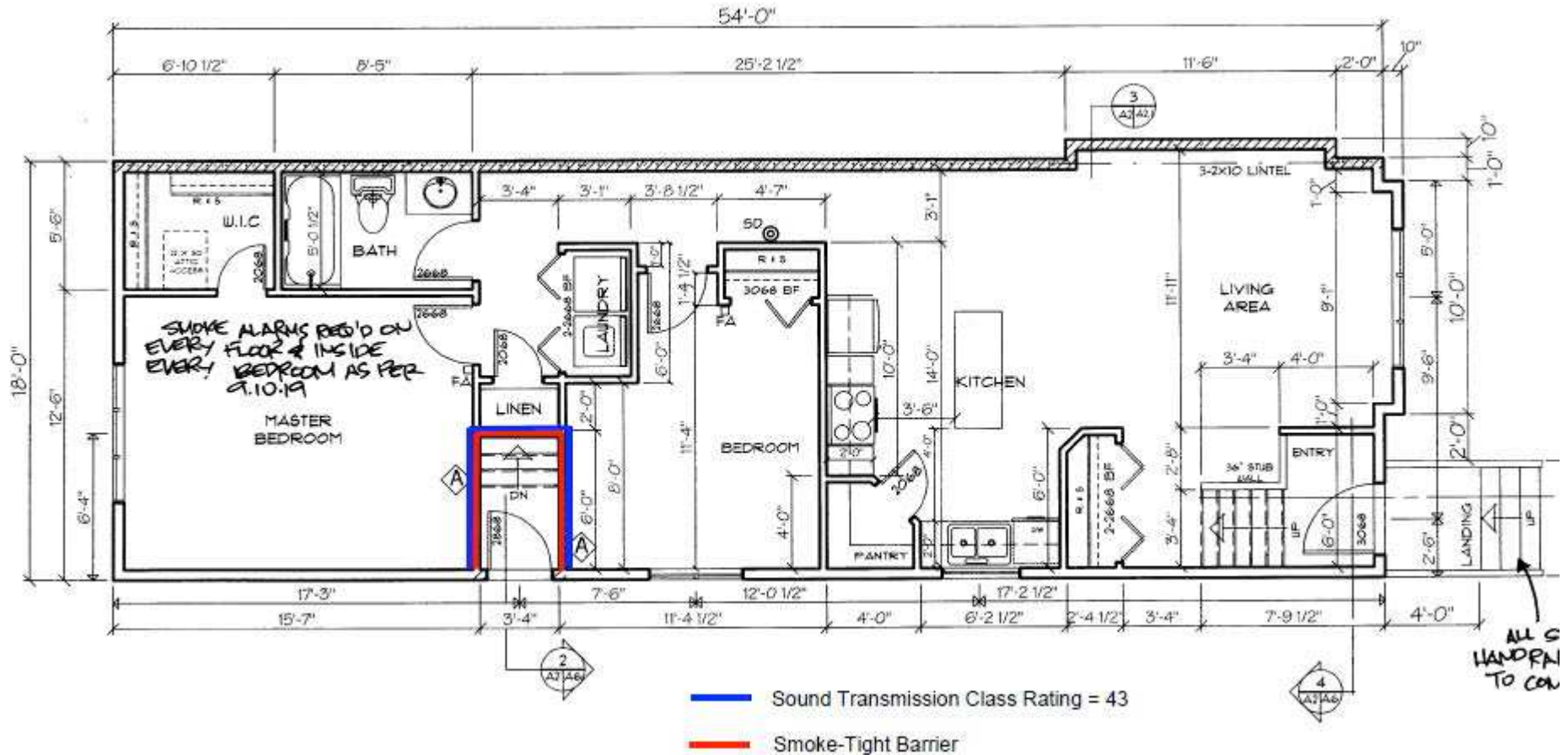
## Attached Secondary Suite Code Requirements

### Building Code Requirements – Sound Transmission

- NBC 9.11.2.1 1) requires construction providing a sound transmission class rating of 50 for walls and floors that are common between dwelling units.
- NBC 9.11.2.1 2) **allows construction providing a sound transmission class rating of 43 for walls and floors that are common between secondary suites and principal dwelling units.**
- Specifically, subsections i, ii, iii and iv call for sound-absorbing material between joists and wall studs, resilient channel on the ceiling and one side of wall framing and 12.7 mm (1/2") gypsum board on the ceiling and both sides of the walls.

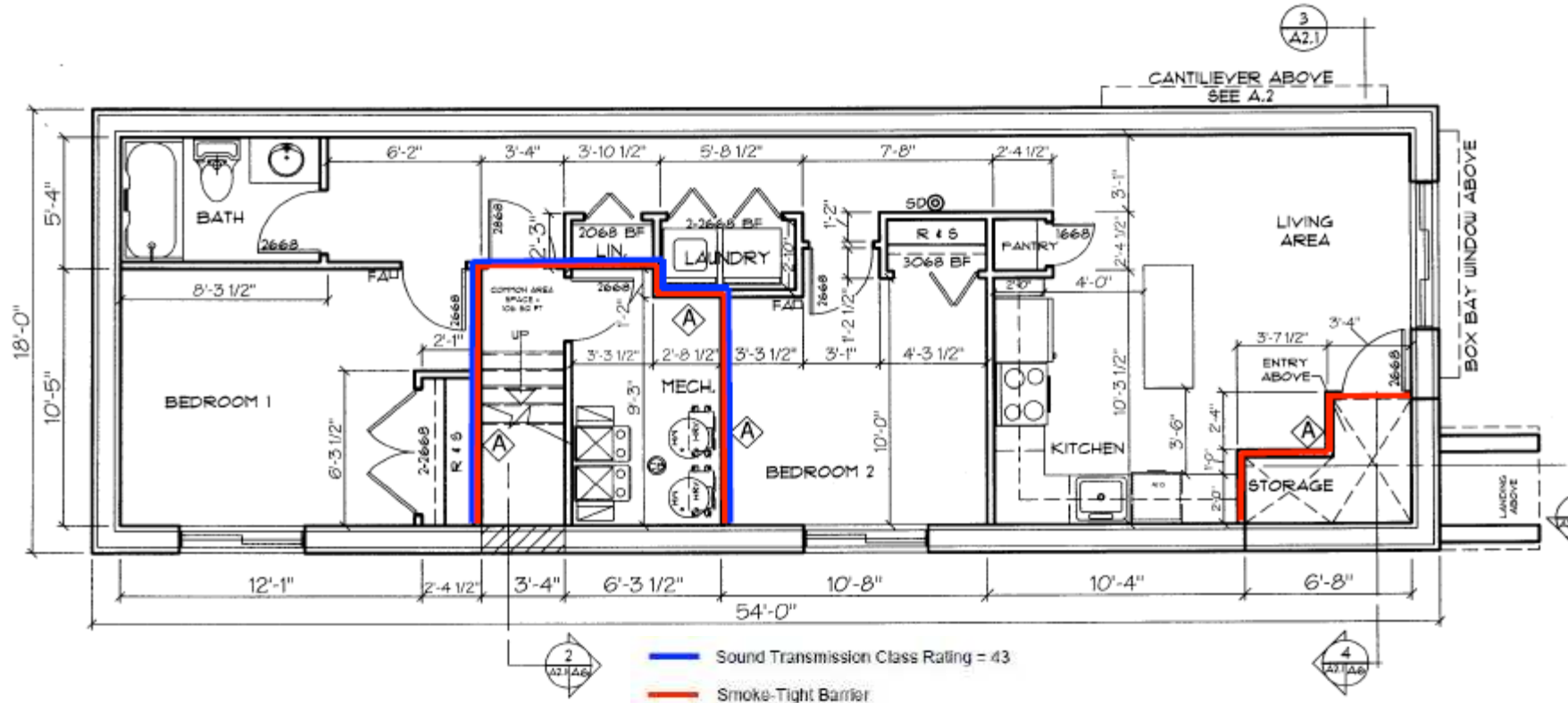
## Attached Secondary Suite Code Requirements

### Building Code Requirements – Smoke and Sound



## Attached Secondary Suite Code Requirements

### Building Code Requirements - Smoke and Sound



## **Attached Secondary Suite Code Requirements**

### **Building Code Requirements – Smoke Detectors**

- NBC 9.10.19.5 2) requires that the required smoke alarms in the secondary suite be interconnected with all other smoke alarms in the structure so that activation of any one alarm sounds all alarms at once.

### **Building Code Requirements – Heating and Ventilation**

- NBC 9.33.1.1 3) requires that there is no interconnection of any duct work between a secondary suite and the principal dwelling.
- NBC 9.33.4.3 1) requires that each unit has an independent temperature control.
- The NBC is silent on requirements for heat recovery ventilators and each municipality may have additional requirements concerning the ventilation of the secondary suite and the principal dwelling.

## Attached Secondary Suite Code Requirements

### Other Considerations

- The intent of the introduction of secondary suites was to permit the owner of the principal dwelling to allow the occupancy of a second residence within the dwelling to accommodate family members who needed additional support and/ or to allow the owner to supplement the cost of operation of the dwelling.
- However, since their introduction, some builders have been creating dwellings within other dwellings under the code requirements for secondary suites (rather than duplexes) as a means of by-passing zoning requirements and more stringent code requirements.
- In light of this, consideration should be given to how each dwelling will have access to essential utilities such as heat, hydro and water as the code is silent on the matter.

## Detached Secondary Suite Code Requirements

### Definition

A detached secondary suite (also referred to as a laneway house or granny flat) is a self-contained living space located adjacent to a primary single-family residence. It can be an independent structure or located over or attached to a detached garage. It provides the basic requirements for living, sleeping, cooking, and sanitation.

A detached secondary suite can be occupied by your children or parent(s) or it can be rented out to supplement household income. It is not a space that you can sell independently of the rest of the property and is only permitted on a property where the primary house is a single-family dwelling only.

Despite being physically separate from the principal dwelling unit, it is still considered part of a single housekeeping unit.

## **Detached Secondary Suite Code Requirements**

### **Building Code Regulations**

The building code does not differentiate between single family dwellings and detached secondary suites. As such, all current Manitoba Building Code, Winnipeg Building By-law, Canadian Electrical Code and Manitoba Plumbing Code requirements and regulations are applicable to the construction of detached secondary suites as though they were single family dwellings.

### **Sewer and Water Services**

Sewer and water services can be extended from the primary dwelling on the property or they can be brought in from the street with the approval of City of Winnipeg Water and Waste Department. To inquire with them please contact 311.