



Home *suite* Home

*Guidelines on How to Add and
Manage a Secondary Suite or
Accessory Dwelling Unit in
British Columbia*

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Plassurban Consulting Inc. operates on the traditional territory of the **W̱SÁNEĆ** people, encompassing four local communities: **BO, KÉ, CEN** (Pauquachin), **W̱JOŁEŁP** (Tsartlip), **W̱SIKEM** (Tseycum), and **S, ȚAUTW̱** (Tsawout). This work was undertaken with gratitude and respect to the ancestors, hereditary leaders, Elders, and community members who have cared for the rich resources and cultural teachings of the Saanich Peninsula and whose historical relationships with the land continue to this day.

DISCLAIMER

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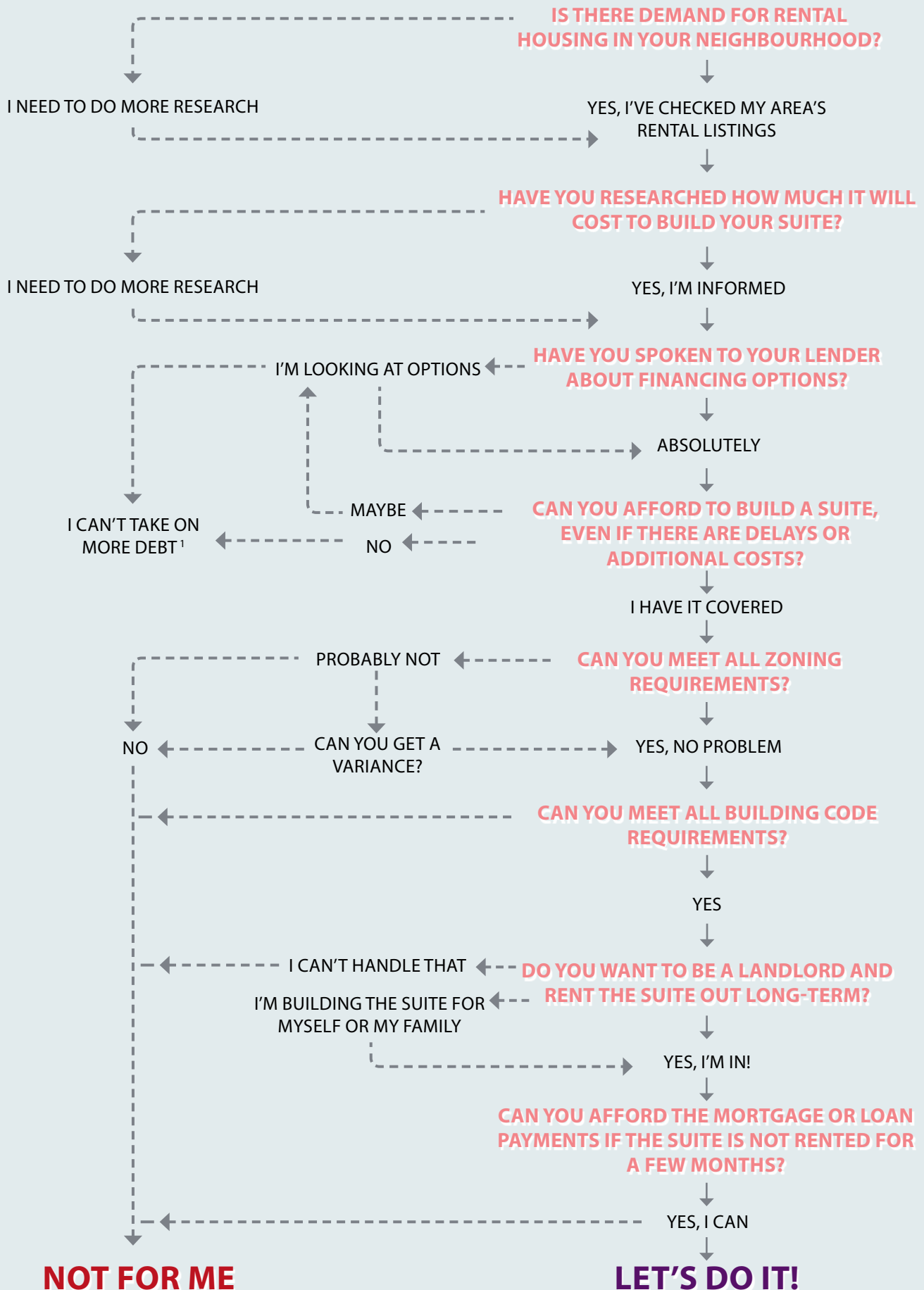
Ministry of
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Contents

Introduction	2
Frequently Asked Questions	5
Planning Your Suite	9
<i>Where to Find Zoning Information</i>	11
<i>Parking</i>	14
Designing and Building Your Suite	16
<i>Key Building Code Requirements</i>	18
<i>Other Design and Building Considerations</i>	25
<i>Building Permits</i>	27
<i>Tips for Hiring a Contractor</i>	29
Renting Your Suite	32
<i>Provisions Under the Residential Tenancy Act</i>	35
<i>The Rental Process</i>	38
Planning Checklist	43
Building Code Checklist: Secondary Suite	44
Building Code Checklist: ADU	45
Building Permit Checklist	46
Rental Checklist	48
Glossary	50
Links and Resources	53

IS BUILDING A RENTAL SUITE RIGHT FOR YOU?



¹ You may be eligible for the Secondary Suite Incentive Program

Introduction

Many British Columbians are interested in building rental units on their properties as a mortgage helper or to earn extra income. This guide provides general information that is intended to help property owners decide whether building and renting a secondary suite or accessory dwelling unit (ADU) is right for them. It offers an overview of key planning and Building Code requirements, as well as guidance on understanding your rights and meeting your responsibilities as a landlord.

It may not be possible to build a secondary suite or ADU on all properties in British Columbia. You are advised to carefully review the *British Columbia Building Code*, local planning and zoning bylaws, the *Residential Tenancy Act*, and other relevant documents for more detailed information. References and links to relevant professional organizations are provided at the end of this publication.



What is a Secondary Suite?

In simple terms, a secondary suite is a complete living unit, including kitchen, sleeping, and washroom facilities, that is contained within a larger dwelling. The two dwelling units and any common spaces such as corridors, storage rooms, service rooms, and laundry facilities, make up a single real estate entity that cannot be stratified or otherwise legally separated from the other. Specific planning rules and Building Code standards exist for the development of secondary suites, which provide property owners and tenants with assurances about the safety of their homes.

What is an Accessory Dwelling Unit?

An accessory dwelling unit, often referred to simply as an “ADU,” is a self-contained dwelling unit located on the same legal lot as a single-detached home, duplex, or other residential unit. ADUs include garden suites, laneway homes, and garage suites that are adjacent to an existing or new dwelling unit on the same lot.

Questions to Ask Yourself Before Building or Renting a Suite

Before building or renting a rental suite on your property, ask yourself:

- Does your property meet zoning requirements for a secondary suite or ADU?
- Can your property meet additional parking requirements?
- Have you reviewed your property file information, including drawings, to ensure there are no open permits or work completed without permits by previous homeowners?
- Can your home meet Building Code requirements, such as minimum ceiling heights, emergency exits, and ventilation requirements?
- Are licensed professionals, like plumbers, electricians, and gas fitters, available to work on your suite in the period you require?
- Do you know who to contact for specific information regarding what you can build on your property?
- Do you understand that you will be running a business as a landlord once you rent out your secondary suite or ADU?
- Do you understand your rights and responsibilities as a landlord?

You are urged to consult with reputable design and building professionals to help you understand what is involved in planning, designing, building, and renting a suite on your property.



THE PATH TO BUILDING A RENTAL SUITE

START!



1. RESEARCH AND PLAN YOUR RENTAL BUSINESS

Complete the self-assessment in this guide. Research the type of rental suites allowed in your community.



2. CONFIRM PLANNING REQUIREMENTS

Schedule a pre-application meeting with a local government planner to determine all permitting and servicing requirements.



4. HIRE A LICENSED PROFESSIONAL

Design your suite and develop construction documents. You are urged to hire a design or building professional to assist you.



3. CONFIRM BUILDING CODE REQUIREMENTS

Confirm your property meets all Building Code requirements. You might want to hire a professional to assist you.



5. OBTAIN A BUILDING PERMIT

Submit all fees, forms, and drawings for review by a building official. Obtain a building permit *before* any work begins.



6. BUILD YOUR SUITE

Begin construction on your suite. Be aware of the impact on your neighbours. Unless you are an experienced builder, it is recommended that you hire a professional to assist you.



8. OBTAIN A BUSINESS LICENCE

Obtain a licence for your landlord business if required by your local government.



7. COMPLETE NECESSARY INSPECTIONS

Schedule any necessary inspections, including an occupancy inspection. Ensure completed work remains exposed for inspection.



9. LIST YOUR RENTAL UNIT AND SCREEN TENANTS

Invest time and effort into finding the right tenant. Call references and screen tenants thoroughly.



10. SIGN A TENANCY AGREEMENT

Ensure your tenancy agreement meets all legal requirements under the *Residential Tenancy Act* and includes any additional terms, like smoking, pets, and insurance.

COMPLETE!

Frequently Asked Questions

What are the advantages of building and renting out a secondary suite or ADU?

Renting out a legal secondary suite or ADU is a great way to earn extra income, pay down your mortgage, and/or support aging family members or adult children.

How is a secondary suite different from an ADU?

A secondary suite is contained within a larger dwelling, while an ADU is a small, stand-alone dwelling located on an existing lot in addition to the main dwelling. The two terms are sometimes used interchangeably; however, the Building Code has tailored requirements for when secondary suites are part of a home versus when dwelling units are in separate accessory buildings or above separate garages. Whether you are allowed to build an ADU depends on your property and your local government. For example, some jurisdictions may allow an accessory dwelling unit or a secondary suite, but not both.

How much will it cost to create a new secondary suite or ADU?

Cost will depend on the size, condition, and age of your existing home, as well as the size and design of the suite or ADU. You will also be required to pay permit fees and may also need to pay fees for professionals such as contractors, designers, plumbers, electricians, and engineers. For in-home

units, it is often easier, and less expensive, to install a secondary suite when building a new home; therefore, some local governments require that new homes include “roughed-in” plumbing and utility connections to make it easier to install a secondary suite in the future.

Is funding available to help me build my suite?

Beginning in April 2024, the Province, through BC Housing, will introduce the Secondary Suite Incentive Program (SSIP). The SSIP is a three-year pilot to provide conditional financial assistance to help homeowners construct long-term affordable rental units, including secondary suites and/or ADUs, attached or detached from the unit that the homeowners reside in. Qualified homeowners would be eligible for a forgivable loan covering 50% of construction costs for installing a new secondary suite or ADU, up to \$40,000. The loan is available in the form of costs rebated to the owner after construction is complete and an occupancy permit is issued. The loan will be forgiven if the homeowner meets certain conditions, including renting their unit out at below-market rates specified in the program criteria for a minimum of five years. For further program and eligibility information, please visit: www.bchousing.org/secondary-suites.



Do I need a building permit?

Whether you are building a secondary suite or an ADU, if you are constructing a new dwelling unit, you will need a building permit to ensure that your suite complies with Building Code and planning regulations unless you live in a part of BC where there aren't building inspection services. You will have to pay a building permit fee, provide drawings of your home and property, and complete a series of safety and occupancy inspections before the suite can be considered "legal."

Where are secondary suites legal?

Secondary suites are permitted in most single-detached and some side-by-side attached homes across the province. Some communities may allow you to build an accessory dwelling unit instead of a secondary suite. It is best to speak with your local planning department to see what is permitted on your property.

Where are ADUs legal?

Different communities have different rules about where ADUs are allowed. In many cases, ADUs are not permitted on properties containing a duplex or other attached dwelling, or on properties that already contain a secondary suite. The Province has committed to allowing secondary suites and/or ADUs province-wide, with a few exceptions. Speak with your local planning department to see what is permitted on your property.

Are there specific building requirements for a secondary suite?

All secondary suites must meet the requirements set out in Part 9 of the BC Building Code. The Building Code applies to all new construction, as well as renovations of existing buildings, and can be enforced by local governments through the building permit and inspection process.

Are there specific building requirements for an ADU?

ADUs must meet zoning regulations, including those relating to height, setback, and site coverage. Many local governments also have bylaws requiring ADUs to be connected to the existing home's electrical, water, septic, and sewer services. In addition to meeting zoning and planning requirements, ADUs must also meet Building Code requirements for a separate building.

What does my State of Title Certificate say about secondary suites and ADUs?

A State of Title Certificate documents who owns a property or a strata-unit and identifies any covenants or restrictions on the property. As a part of a building permit application, you must provide all covenants registered on title. Your State of Title Certificate can usually be found attached to your mortgage documents or a title search can be ordered from BC Land Title and Survey Authority of British Columbia.

How do I know if my existing suite is legal?

To be considered "legal," a secondary suite or ADU must meet both local government bylaws and Building Code requirements. Due to changes in regulation, older units might be considered legal if they met municipal and Code requirements (if any) at the time of construction. The best way to determine

the legal status of an existing secondary suite or ADU, and understand the steps required to legalize it if necessary, is to speak with your local planning or building department directly. Be aware that, if an existing secondary suite or ADU is occupied and is found to be unsafe, local governments have the ability to block tenancy until the hazard is rectified. Local governments can also penalize the owner for unauthorized use or unauthorized construction.

How much parking do I need?

While there are some exceptions, most local governments require at least one additional off-street parking space for a secondary suite or ADU. Refer to your local zoning bylaw or speak with your local planning department for specific information.

Can I sell my secondary suite or ADU?

A secondary suite cannot be stratified, subdivided, or sold separately from the other dwelling. It may be possible to sell an ADU separately from the other dwelling subject to local government approval and zoning. If you are considering selling your ADU, especially where services such as electrical, water, and

sewer may be connected between the two homes, you should speak with a lawyer.

If I have a tenant, can I sell my home?

Yes. You will be able to sell your home. If the buyer wishes to keep renting the suite, they will become the new landlord and the tenancy will continue under the same terms. The buyer could also choose not to rent the unit and occupy it themselves.

Do I have to become a landlord to rent my suite?

Yes. If you rent your suite, you are running a business as a landlord and are legally required to comply with the *Residential Tenancy Act*. Some local governments will also require you to apply for a business licence to rent your suite.

Can I still access my suite if I rent it out?

If you rent out your suite, you are required by law to provide proper notice or get permission to enter a suite, except in the event of an emergency, such as a fire. Refer to the Residential Tenancy Branch website for more information.



Can I link the rental rate to my mortgage interest rate?

No. Once your rental rate is set and you have a tenancy agreement in place, you can only increase the rent once per calendar year and only up to a maximum percentage (typically announced by the RTB by end of summer). For units created with funding from the Secondary Suites Incentive Program, below-market rent levels for at least five years are required as a condition of funding.

Will adding a secondary suite or ADU affect my home insurance?

Yes, your home insurance will be affected if you choose to construct and rent out a secondary suite or ADU. Contact your insurance provider for information on how adding a secondary suite would affect your coverage and premiums.

Will adding a secondary suite or ADU affect my taxes?

Adding a secondary suite or ADU could affect both your property taxes and your income taxes. As with any renovation, adding a suite may increase the assessed value of your property. BC Assessment makes decisions around property taxes and might choose to re-evaluate your home once your suite is built. If you rent your suite, you will be required to claim the income you earn with the Canada Revenue Agency. You will be able to claim certain deductions as a business owner and should speak with an accountant about possible income tax considerations.

My home is less than ten years old and it is covered by home warranty insurance. Will adding a secondary suite affect the warranty coverage?

Your home warranty insurance may be limited if changes, alterations, or additions are made to your home after initial

occupancy by anyone other than the builder. You should contact your home warranty insurance provider if you have questions about how a renovation to add a secondary suite may impact the home warranty insurance coverage for your home.

Where can I find the contact information of the warranty provider for my home warranty insurance policy?

You can contact your local City Hall or search the BC Housing New Home Registry for the name of the builder or developer of record and the contact information of the warranty provider at <https://newhomesregistry.bchousing.org>.

If I decide to build an ADU, will I have to obtain home warranty insurance?

An ADU meets the definition of a “new home” under the *Homeowner Protection Act* and therefore must be built by a licensed residential builder and covered by a policy of home warranty insurance. To find a licensed residential builder in your area, please visit BC Housing’s public registry of residential builders. When you look up a builder, it is important to view the licence type as you will need to select a builder who has “General Contractor” as their licence type. A builder with a “Developer only” licence type is not permitted to construct an ADU. Further information on both home warranty insurance and builder licensing is available on the BC Housing website.



Planning Your Suite

Not every property can meet the planning and zoning requirements for a secondary suite or ADU.

The zoning and planning requirements in your community will determine how - and whether - you can build a secondary suite or ADU in your home or on your property. If you cannot comply with your local bylaws, you may not be able to add a secondary suite or ADU. Contact your local planning or building department to answer any questions about what you can build on your property.

HOW DEVELOPMENT IS REGULATED

Local governments regulate development to balance your rights as a property owner with the interests of your neighbours. Most local governments allow secondary suites to be built in single-detached homes, while rules around ADUs vary widely between communities. In some communities, secondary suites may also be possible in other types of housing, such as side-by-side duplexes and row houses.

Before you begin, ask yourself:

- Is my property zoned for a secondary suite or accessory dwelling unit (ADU)?
- What are the parking requirements for a secondary suite or ADU? Do I have space to add additional parking?
- Do I need to apply for a development permit or variance?
- Do I run a daycare, bed and breakfast, boarding use, or other business from my home, which might be incompatible with a suite?
- Have I checked my current State of Title Certificate for any restrictive covenants on my property?
- Have I reviewed my property records at City Hall or the Regional Office?

While exact procedures vary between local governments, development approval processes generally follow a similar pattern for building suites. The type of development approval you require will depend on the specific characteristics of your property. Check with your local planning or building department to see if your property can meet all zoning, planning, and Building Code requirements for a secondary suite or ADU.

Development Permit Areas

Development permit areas are a tool that can be used by local governments to influence the form and character of buildings in a community, such as multi-family housing (in some communities, secondary suites are considered to be multi-family housing). If your home is in a development permit area, you may need to obtain a development permit before a building permit can be issued. Some local governments will also require property owners to apply for a development permit to build an ADU, even if their property is not located in a designated development permit area. Contact your local planning department to understand the permit requirements for your community.

Title Considerations

In some instances, secondary suites or ADUs may be permitted by the zoning bylaw but cannot be built due to a restriction registered on a property's title, such as a statutory building scheme that only allows single-detached dwellings on a property. You can request a title search or order a State of Title Certificate for your property from the Land Title and Survey Authority of BC. Most local governments require a title search or a State of Title Certificate that is less than 30 days old as part of a building permit application.

Once you build your suite, you may be required to register a covenant on your property to confirm that you are aware of any restrictions relating to subdivision or stratification. Life-safety standards and shared services (like fire-resistance) are based on the design and construction of a single real estate entity; therefore, a secondary suite cannot be strata-titled or otherwise legally separated from the rest of your home. Some communities may allow you to stratify or

subdivide an ADU from the original dwelling unit, subject to local government approval and zoning, while others will require the original home and ADU to remain part of one real estate entity.

Zoning

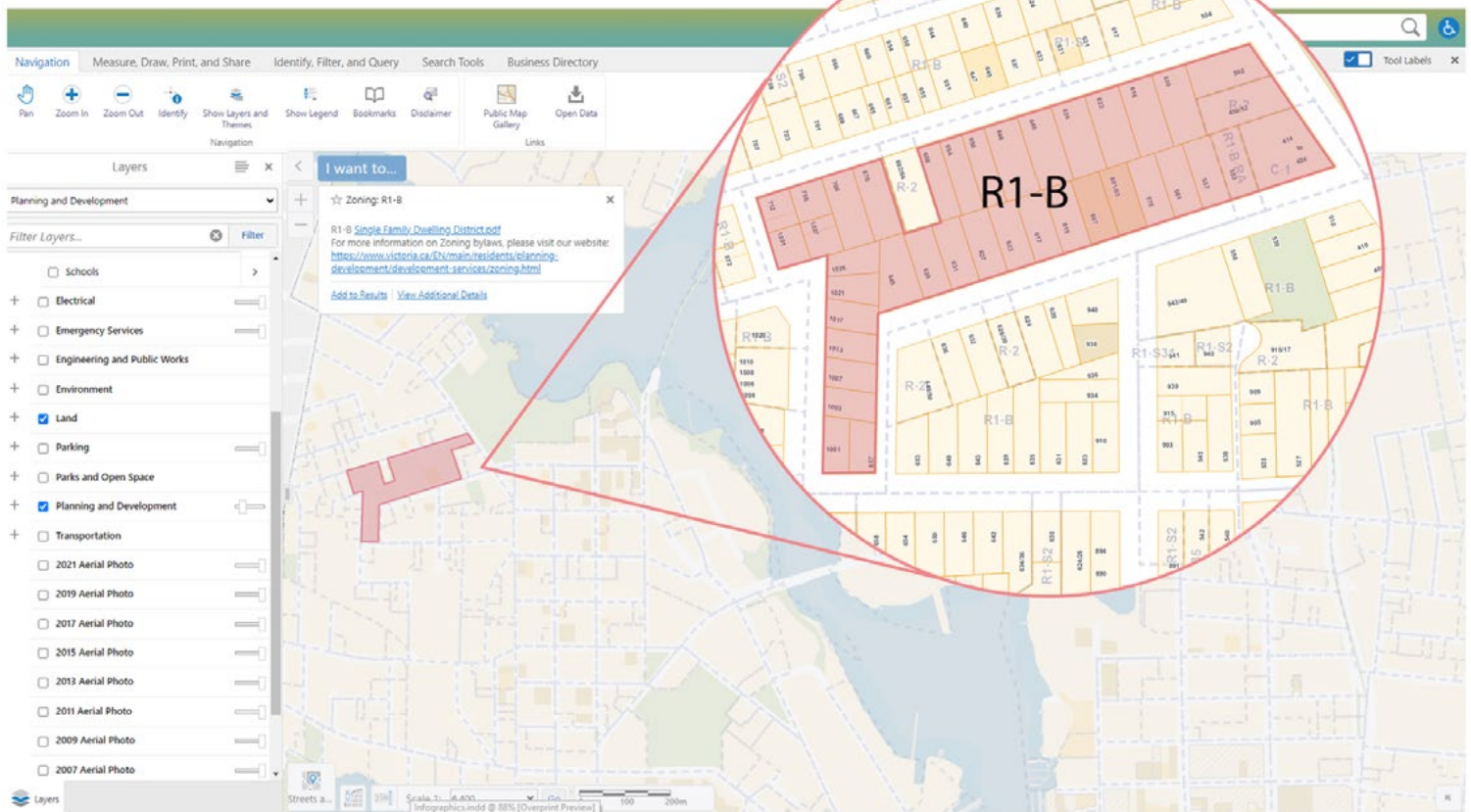
Zoning bylaws regulate how land and buildings may be used, including whether secondary suites are allowed in a specific building type, how many dwelling units are allowed per property, and the acceptable size of the suite. In zones where ADUs are permitted, the zoning bylaw will determine minimum lot sizes, where on a property you can build, the maximum height of the structure, setbacks from fences and property lines, access and addressing requirements, and limitations on site coverage. Although most communities permit in-home secondary suites in all single-family zones, there are some instances where suites will not be possible due to environmental sensitivity, soil stability, infrastructure limitations (such as septic or on-site waste water limits), or the presence of another dwelling unit on the property.

In some communities, secondary suites are permitted in multi-family zones. It is important to note that, although the Building Code provides guidance for secondary suites in side-by-side duplexes, row houses, and other attached dwellings, development in these building forms is not permitted in every community. Likewise, ADUs are not permitted by every local government and are often not allowed on properties with duplex or attached housing forms. To be approved for a building permit, the zoning bylaw must identify the type of suite you are planning to build as a permitted use in both your zone and your building type.

WHERE TO FIND ZONING INFORMATION

Many local governments have pages dedicated to secondary suites and/or ADUs on their websites, including downloadable fact sheets or design guides that outline planning and Building Code requirements. You can find these resources by typing “secondary suites” or “accessory dwelling units” into the search bar on your local government’s website. Many of these web pages contain links to the zoning bylaw and other relevant planning bylaws. If your local government does not have a web page dedicated to secondary suites or ADUs, you can check the zoning requirements for your property using the following steps:

First: Most local governments have an interactive or downloadable zoning map available on their website where you can search for your property by address or neighbourhood. You can find zoning maps online by visiting your local government’s website and typing “zoning map” into the search bar. The map will show areas either colour-coded or identified by boundary lines and labelled with zone names (e.g., R-1, R-2, RM, RA, RS, etc.). Find your property on the map and note the name of the zone it is in. The names of the zones and specific zoning requirements are determined by each local government, so there may be variation between communities throughout the province.



Second: Once you have found the name of the zone your property is in, visit your local government’s zoning bylaw to view the permitted uses. The zoning bylaw can usually be found as a link on your local government’s website. Search the table of contents for the zone you are in and navigate to the appropriate section to see whether secondary suites are permitted and what, if any,

restrictions may apply. You can sometimes also find secondary suite requirements and restrictions in the zoning bylaw’s “General Use Regulations” or as a separate, attached schedule. Note that some zoning bylaws might use the term “two-family dwelling units” to describe secondary suites.

PART 1.2 - R1-B ZONE, SINGLE FAMILY DWELLING DISTRICT

1.2.1 Permitted Uses in this Zone

- a. Single family dwelling with no more than one of the following accessory uses:
 - Secondary suite; or
 - Garden suite subject to the regulations in Schedule “M”; or
 - Roomers and/or Boarders up to a maximum of 4
- b. The uses created as a result of a house conversion, subject to the regulations in Schedule “G”
- c. Home occupation subject to the regulations in Schedule “D”
- d. Accessory buildings subject to the regulations in Schedule “F”
- e. Private garage
- f. Public building
- g. Garage sales limited to no more than 2 in any year
- h. Commercial exhibits existing prior to January 1, 2011
- i. notwithstanding paragraphs a. through h., the only uses permitted on a panhandle lot created by way of subdivision after July 10, 2009, are the uses described in paragraphs a., c. (subject to the regulations in Schedule “D”), d., e., and g., which uses are subject to the regulations in Schedule “H”
- j. notwithstanding paragraphs a. through i., the only use permitted on a lot with a site area less than 230m² or with an average lot width less than 7.5m is a private garage

1.2.2 Site Area, Lot Width

- a. Lot area (minimum) 460m²
- b. Lot width (minimum average) 15m
- c. Panhandle lot Subject to the regulations in Schedule “H”

1.2.3 Floor Area of the Principal Building

- a. Floor area, of all floor levels combined (minimum) 70m²
- b. Floor area, for the first and second storeys combined (maximum) 280m²
- c. Floor area, of all floor levels combined for lots less than 669m² in area (maximum) 300m²
- d. Floor area, of all floor levels combined for lots greater than 669m² in area (maximum) 420m²
- e. Private garage: floor area of all floor levels combined (maximum) 37m²
- f. Public buildings Not applicable

Third: Once you have confirmed whether secondary suites or ADUs are allowed in your zone, visit the “General Use Regulations” section of the zoning bylaw to understand any additional requirements that apply to all zones. This section may include rules for accessory buildings, septic restrictions, business licences, short-term rentals, fencing, and occupancy. This section may also identify restrictions on suites if certain uses are already occurring in the home, such as a daycare or other community care facility,

bed and breakfast, and some types of home-based businesses. If you have questions, you can contact your local planning or building department directly to ask questions about the rules relating to your property.

If your property meets all zoning requirements for a secondary suite or ADU, then you can explore whether you can meet all other planning and Building Code requirements necessary to apply for a building permit.

Division 3: General and Specific Use Regulations

3.4 RESIDENTIAL SUITES

Residential Suites include Secondary Suites, Garden Suites, and Carriage Suites, as defined in Division 2, Section 2.2, Definitions, of this bylaw, and where permitted, Residential Suites are subject to the following regulations, except where located in the RT1S zone in which case they shall comply with the regulations of that zone:



- 3.4.1 A Residential Suite shall only be permitted on a Lot with a Single-Family Dwelling and no other Dwelling Units.
- 3.4.2 Boarders or Lodgers are not permitted on a Lot with a Single-Family Dwelling and a Residential Suite.
- 3.4.3 A Residential Suite cannot be strata subdivided from the principal Dwelling; a restrictive covenant prohibiting strata titling may be required as a condition of development permit or building permit approval.
- 3.4.4 A Residential Suite shall not be permitted on a Lot with less than 464 m² Lot Area.
- 3.4.5 A Residential Suite shall only be permitted on a Lot with minimum 15 m Street frontage, unless an alternate minimum Street frontage are specified in the zone in which the Residential Suite is permitted, in which case those regulations shall apply.
- 3.4.6 A Lot with a Single-Family Dwelling and a Residential Suite must provide three unstacked, off-Street parking spaces, which must be, at minimum, 2.7 m in width and 5.7 m in length.
- 3.4.7 A Residential Suite shall not be permitted on any land within the area designated in the City's Official Community Plan as the Silt Bluffs Red Zone.
- 3.4.8 A Garden Suite or Carriage Suite shall be subject to the Lot Coverage regulations for Accessory Buildings in the zone in which the Garden Suite or Carriage Suite is permitted, provided the total Lot Coverage of the Garden Suite or Carriage Suite does not exceed 80 m².
- 3.4.9 A Lot with a Single-Family Dwelling and a Residential Suite must maintain a minimum of 40% of the Required Front Yard as landscaped area and off-Street parking is not permitted within the landscaped area.



Variances

Some properties are harder to build on than others. If your property meets most zoning requirements but requires a minor relaxation to certain regulations, such as building setbacks, height, site coverage, lot access, or off-street parking requirements, you may be able to apply for a variance. A variance cannot be used to change land use or density.

Variance processes typically involve submitting an application, including drawings of your existing property and proposed changes, and paying an application fee. The process can take several months, during which your local government will review your application and/or arrange for a Council or Board of Variance meeting to review your request. Public consultation may be part of the variance process, which will give both you and your neighbours the opportunity to speak at a Council or Board of Variance meeting.

OTHER PLANNING CONSIDERATIONS

In addition to zoning bylaws, local governments may have other bylaws that address matters such as parking, driveway

access, landscaping, and maintenance of rental units. Your proposed secondary suite must comply with all applicable bylaws.

Parking

Parking is one of the most common concerns neighbours have regarding secondary suites and ADUs. Parking regulations determine how and where parking is provided, as well as how to access the parking from the street. The amount of parking you will need to provide will depend on your community's specific requirements, but could range from:

- Not required;
- One additional off-street parking space;
- Two additional off-street parking spaces;
- Based on the number of bedrooms in the secondary suite or ADU; or
- Charging for at least one electric vehicle.

Most local governments outline parking requirements in their zoning bylaws, either within each zone, as a separate schedule, or in a dedicated parking bylaw.



Registration of Secondary Suites and ADUs

Some local governments will require you to register your secondary suite or ADU and pay a one-time fee. Other jurisdictions will require you to complete a yearly declaration stating whether the unit is occupied. This allows local

governments to ensure suites are compliant with Building Code and zoning regulations, monitor short-term rentals, and ensure utilities and services (e.g., waste disposal) are adequate for the number of occupants in the home or on the property.

WHERE CAN YOU FIND INFORMATION ON:	Zoning Bylaw (Residential Zones)	Zoning Bylaw (General Regulations)	Building Code (Part 9)	Local Government Websites	Parking, Driveway, and/or Traffic Bylaws	Standards of Maintenance Bylaw	Fire Protection Bylaw
What you can build on your property	●						
How secondary suites and buildings must be built			●				
If secondary suites or ADUs are allowed on your property	●						
Planning requirements for in-home secondary suites	●	●		●			
Planning requirements for ADUs	●	●		●			
How many dwelling units you can build on your property	●						
How much off-street parking you need	●				●		
Rules around driveways and street access					●		
Fencing, amenity space, and landscaping requirements		●					
Special requirements for waterfront lots		●					
Flood control and basement requirements		●					
Where short-term rentals are allowed		●					
Home-based business requirements		●		●			
Maintenance of rental units						●	
Fire department access			●				●
Fire sprinkler requirements			●				●



Designing and Building Your Suite

Not every home is suitable for the installation of a secondary suite or ADU.

BC BUILDING CODE

The *British Columbia Building Code* exists to ensure that buildings are designed and built to meet minimum safety standards. With few exceptions, the BC Building Code applies to all communities across British Columbia, apart from the City of Vancouver, which has its own building bylaw, Treaty First Nations that do not reference the Building Code in their agreements, and federal lands. In addition to the Building Code, BC also has Plumbing, Electrical, and Fire Codes, each with specific requirements for residential construction.

All new secondary suites and ADUs are legally required to comply with the minimum standards set out in these Codes; however, building “beyond the Code” offers the opportunity to make your suite more

Before you begin, ask yourself:

- Do you understand that you are legally required to meet Building Code standards when building a secondary suite or ADU?
- Can your home meet Building Code standards for a secondary suite, such as minimum ceiling heights, emergency exits, and ventilation requirements? Does your home require major structural upgrades to meet these requirements?
- Has your home had work completed without permits?
- Are licensed professionals, like contractors, plumbers, electricians, and gas fitters, available in the time period you require?
- Is there asbestos in your home?
- Have you tested for radon?
- Do you have an adequate water supply coming to your home if you increase the number of fixtures?
- Does your home’s electrical service need to be upgraded?
- Can you connect an ADU to your property’s existing sewer or water lines? Do you require an upgrade?
- If you are installing a new bathroom in a basement, have you checked the septic level? Do you need a sump?

accessible and comfortable for your tenant. Standardized designs for increased density options, including ADUs, may be available in the future. Qualified design and construction professionals can also advise you on the best approach to meet your needs and ensure compliance with all of BC's Code requirements.

Zoning and the Building Code

Local governments regulate *where* secondary suites and ADUs can be built, while the Building Code regulates *how* these dwelling units must be constructed to ensure the safety of occupants. The Building Code has tailored requirements for in-home secondary suites versus freestanding accessory dwelling units and/or units above separate garages. If you are building an ADU, the Building Code

rules for separate buildings will apply.

You should be aware that, while the Building Code provides standards for secondary suites in both detached and side-by-side attached homes, many local governments limit secondary suites to single-detached homes in their zoning bylaws. You cannot build a secondary suite in a duplex or row house unless it is permitted by your local government's zoning and planning bylaws, even if the Building Code allows it. To construct a legal secondary suite or ADU, you must comply with *both* the Building Code and local zoning and planning bylaws. There may be consequences for both you and your future tenant if your suite does not comply with the rules.



The Building Code 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."

Note: This definition is intended to be used when applying Building Code regulations to an in-home secondary suite. Local zoning and planning bylaws may provide different definitions for secondary suites that are more or less restrictive than the Building Code definition. Be sure to double-check all definitions within each regulation, as you must comply with all applicable Building Code and zoning requirements for secondary suites, even if they differ.

KEY BUILDING CODE REQUIREMENTS

This section will outline the key Building Code requirements that you must consider if you are thinking about building a secondary suite in your home. Depending on the design and age of your home, it might not be structurally or financially feasible to meet certain Building Code requirements. If the existing construction of your home is likely to cause significant hardship, limited alternate compliance methods may be available. However, if you own a newly constructed home, it will not be eligible for alternate compliance methods and must meet all current Building Code standards.

This guide includes references to key Building Code sections and standards; however, additional Code provisions may apply and it is *your* responsibility to ensure that all Building Code requirements are met when building your secondary suite. Remember, not every home is suitable for a secondary suite; therefore, it is important to work with a design or building professional who is familiar with local planning and building regulations.

Ceiling Heights

Ceiling heights can influence a person's ability to exit a building quickly and safely in the event of a fire. While there are some exceptions, such as a sloped ceiling in a bedroom or certain alternate compliance

methods, the minimum allowable ceiling height in a secondary suite is generally no less than 2.1 m. All corridors, paths to exits, and stairs must also meet minimum height requirements, including under beams and ducts. If you do not have adequate ceiling heights in your home, you will likely not be able to add a secondary suite without major structural renovations.

(Relevant Building Code Provisions – Division B, Articles 9.5.3.1., 9.8.2.2. and 9.9.3.4., Alternate Compliance Methods – Division A, Table 1.1.1.1.(6))

Fire Separations

For fire safety, all new secondary suites must be completely separated from the rest of the house by fire-protected walls, doors, floors, and ceilings. Fire-resistance ratings refer to the length of time that a material or assembly will withstand the spread of heat and fire to allow occupants enough time to exit a building before a fire spreads between units. The required fire-resistance rating for a secondary suite depends on the existing design of your home, the number and type of smoke alarms you install, and/or the presence of sprinklers. You must also provide a fire-resistance rating of at least one hour between your home and any adjoining neighbouring homes.

(Relevant Building Code Provisions – Division B, Section 9.10., Alternate Compliance Methods – Division A, Table 1.1.1.1.(6))

What is a fire separation?

A fire separation acts as a physical barrier – such as a floor, wall, ceiling, or door with a self-closing device – that slows the spread of fire and smoke from one area to another. The fire-resistance rating of a fire separation will depend on the type and combination of materials used. For example, a 30-minute fire separation can be constructed using standard 2" x 4" wood studs, thermal insulation in the stud spaces, and 12.7 mm (1/2") gypsum board (drywall) on both sides. Meeting the structural requirements for both 15-minute and 30-minute fire-resistance ratings will also help you satisfy sound separation requirements.

Smoke and Carbon Monoxide Alarms

All homes with secondary suites are required to have smoke alarms in each dwelling unit, as well as in common spaces. Carbon monoxide detectors must also be installed in every home containing a fuel-fired appliance or storage garage. Unless your home is sprinklered, smoke and carbon monoxide alarms must be interconnected to sound in unison in both units, providing early warning to all occupants in the event of an emergency. Alarms must be hardwired for power, but connections between devices can be wireless.

(Relevant Building Code Provisions – Division B, Subsection 9.10.19. and Section 9.32.)

Sound Separation

Soundproofing between dwelling units supports a private and positive living environment for all occupants. The Building Code provides options for sound separations to help owners address the transfer of noise between units. In addition to structural sound resistance, you can also install sound-absorbing finishes, such as carpets, to

minimize the transmission of everyday noises like walking or children playing.

(Relevant Building Code Provisions – Division B, Section 9.11., Alternate Compliance Methods – Division A, Table 1.1.1.1.(6))

Attached Dwellings

If you live in an attached home, such as a side-by-side duplex or row house, you will have additional Building Code requirements that you must meet. You cannot build a secondary suite if any portion of your dwelling unit or proposed suite is above or below another dwelling unit or other occupancy in the same building. Your home, including the secondary suite, must be completely separated from neighbouring attached buildings by a continuous vertical fire-rated wall, floor, or ceiling. You should note that many jurisdictions do not permit secondary suites to be built in attached dwellings even if the Building Code allows it. Contact your local planning department to see what is permitted on your property.

(Relevant Building Code Provisions – Division A, Figure A-1.4.1.2.(1)-C.)



Types of secondary suites and accessory dwelling units

KEY BUILDING CODE REQUIREMENTS FOR ACCESSORY DWELLING UNITS

Accessory dwelling units are required to meet all Building Code standards for a freestanding building, including all of the above requirements. This section will outline some of the additional Building Code requirements that you must meet when constructing an ADU that is separate from your home. If you are building a new ADU, it will not be eligible for alternate compliance methods and must meet all current Building Code standards for a separate building. To assist property owners, some communities now offer a pre-approved design process for ADUs.

Foundation and Footings

ADUs typically require footing and foundation wall designs much like those used in a conventional detached home. Even if you purchase a prefabricated building, you will be required to provide a proper foundation for the ADU. Depending on your goals and budget, there may be several design solutions available to you.

(Relevant Building Code Provisions – Division B, Section 9.15.)

Sewer and Water Connections

All dwelling units on a property must be provided with hot and cold water to every kitchen, bathroom, and laundry room. All dwelling units must also be connected to a public or private sewage system. Servicing requirements for ADUs vary depending on the type and location of existing services and connection points, soil conditions, and topography. Some local government bylaws require ADUs to be serviced as a branch off the existing home, rather than being connected directly to service lines from the street. You may need to upgrade

the service lines to your existing home in order to adequately service an ADU, which might impact costs and affect landscaping. It is best to contact your local planning or building department to confirm any servicing requirements.

(Relevant Building Code Provisions – Division B, Section 9.31.)

Spatial Separations Between Buildings

As freestanding buildings, ADUs must meet Building Code requirements for spatial separations, otherwise known as “limiting distances.” Limiting distance refers to the distance from a building face to a property line or to an imaginary line between two buildings. Spatial separation requirements are based on the ability of the fire department to arrive before a fire spreads from one structure to the other. Both your existing home and the proposed ADU must conform to spatial separation requirements. This means that you may need to remove any windows in your existing home that face the ADU in order to meet requirements for glazing and unprotected openings.

(Relevant Building Code Provisions – Division B, Section 9.10.14. and 9.10.15.)

Window Openings

Windows provide both a pleasant living environment and a means of evacuating a dwelling in the event of an emergency. Due to the risk of fire spread, the Building Code provides standards for the total area of a wall that can be made up of unprotected windows. This area varies depending on the distance between wall of the building and any adjacent buildings or structures.

(Relevant Building Code Provisions – Division B, Articles 9.10.14. and 9.10.15.)

ADDITIONAL BUILDING CODE REQUIREMENTS FOR ALL SUITE TYPES

This section will outline key Building Code requirements that you must meet whether constructing an in-home secondary suite or an ADU. Remember, depending on your

existing property and what you are planning to build, additional Code provisions may apply. It is your responsibility to ensure that all Building Code requirements are met when building your secondary suite or ADU.



Key Building Code requirements for secondary suites

Safe Exiting

Every dwelling unit must have a safe way to exit in the event of an emergency, either directly or through a fire separated hallway or common space. In some cases, a second exit (such as a window) may be required. Windows that might be used as emergency exits must be easy to open and large enough for a person to fit through. Ensuring clear and unobstructed access to exits – and a protected pathway from the building to a clear, open area such as a lane or street – ensures that occupants have a safe way to evacuate in the event of an emergency. *(Relevant Building Code Provisions – Division B, Section 9.9.)*

Bedroom Windows

Unless your home or accessory building is sprinklered, all rooms that could be used for sleeping must have at least one window or door leading directly outside. If there is a fire in your home or suite, sleeping tenants must have a clear and direct path to safety. Bedroom windows must be easy to open from the inside and must be large enough for a person to fit through and may require wells that meet minimum clearances. This might require cutting through a foundation or exterior wall to install or enlarge an existing window. Be aware that you will also have to comply with spatial separations required in the Building Code if the windows in your secondary suite or ADU will face a side yard. *(Relevant Building Code Provisions – Division B, Article 9.9.10. and Section 9.10.15.4(3))*

Heating and Ventilation

For the health and safety of occupants, adequate heating and fresh air ventilation systems must be provided in the secondary suite or ADU. Suites must be provided with individual temperature controls and heating systems that are capable of maintaining an

indoor air temperature of at least 22°C in all living spaces during the coldest months of the year. The most common approach to heating a secondary suite or ADU is to install baseboard heating. Shared systems between a main dwelling and a secondary suite can be costly due to elements such as fire dampers, which require ongoing inspection and resetting after every activation. It is recommended you engage a professional for the design of shared systems.

(Relevant Building Code Provisions – Division B, Section 9.33 and Division B, Part 6.)

Gas and Electrical Capacity

An in-home secondary suite could add significant demand to your electrical system, especially if the unit includes an electric stove and dryer. Before constructing a secondary suite, a licensed electrical contractor should assess whether your current electrical system can meet the demands of a new unit or whether an upgrade is required. An ADU will likely require its own electrical panel to meet the needs of any occupants. In both cases, you will need to ensure that the occupants of the suite have free access to the main electrical panel or a sub-panel servicing their unit. You might also consider installing a second electrical meter so that your tenant can assume responsibility for their own energy consumption and payments. All gas and electrical work must meet requirements set out in the *Safety Standards Act* and must be completed by a licensed gas or electrical contractor.

(Relevant Building Code Provisions – Division B, Section 9.34.)

Plumbing

You will likely need to add several plumbing fixtures to service a new secondary suite or ADU. You will need to confirm with your local government that your service lines are



adequate to meet any increased water supply and sewer requirements necessary to create and occupy an additional dwelling unit. You may also require pumping for units built below ground level. It might also be helpful to install a shut-off valve where the water supply enters each dwelling unit so that when the water supply to one unit is shut off, service to the other is not interrupted. Be aware that, if your property is connected to a well, additional regulations may apply and you should speak with your local government and health authority for direction. All plumbing work for a secondary suite or an ADU is required to be completed by a certified plumber and must comply with the *British Columbia Plumbing Code*.

(Relevant Building Code Provisions – Division B, Section 9.31.)

Radon Rough-ins

Radon is a naturally occurring gas, which can build up inside buildings and is a leading cause of lung cancer in non-smokers. Construction of any structures that separate the inside of your home or suite from the ground will require a rough-in for a subfloor depressurization system. If radon levels are found to warrant mitigation, the rough-in allows for cheap and easy conversion to an active mitigation system. Testing is the only way to know the level of radon in your home, so you are urged to perform a long-term test for radon before and after any construction project. You can either hire a professional or use a do-it-yourself test kit, available from the BC Lung Foundation, at select local libraries, and through a number of private suppliers.

(Relevant Building Code Provisions – Division B, Section 9.13.4.)



BUILDING CODE COMPLIANCE ISSUES AND SOLUTIONS

Certain Building Code requirements can be difficult to meet when constructing a secondary suite in an existing home. For example, ceiling heights, clearances over stairs, and clear heights under beams might require major structural changes to meet current standards for an in-home secondary suite. The Building Code provides limited alternate compliance methods in the event your home's existing design or structure presents a significant practical or financial hardship to meeting Code requirements for a secondary suite. Be aware that you will not be able to use alternate compliance methods and must meet all current Building Code requirements if you are constructing a new ADU or a secondary suite in a newly built home. You are urged to work with a design or construction professional if you think you might need to use alternate compliance methods to meet Code requirements.

(Relevant Building Code Provisions – Division A, Table 1.1.1.1.(6).)

Heritage Buildings

Heritage homes often do not meet current Code requirements and, in many cases, bringing older buildings “up to Code” during renovation may not be physically possible or may compromise historic appearances or authenticity. The Building Code provides limited alternate compliance methods for heritage buildings to meet life and fire safety standards. Be aware that, if your home has been designated as a heritage building, you might also need to apply to your local government for a heritage review. Contact your local building official or a construction professional for specific advice on your property.

(Relevant Building Code Provisions – Division A, Table 1.1.1.1.(5).)

OTHER DESIGN AND BUILDING CONSIDERATIONS

In addition to Building Code standards, there are several additional factors you should consider that can influence the feasibility and livability of your secondary suite or ADU.

Cooling the Suite

As communities across BC face increasing summer temperatures, the ability to cool a living space can contribute to the safety and comfort of your tenant. This is especially important for suites located in the attic of your home, above a garage, or other areas that are likely to be significantly affected by outside temperatures. Options you might consider include operable windows, fans, air conditioner units, and heat pumps.

Transfer of Smells

Nuisance smells are a common source of complaints between tenants and landlords. Be aware that, if your home will share ductwork with a secondary suite, smells may be transmitted more quickly than in a home with separate ventilation systems. You can install a separate heating and/or ventilation system in your suite or install dampers and filters in shared systems to decrease the transmission of sounds and smells between living units.

Common Spaces and Services

While the Building Code provides fire separation requirements for common spaces, you should carefully consider how entrance foyers, laundry facilities, electrical panels, hot water tanks, garages, and furnace rooms will be accessed and shared. For example, access to temperature controls, hot water tanks, and electrical panels should be freely available to the occupants of a secondary suite or ADU without any reliance on the occupants of the other dwelling.

Parking and Landscaping

Parking is one of the most common concerns among neighbours of properties with secondary suites or ADUs. While many local governments require one additional off-street parking space for the dedicated use of occupants of the suite, the size and orientation of these spaces can differ between jurisdictions. Some local governments also have specific requirements regarding impermeable surfaces, pathways leading to entrances, fences, and screening for parking and garbage areas. Be mindful of your neighbours when designing outdoor lighting, amenity spaces, and parking. It is important to speak with your local planning department for specific requirements relating to parking and landscaping on your property.

Outdoor Spaces

Some local governments require access to outdoor space for people living in secondary suites and ADUs. If your home has a yard, you may want to consider how and if this space will be shared, and what the expectations are around its use. You could also consider the design of garbage and recycling areas, providing a visible suite address for emergency services, designating smoking areas, providing covered parking and/or charging for mobility scooters, and providing paved paths to entrances. It may be helpful to engage a professional for advice on how you can address any design challenges that are specific to your home and property.

Disposal and Storage of Construction Materials

Different communities have different programs for the disposal and recycling of construction materials. In most cases, construction waste cannot be included with regular garbage collection, particularly if

sensitive materials like asbestos are found. You also need to take precautions to properly store combustible waste during the demolition and construction process and not pose an undue hazard. Contact your local planning or building department for specific instructions on how to handle construction waste.

Home Warranty Insurance

All homes built in British Columbia by licensed residential builders must be covered by home warranty insurance for a minimum of two years on labour and materials (including Building Code violations), five years on the building envelope, and ten years on the structure. An ADU meets the definition of a “new home” under the *Homeowner Protection Act* and therefore, must be built by a licensed residential builder and covered by

a policy of home warranty insurance unless otherwise exempt by regulation. If you are adding a secondary suite to your existing home and the home is less than ten years old, it may already be covered by home warranty insurance. Before constructing an in-home secondary suite, you should carefully review your home warranty insurance policy documents to find out what is excluded and under what conditions you risk limiting your coverage. Home warranty insurance may be limited if changes, alterations, or additions are made to your home by anyone but the builder after initial occupancy. You should contact your home warranty insurance provider if you have questions about how a renovation to add a secondary suite may impact the home warranty insurance coverage for your home.



BUILDING PERMITS

Even if the zoning for your property allows you to build a secondary suite or ADU, the new unit is not considered “legal” unless it has also been inspected for compliance with the BC Building Code. Conversely, secondary suites and ADUs that meet all Building Code requirements would not be considered “legal” unless they also meet zoning and other bylaw requirements.

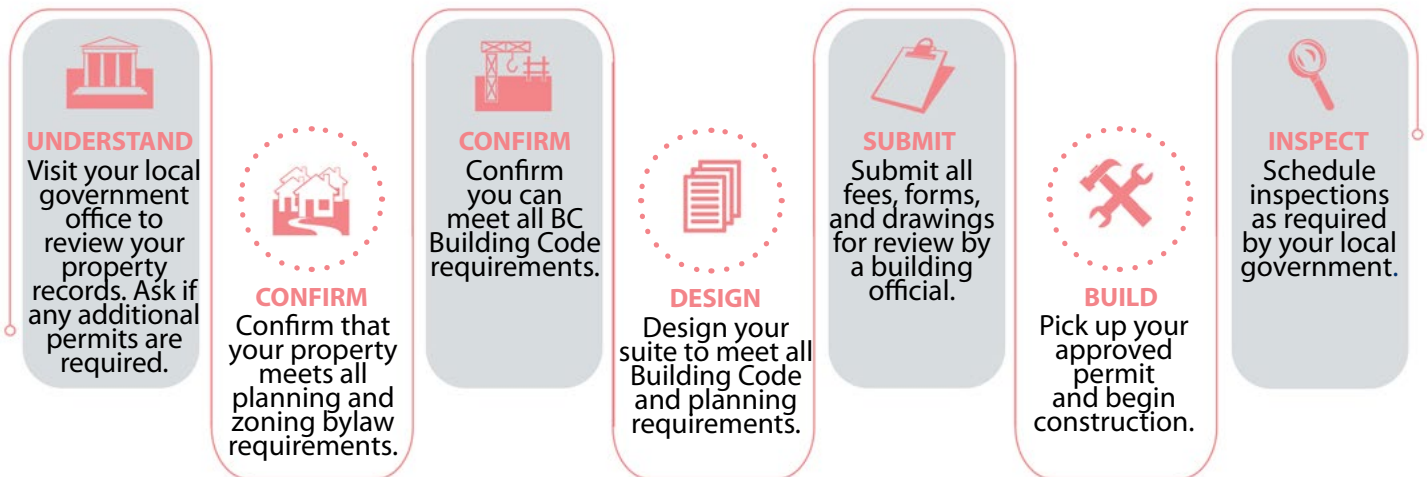
A building permit ensures that the design of your secondary suite or ADU complies with all Building Code and zoning requirements. The building permit must be issued before any work can begin on your suite, including demolition or construction. If you are constructing an ADU, a building permit will not be issued unless you provide a New Home Registration form, obtained from BC Housing’s Licensing and Consumer Services department.

You are encouraged to book a pre-application meeting or site assessment with your local government to review your property file and ensure you understand any requirements specific to your property. Each local government will have a slightly different process for building permit applications; however, you or your contractor will generally be asked to fill out a building permit application form, pay a fee, and provide

drawings of your home and property and identify the elements that are being constructed or renovated. These drawings will show the location of all walls, doors, windows, stairways, fire separations, and exits. A building official will review the drawings and give you feedback on any changes that are required to meet Building Code requirements. It is your responsibility to ensure your finished suite meets all Building Code requirements. Incomplete applications or designs that do not meet Building Code standards may mean your permit application may be delayed or rejected; therefore, it is advisable to consult with a design or construction professional early on to guide you through the permit process.

What Happens If You Do Not Get a Permit?

If you or your contractor start construction on your secondary suite or ADU without a building permit, you may face fines or a notice on the title of your property, be ordered to stop work, or ordered to remove work that has already been done. In some cases, you may face legal consequences for working without a permit. If you are uncertain about the types of permits you need for your project, contact your local planning or building department for advice.



Typical building permit process

DO YOU NEED A BUILDING PERMIT?



You must apply for a building permit to create a new secondary suite or ADU. You are not allowed to begin any stage of a project, including demolition or excavation, until a building permit has been issued.

You **need** a building permit if you are:

- Renovating an existing home, including building a new secondary suite;
- Converting existing space into a secondary suite;
- Completing a previously unfinished area of an existing building (e.g., a bathroom or basement);
- Constructing a new ADU or renovating an existing accessory building to add an ADU;
- Installing or altering plumbing;
- Connecting to a sewer or water system;
- Enclosing a carport;
- Installing a fireplace, wood stove, or other wood-burning appliance; and/or
- Changing the occupancy of a building (e.g., from a basement to a secondary suite or from a den to a bedroom).

You **do not usually need** a building permit if you are:

- Replacing doors and windows with no change to the existing location, type and size;
- Replacing floor finishes;
- Installing cupboards;
- Painting; and/or
- Repairing or replacing a roof (providing no structural changes are made).

Tip: If you have hired a contractor to oversee the construction of your suite, you must give the contractor written authorization (“agency”) to act on your behalf. If a contractor begins working on your suite without your written authorization, you may want to confirm the status of the building permit application with your contractor or local government. You should also request a copy of all approved drawings from your contractor for your records.

Inspections

Building officials may visit your property at various points in the construction process to ensure that the work complies with the Building Code and all approved plans. Depending on your jurisdiction, you may have inspections for framing, insulation, plumbing, wiring, and occupancy. You must not cover any work before inspections have taken place or you may be asked to reopen walls, remove flooring, or otherwise expose work for inspection. You and your contractor are responsible for scheduling inspections with your local government at the appropriate times.

Occupancy

Once local building officials have carried out the final inspection of your secondary suite or ADU and have confirmed that it complies with the approved drawings and any other conditions, you will be provided with written notification that the suite can be occupied. If you are using a contractor to oversee the construction of your suite, be sure that you get a copy of the occupancy permit or other written documentation from them.

TIPS FOR HIRING A CONTRACTOR

As a property owner and future landlord, you are responsible for meeting all zoning, Building Code, and permit requirements, as well as scheduling all necessary inspections. Note that all plumbing, gas, and electrical work must be completed by certified trades and ADUs must be built by a licensed residential builder and enrolled in a policy of home warranty insurance, unless exempt by the *Homeowner Protection Act*. BC Housing keeps a public registry where you can search for builders in your location with a valid licence in good standing. Please ensure that you select a builder who has “General Contractor” as their licence type.

While hiring a good contractor might cost you more upfront, you will likely save money by avoiding delays, design oversights, and, potentially, fixing or redoing deficient work. Depending on what is included in your contract, your contractor will be responsible for finding and hiring licensed trades, making sure work is done correctly, scheduling inspections, cleaning up after construction, and holding liability insurance to cover

Red Flags

You need to feel comfortable working with the contractor you choose. If they are unwilling or unable to answer your questions, or will not provide client references for past jobs, then you may wish to continue your search. Likewise, if a contractor provides an estimate without visiting your property, then the quote may not include all necessary work and you might find yourself paying to address issues that should have been identified from the outset.

You should be cautious about contractors who ask for a large amount of money upfront, especially for labour that has not yet been completed. Avoid any contractors who offer you a discount for paying in cash without a written contract. Having a detailed, written, and signed contract will help protect you from liability, from ending up with low-quality work, or from paying more than you expected.

worker injuries and property damage. If you choose to manage the construction yourself, you will be responsible for ensuring trades have appropriate insurance and will be liable for the safety of any workers on your property.

Finding a Contractor

It is important to hire a reputable contractor with a proven track record. You can ask for referrals from:

- Friends and family who have built secondary suites or ADUs;
- BC Housing's Public Registry of Licensed Residential Builders;
- Local homebuilders' or renovators' associations, such as the Canadian Home Builders' Association of BC or CleanBC's Registered Contractor Directory;
- Technical Safety BC's "Find a Licensed Contractor in BC" tool;
- Local building supply and hardware stores; and/or
- Your municipal building department.

Be sure to meet with contractors in person to get to know them and ask about their work. Ask about the warranties they offer for completed work and clarify who will be responsible for getting any required permits and inspections. Ask for proof that they are bonded and hold both workers' compensation and liability insurance.

If you are interested in working with a contractor after you have met in person, ask for (and contact) references from past clients. Ask about the client's experience working with the contractor and about the quality of the work itself. You could also check the Better Business Bureau to ensure they are a member in good standing. Never sign anything or pay any retainers or deposits until you have agreed to the terms of a contract with the contractor of your choice.

Asking for Estimates

It is a good practice to get estimates from at least three contractors, but remember that the lowest price is not always the best deal. Be specific about what you are looking for because the cost of construction can vary widely depending on the type, quality, and brand of materials used. It is best to ask for quotes once plans have been drawn up; however, you may need to hire a contractor earlier if you need help planning and designing your suite. The contractor should visit your property so that they can include any specific structural, geological, or technical considerations in their quote. When you receive an estimate, make sure you understand exactly what labour and materials are included and what additional fees and payments you will be required to make.

Signing a Contract

The only way to ensure that a contractor will complete work as expected (and for the price you agreed) is to have a detailed, written contract in place. Assume that anything that is not clearly listed in the contract will involve extra time and extra costs. At a minimum, the contract should include:

- Names and addresses for both parties;
- Start and completion dates for design and construction;
- A detailed description of the work to be done;
- Who is responsible for hiring workers and trades, including providing workers' compensation and liability coverage;
- Who is responsible for obtaining permits, submitting paperwork, and scheduling inspections;
- Who is responsible for cleaning the site, removing debris, and properly disposing of construction waste;

- Specific details of the contractor's required liability and damage insurance;
- A payment schedule that includes how much you will pay and at what milestones payments need to be made;
- How long the warranty is on labour and materials and what it includes;
- A detailed description of anything else you have been promised for the agreed-upon price; and
- Proof of Residential Builder Licence and home warranty insurance registration, if constructing a new ADU.

You are strongly urged to use industry-standard form contracts, which can be found online through the Canadian Home Builders' Association of BC and similar organizations. Make sure that you have read and fully understood the entire contract before you sign it. Once you and your contractor sign an agreement, you should keep copies of all contract documents and correspondence.

Tip: Be sure to specify exactly what services you want in your contract, including who is responsible for site clean up, obtaining permits and inspections, hiring workers and trades, and holding liability and damage insurance.

Payments and Holdbacks

Your written contract should include a detailed payment schedule that is tied to the satisfactory completion of the work. Always ask for a receipt for payments and do not pay for any labour that has not been completed.

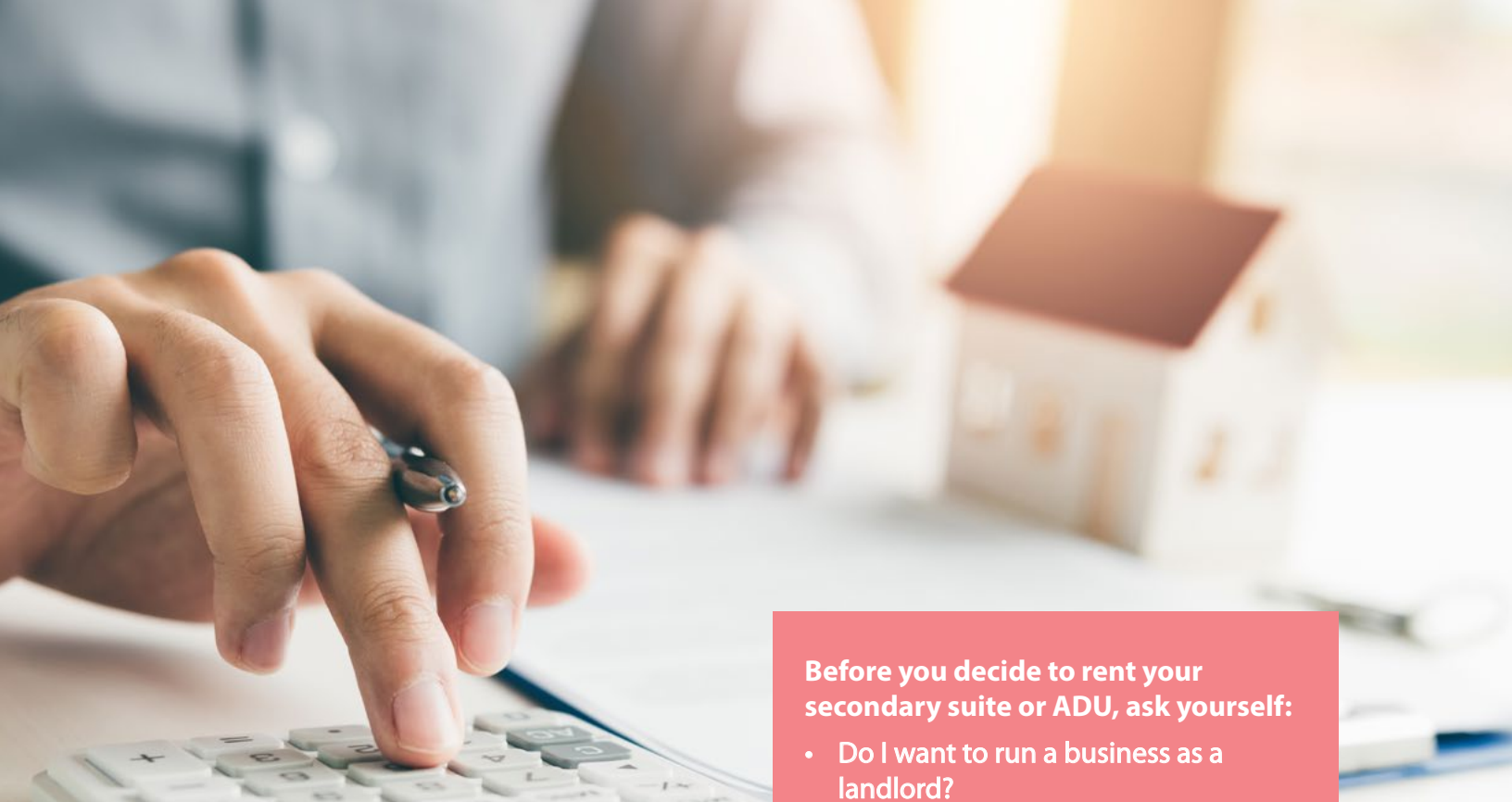
Do not make your final payment or sign a certificate of completion until all permit and inspection requirements have been met and

all work is completed to your satisfaction. Some industry experts recommend holding back a portion of each payment to ensure that a lien cannot be placed on your property if the contractor fails to pay suppliers, trades, and other workers. These holdbacks should be released after 45 days when the time limit to register a lien has expired.

Being a Good Neighbour During Construction

Being a good neighbour during construction means trying to minimize nuisance and inconvenience for others who live in the area. Let your neighbours know what is being planned and when trades will be coming and going. Be sure that vehicles and equipment do not block neighbours' driveways or damage private property, including landscaping, fences, and side yards. Work sites must be left in a clean and orderly state at the end of each workday, including removing any dirt or debris that is tracked from the construction site onto the street by equipment.

Be aware that most local governments have noise bylaws that limit noise from construction and heavy machinery to weekdays and Saturdays during daylight hours. Potential problems or delays can be avoided by being respectful of neighbours, communicating effectively, and following good construction practices.



Renting Your Suite

RUNNING A RENTAL HOUSING BUSINESS

There is no such thing as an “amateur landlord.” If you rent a suite on your property, you are a professional landlord and you need the knowledge and skills to run your business. You will have expenses associated with operating your rental housing business and might be required to obtain a business licence. You will be required to keep records of what you spend and will be responsible for reporting any rental income to the Canada Revenue Agency. You may qualify for tax deductions, such as mortgage interest, maintenance costs, repairs, and legal fees, that can be deducted from your gross earnings when calculating how much tax you owe at the end of the year. You should obtain professional advice to ensure you understand the legal and financial obligations of running a rental housing business.

Financial Risks and Benefits

Being a landlord is not passive income. Running a rental housing business is much like any other business or investment; there

Before you decide to rent your secondary suite or ADU, ask yourself:

- Do I want to run a business as a landlord?
- Do I understand the licence, tax, and insurance requirements for renting a suite?
- Do I understand the financial risks and benefits of operating a rental housing business?
- Do I understand my rights and responsibilities as a landlord under the *Residential Tenancy Act*?
- Do I understand my future tenant’s rights and responsibilities under the *Residential Tenancy Act*?
- Am I prepared to rent the suite out long-term?
- Am I comfortable having difficult conversations and resolving conflicts?

is the potential for both profit and loss. While much can be done upfront by educating yourself on best practices and the laws that affect your business, situations can still arise that can halt your profits or even cause significant loss. The profitability of your landlord business will depend on many factors, including:

- Whether your property is located in an area with demand for rental housing;
- Whether your suite is well-maintained, updated, and fitted with appropriate amenities;
- Whether average rents in your area will be sufficient to cover your expenses to build and maintain a suite, including loans, property taxes, insurance, repairs, legal fees, and advertising costs;
- Whether your unit is consistently occupied by a tenant;
- Whether your tenant causes significant damage to the rental unit; and
- Whether your tenant pays rent.

You should ensure that you will be able to cover your expenses if your suite is not occupied. The more you know about the financial risks and benefits of running a rental housing business, the better off your business will be.

The Residential Tenancy Act

Whether you rent out a suite in your home or manage an entire apartment building, you are a landlord if you take money in exchange for allowing someone to live on your property. As a landlord, you must comply with all requirements outlined in the *Residential Tenancy Act* (sometimes referred to as the RTA). The *Residential Tenancy Act* is a provincial law that outlines the rights and responsibilities of both landlords and tenants in British Columbia, including what can appear in a tenancy agreement, how and when rent can be increased, how deposits are managed, how a tenancy can be ended, and how disputes can be addressed.

Residential Tenancy Branch (RTB)

The Residential Tenancy Branch (RTB) is a neutral body that provides information, online tools and calculators, education, standard tenancy forms and agreements, policy guidelines, and dispute resolution services for landlords and tenants. You can contact the RTB by phone, email, in person, or online.

Landlord and Tenant Rights and Responsibilities

All landlords and tenants in BC are guaranteed certain basic rights under the *Residential Tenancy Act*, regardless of what is written in their rental agreement. Landlords have rights that protect their property and business, while tenants have the right to the quiet enjoyment of a safe, secure, and properly maintained unit.

Landlord responsibilities are directly related to the rights of tenants and vice versa. Both landlords and tenants have a number of responsibilities that are required by law. Remember, a secondary suite or ADU might be your property, but it is your tenant's home.

Landlords are responsible for:

Complying with the ***Residential Tenancy Act, Building Code, Human Rights Code, Personal Information Protection Act***, and municipal bylaws



Providing a written **tenancy agreement** and **condition inspection report** to the tenant



Ensuring the unit is **safe and suitable**, including proper heating, plumbing, electricity, and locks



Providing **receipts** for all cash payments



Completing **repairs and maintenance** quickly and keeping the unit and its amenities in good condition



Paying any utilities that are included in the rent



Providing **proper notice** before entering the suite, even for repairs and maintenance



Tenants are responsible for:

Complying with the ***Residential Tenancy Act*** and other applicable laws



Complying with provisions agreed to in the **tenancy agreement**



Keeping the unit clean and repairing any **damage** they or their guests cause (not including reasonable wear and tear)



Paying rent on or before the day it is due



Informing the landlord of repairs or pests that need to be addressed



Paying any fees and deposits that are agreed to in the tenancy agreement



Respecting the **quiet enjoyment** of others and not disturbing other people living in the building



PROVISIONS UNDER THE RESIDENTIAL TENANCY ACT

Now that you understand your rights and responsibilities under the *Residential Tenancy Act*, there are several provisions you should be aware of relating to tenancy agreements, rent increases, deposits, guests, and pets. You cannot avoid complying with the *Residential Tenancy Act*. **It is the law.**

Starting a Tenancy

Landlords are required to prepare a written agreement for every tenancy. Even if a landlord doesn't prepare a written agreement, the standard terms of a tenancy agreement still apply. It is in the interest of both parties to sign a written tenancy agreement using the approved RTB tenancy form. All rental arrangements for secondary suites and ADUs must comply with the entire *Residential Tenancy Act*.

Rent Increases

You are allowed to raise the amount of rent you are charging only once per year and only up to a maximum percent, which is set by the RTB. In order to raise the rent, you must provide your tenant with formal, written notice at least three rental periods before the rent is scheduled to increase. You must use the RTB's "Notice of Rent Increase" form to notify your tenant of any rent increases.

Damage Deposits

Even the best tenant might accidentally cause damage to your suite. You are allowed to collect a security deposit of up to half of one month's rent at the beginning of a tenancy, which is intended to protect you in the event your tenant damages the suite or leaves without paying. But beware, deposits are held in trust and must be returned along with any applicable interest at the end of the



tenancy once a final condition inspection has been completed. You cannot decide independently to keep all or a portion of a deposit to cover damages, expenses, or rent. To keep all or a portion of the damage deposit, you must apply to the RTB within fifteen days of the end of a tenancy with proof that the damage was caused by your tenant. You must act quickly to either return your tenant's deposit or make a claim through the RTB, otherwise, penalties may apply.

Pets and Pet Deposits

Think about whether you will allow pets before renting out your suite. Many local governments limit the number of pets that are allowed per property; therefore, if you have pets in your home, you must check your local bylaws before allowing your tenants to have pets in their suite. You are allowed to include restrictions about how many pets your tenant can have, as well as the type and size of the animal in the tenancy agreement. The standard tenancy agreement provided by the Province does not include a term restricting pets in any way, so you will need to add one if you intend to prohibit pets. Be aware that you cannot legally stop your tenant from having a service or guide dog.

If you choose to allow pets, you are permitted to charge a pet damage deposit of up to half of one month's rent. The pet damage deposit is taken in addition to the damage deposit and is intended to cover any costs associated with having a pet in the suite. You can only charge one pet deposit, regardless of how many pets the tenant has, and pet deposits cannot be collected for certified service and guide dogs. Unlike damage deposits, which must be collected at the start of a tenancy, pet deposits can be taken at any time if you allow a tenant to get a pet after they move in.

Roommates

Roommates, or co-tenants, are jointly responsible for everything related to their tenancy. You are allowed to include restrictions in the tenancy agreement about additional occupants as long as the terms are not discriminatory. These terms are not standard in the agreement provided by the Province and must be added if you would like to restrict additional occupants from living in the suite. Be aware that the *Residential Tenancy Act* governs the relationship between you and the tenant(s) named in your tenancy agreement and may not apply to the relationship between roommates. For your protection, and the protection of your tenants, you are urged to ensure that all adults living in your unit are named on the tenancy agreement.

Guests

You cannot stop your tenant from having overnight guests in their home or charge your tenants a fee for guests. Your tenancy agreement may specify the number of occupants that are allowed to live in your rental unit. If a guest begins living in the unit full-time and your tenancy agreement includes a term restricting additional occupants, you may have the right to end the tenancy.

Smoking and Cannabis

As a landlord, you are allowed to add terms to prohibit smoking and/or vaping tobacco or cannabis on your property in your tenancy agreement. You can also prohibit the growth, production, and processing of cannabis on your property by including limitations in your tenancy agreement. If you are using the agreement provided by the Province, both of these terms would need to be added as written limitations in your tenancy agreement. If you do not include written rules around smoking or growing tobacco or cannabis, you



will not be able to stop your tenant from legally engaging in these activities. If you plan to allow smoking outdoors, you might consider designating an outdoor smoking area on your property and setting rules around the disposal of cigarette butts and other waste.

Quiet Enjoyment

As a landlord, you are responsible for ensuring that your tenant experiences reasonable peace, privacy, and quiet in their home. This means that they will have exclusive use of the unit during their tenancy and that no one, including you, will enter their unit without proper notice. Tenants have the right to have overnight guests, cook foods they enjoy, play music at a reasonable level, practice their religion, and have the use of all common spaces as described in the tenancy agreement. Quiet enjoyment applies to all occupants; therefore, if you or other tenants in the building have complaints about disturbances caused by your tenants, you must communicate with your tenant and fix the problem.

Maintenance Bylaws

Under the *Residential Tenancy Act*, you are required to maintain your property, including making any necessary repairs. While the *Residential Tenancy Act* is the most important law for you to understand as a landlord, it is not the only law that applies to rental properties in British Columbia. For example, your local government will often have “Standards of Maintenance” or “Good Neighbour” bylaws that require you to repair and maintain your rental property, including guidance relating to heating systems, hot water, infestations, exterior walls, roofing, elevators, and fire escapes. If you do not maintain or repair your rental property in a timely manner, your local government might send a bylaw officer to inspect your property, issue warnings and fines, or otherwise enforce local bylaws. It is your responsibility to read and understand all your local secondary suite, ADU, and rental regulations.

THE RENTAL PROCESS

Investing time and effort into finding the right tenant is critical to the success of your rental business and to having a positive experience as a landlord. Don't rush through the selection process. Be sure the tenant you choose is the right fit.

Finding and Screening Tenants

There are many ways to advertise your suite, including word-of-mouth, social media, university housing websites, or online or print classified ads. You can also hire a property manager or real estate agent to find and screen tenants for your unit. Be prepared to interview several potential tenants, show your property multiple times, and conduct numerous reference checks.

The most important thing you can do to keep your property safe and avoid future problems is to be very thorough during the tenant

screening and selection process. Remember, you need to be able to have both a business and a neighbourly relationship with the person that rents your suite.

Be aware that there are certain things that you can and cannot ask for when screening a potential tenant. For example:

- You cannot ask for an application fee.
- You can (and should) ask to see identification, but you are not allowed to copy it.
- You can ask a potential tenant to give written consent for a credit check, but this should only be done if you are serious about renting to them.
- You cannot request a criminal record check unless there are special circumstances, such as a daycare located within your building or complex.



Tips for screening and selecting tenants:

- Use an application form for all potential tenants, so you can more easily compare applicants later.
- Always interview potential tenants on the phone before inviting them to your home and have someone with you during viewings.
- Ask to see identification (but do not copy it).
- Ask about their current rental or living situation.
- Ask about their typical schedule.
- Ask for references from past landlords.
- Keep notes on each applicant.
- Listen to your instincts.

Be aware that the collection, use, and sharing of personal information, such as references, proof of income, or identification, are governed by privacy laws. It is your responsibility to ensure you collect and handle this information correctly. Visit the Residential Tenancy Branch and the Office of the Information and Privacy Commissioner’s websites, or connect with your local landlord’s association for more information.

Discrimination

While you should be selective in choosing who you will allow to rent a suite in your home, you must also be careful not to discriminate against any potential tenants. As a landlord, you are legally bound by the *BC Human Rights Code*, which states that you cannot refuse to rent to a tenant based on several protected characteristics, including Indigenous identity, race, colour, ancestry, place of origin, religion, marital status, family status, physical or mental disability, sex, sexual orientation, gender identity or expression, age, or lawful source of income.



When choosing a tenant ...

You can:

You cannot:

family status

✔ Limit the number of people living in your secondary suite.

✘ Refuse to rent to a tenant because they have children.

animals

✔ Choose not to allow pets or limit the size, type, and number of pets.

✘ Refuse to rent to a person with a certified service or guide dog.

ability

✔ Specify whether your secondary suite is accessible or can be made accessible.

✘ Refuse to rent to a tenant because they have physical or mental disabilities.

legal source of income

✔ Obtain consent from the prospective tenant for a credit check and/or ask for references from past landlords to check if rent was paid on time.

✘ Refuse to rent to a tenant because they are on income assistance.

Beginning a Tenancy

You are required by law to provide your tenant with a written tenancy agreement at the start of a tenancy. You must ensure that your tenancy agreement meets all legal requirements under the *Residential Tenancy Act* or it will not be legally enforceable, even if your tenant signs the agreement. Your tenancy agreement must include several standard terms that are required by law, including rules around rent increases, access to the unit, responsibility for repairs, and subletting. Keep in mind that, if you do not provide a written agreement – even if you have a verbal or implied agreement – all of the standard terms and provisions in the *Residential Tenancy Act* will still apply. Any future changes to the tenancy agreement will need written agreement from all parties.

Remember, if you wish to set any rules around pets, smoking and vaping, parking, additional occupants, tenant insurance, or late-payment fees, you must include these as additional terms in the written tenancy agreement. If you do not specify additional rules for your tenancy in a written tenancy agreement, you may forfeit your ability to enforce these rules in the event of a dispute.

You can find a standard tenancy agreement, including guidance on including additional terms, on the RTB website.

Condition Inspections

The law requires that your rental unit be in good condition before you rent it out. You must do a condition inspection with your tenant at both the beginning and end of a tenancy. Be sure the unit is clean and empty and take pictures of the suite on the day of the inspection. Fill out the RTB's "Condition Inspection Report" with your tenant, sign it, and have your tenant sign it. Provide your tenant with a copy of the signed report and keep a copy in your records. If any damage beyond reasonable wear and tear is done to your suite during the tenancy, you can use the condition inspection report to help determine if, and how much, damage was caused during the tenancy. If you do not complete a condition inspection report with your tenant at both the start and end of a tenancy, you may forfeit a claim to the security deposit to cover any damages when your tenant moves out. You must repair any significant damage and ensure that the rental unit is in good condition before you can rent it to someone else.

Caution: What would you do if your tenant was behaving in a manner you found unacceptable? For example, you find out that your tenant or their guest has been smoking in your rental suite. You don't like the smell of smoke but didn't think to include a "no smoking" clause in your tenancy agreement. You can ask your tenant to smoke outside or sign a revised tenancy agreement, but it is up to them whether they agree to change their behaviour or sign a new agreement. Without an explicit, written "no smoking" clause in the tenancy agreement, you would not be able to evict your tenant for smoking or take other action if they do not comply with your request.



Communication

- You are checking in on how things are going.
- A worker is coming to work on the property or house, but not entering the suite.
- The tenant has a delivery.

Service

- You are asking for a formal change in behaviour and setting a deadline for the change to occur.
- You need to enter the suite.
- You are raising rent.
- You need to end the tenancy.
- You are changing the non-essential services you provide.
- You are applying for dispute resolution with the RTB.

Communication and Service

Many conflicts can be avoided if you maintain clear and consistent communication with your tenant. As the landlord, it is your responsibility to communicate with your tenant. This might mean having uncomfortable conversations about potential issues, but it is best to address any problems right away. You should keep written documentation of all discussions and agreements, including any changes that are made to a previous agreement. Maintain a friendly, but professional, relationship with your tenants and be flexible with your approach to resolving issues. It is advisable to share a written confirmation of any discussions or decisions with your tenant.

Note that there is a difference between communicating with, and serving notice to, your tenant. How you communicate with your tenant for most day-to-day discussions will

depend on your – and their – preferences. For minor communications, a text or email might be fine. For official notices, you must ensure that you serve your tenant correctly and with proper notice. You can find guidelines for serving notice on the RTB website.

There are specific rules about how, when, and why you can serve notice to your tenant. The notice must be in writing. For certain situations such as raising rent, applying for dispute resolution, or serving notice to end a tenancy, you **must** use a standard RTB form.

Common processes where you should use an RTB form or standard terms include:

- tenancy agreement;
- rent increase;
- condition inspection report;
- notice to stop or restrict non-essential services;
- application for dispute resolution; and/or
- notice to end a tenancy.

Disputes

Sometimes conflicts arise, even with the best tenants. Many potential issues can be avoided by maintaining clear and open communication, properly screening potential tenants, and ensuring that you have a detailed, written tenancy agreement in place.

Your first step should always be to speak to your tenant about any issues that arise. If this doesn't work, you should provide a written letter, which includes a description of the problem, the desired solution, a reasonable deadline, and consequences for inaction. Keep records of all your conversations, including written documentation of any agreements that have been reached, and share a copy with your tenant.

If the problem can't be resolved by discussion, negotiation, and compromise, you may need to use the formal process for dispute resolution. Dispute resolution is often used to enforce notices and collect on debts. You can research past decisions the RTB has made for claims that are similar to your issue to understand what arbitrators consider when making decisions and what evidence might be necessary to back up your claim. Be aware that dispute resolution is an official process, much like going to court. Let your tenant know if you intend to apply for dispute resolution as this can sometimes trigger interest in reaching a mutual agreement.

Ending a Tenancy

A tenancy may end in several ways and for a number of reasons, including through mutual agreement or by serving notice to your tenant. Be aware that, even if you have your tenant initial a statement saying they will move out at the end of a fixed-term tenancy, the tenancy will continue on a month-to-

month basis unless there is a legal reason for ending it. You cannot serve notice to end a tenancy in order to raise the rent or rent to another tenant, even at the end of a fixed-term tenancy.

There are a number of legal reasons why you may serve notice to end a tenancy, including unpaid rent or utilities, breach of terms in the tenancy agreement, subletting or adding occupants without consent, or to reclaim the unit and remove it from the rental market. Regardless of the reason for ending a tenancy, you must follow the proper procedure and use the appropriate form from the RTB website. You must also ensure that you give your tenant the proper notice to end the tenancy. You should refer to the RTB website for detailed information on how and why to serve a notice to end a tenancy.

PLANNING CHECKLIST

This checklist is designed to help you assess whether your property could meet typical planning requirements for a secondary suite or accessory dwelling unit (ADU). This list is not exhaustive and there may be additional planning or zoning bylaw requirements that you must meet when planning your suite.

ALLOWABLE USES

- Secondary suites and/or ADUs are allowed in the zone your property is located in.
- Secondary suites are allowed in your building type (e.g., side-by-side duplex).
- Your property is not located in a development permit area, floodplain, or environmentally sensitive area.
- No covenants, easements, or rights-of-way are registered on the title of your property.
- Your property does not already have a secondary suite, caregiver suite, accessory dwelling unit, or boarding use (if applicable).

ZONING REQUIREMENTS

- Can your property meet applicable setbacks?
- Does your property comply with minimum lot size requirements?
- Can you meet maximum height requirements after the secondary suite or ADU is built?
- Can you meet minimum basement elevation requirements, including gravity drainage requirements?
- Are there any additional servicing (e.g., water supply, sewer and/or septic, electrical, etc.) requirements?
- Can you meet any maximum and minimum floor area and site coverage requirements?
- Can you meet any requirements for usable outdoor space for the exclusive use of the suite occupants?
- Are there any applicable fencing and landscaping requirements?
- Does your local government have any requirements for owner occupancy?
- Do you require a minor variance to meet any zoning requirements?

PARKING AND PATHWAY REQUIREMENTS

- Can you provide enough off-street parking spaces (if applicable)?
- Will you provide charging for an electric vehicle (if applicable)?
- Can you provide a hard surface pathway from the suite entry to the public sidewalk?
- Can you meet applicable emergency access and addressing requirements?

OTHER BYLAW REQUIREMENTS

- Can you comply with Building Code and planning bylaw requirements?
- Do you currently operate a home-based business, such as a daycare or B&B?
- If your property is not connected to the municipal sanitary system, have you checked provincial "Sewerage Regulations"?
- If you own a heritage property, can you obtain a heritage alteration permit?
- Do you require a tree permit (if applicable)?
- Are there secondary suite or ADU design guidelines you have to follow?
- Are you eligible to apply for a business licence under your local government's business regulation (if applicable)?
- Are you aware that you will be unable to stratify or subdivide your property if you build a secondary suite or ADU?
- Are you aware that you may need to register a restrictive covenant on your property?
- Are you aware of any requirements under a "Standards of Maintenance" bylaw?
- Can you meet maximum allowable driveway access widths (if required by a Traffic Bylaw)?

BUILDING CODE CHECKLIST: SECONDARY SUITE

This checklist is designed to help you evaluate whether your home would be able to meet key Building Code requirements for a secondary suite in your home. Remember, not every home will be suitable to add a secondary suite. This list is not exhaustive and there may be additional Building Code requirements that you must meet when building your suite.

CEILING HEIGHTS AND SAFE EXITING

- The ceiling where the suite will be located is at least 2.1 m high.
- The ceiling will be at least 2.1 m from the floor in all corridors and paths to exits.
- There is a clear height of at least 1.95 m over any stairs serving the secondary suite.
- All exit corridors are at least 860 mm wide.
- There will be an exit window in every bedroom and, if not, one can be installed.
- There is at least one exit from the suite to the outside of the building.

HEATING, VENTILATION, ELECTRICAL, AND PLUMBING

- The secondary suite will have a heating system with individual temperature controls.
- You can install or connect the secondary suite to a mechanical ventilation system.
- You can install fire dampers in any shared heating and/or ventilation ductwork.
- A licensed electrical contractor has confirmed your current electrical system can meet the demands of a secondary suite.
- Your local government or a licensed plumber has confirmed your service lines are adequate to meet increased water demand.

FIRE SEPARATIONS AND ALARMS

- Can you comply with spatial separation requirements?
- Can you comply with all requirements for unprotected openings or windows facing side yards?
- Can you install hardwired photo-electric smoke alarms in each dwelling unit and in common spaces?
- Are alarms interconnected (hardwired or wireless connections) to sound in unison in both dwelling units if one is triggered?
- Do you have, or are you planning to install, sprinklers in the building?
- If your home contains a fuel-fired appliance or storage garage, can you install interconnected carbon monoxide detectors in each dwelling unit?
- Can all common areas (e.g., exit corridors, laundry rooms, entrance landings, etc.) be fire separated from both dwelling units?
- Do the existing walls and floor/ceiling assemblies that will form the required fire separation have an adequate fire-resistance rating or can they be improved to provide an adequate fire-resistance rating?

ADDITIONAL CODE CONSIDERATIONS

- If your home is attached to another dwelling (e.g., side-by-side duplex or row house), can you install a continuous fire-rated wall assembly from foundation to roof?
- Will you be able to install soundproofing for the secondary suite?
- Have you tested for radon in your home?
- If the floor of your suite will be in contact with the ground, can you install a rough-in for a subfloor depressurization system?
- If your home is in a heritage building, have you consulted your local government or a construction professional for advice?

BUILDING CODE CHECKLIST: ACCESSORY DWELLING UNIT

This checklist is designed to help you evaluate whether your property would be able to meet key Building Code requirements for an ADU. This list is not exhaustive and there will be additional Building Code requirements that you must meet when building your suite.

FOUNDATION AND FOOTINGS

- The site can be properly cleared and prepared to install a foundation.
- New foundations will be equipped with a rough-in for a subfloor depressurization system.

CEILING HEIGHTS AND SAFE EXITING

- The ceiling will be at least 2.1 m from the floor in all living areas, corridors, and paths to exits.
- There will be an exit window in every bedroom and, if not, one can be installed.
- There is a clear height of at least 1.95 m over any stairs serving the ADU.
- There is at least one exit from the suite to the outside of the building.

HEATING, VENTILATION, ELECTRICAL, AND PLUMBING

- The water supply to your existing home will be adequate to connect and service the ADU.
- Your local government or a licensed plumber have confirmed your service lines are adequate to meet increased water demand.
- If your property is connected to a well, you have contacted your local government and health authority for additional direction.
- The ADU will be supplied with hot and cold water in all bathroom, kitchen, and laundry areas.
- The ADU will have a heating system with individual temperature controls.
- A licensed electrical contractor has confirmed your current electrical service can meet the demands of an ADU or whether separate metering is needed.
- The ADU will have a mechanical ventilation system.
- The ADU will be connected to a public or private sewer system.

FIRE SEPARATIONS, SPATIAL SEPARATION, AND ALARMS

- Can you comply with spatial separation requirements?
- Do the existing walls and floor/ceiling assemblies that will form the required fire separation have an adequate fire-resistance rating or can they be improved to provide an adequate fire-resistance rating?
- Can you comply with all requirements for unprotected openings or windows facing side yards?
- Do you have, or are you planning to install, sprinklers in the building?
- Can you install hardwired photo-electric smoke alarms in the ADU and any common spaces?
- If the ADU contains a fuel-fired appliance or storage garage, can you install interconnected carbon monoxide detectors in the suite?

BUILDING PERMIT CHECKLIST

This checklist is designed to help you prepare for the building permit process. Different local governments may have slightly different requirements for issuing building permits; therefore additional drawings and documentation may be required. Contact your local government to confirm their specific requirements.

PLANNING AND ZONING REQUIREMENTS

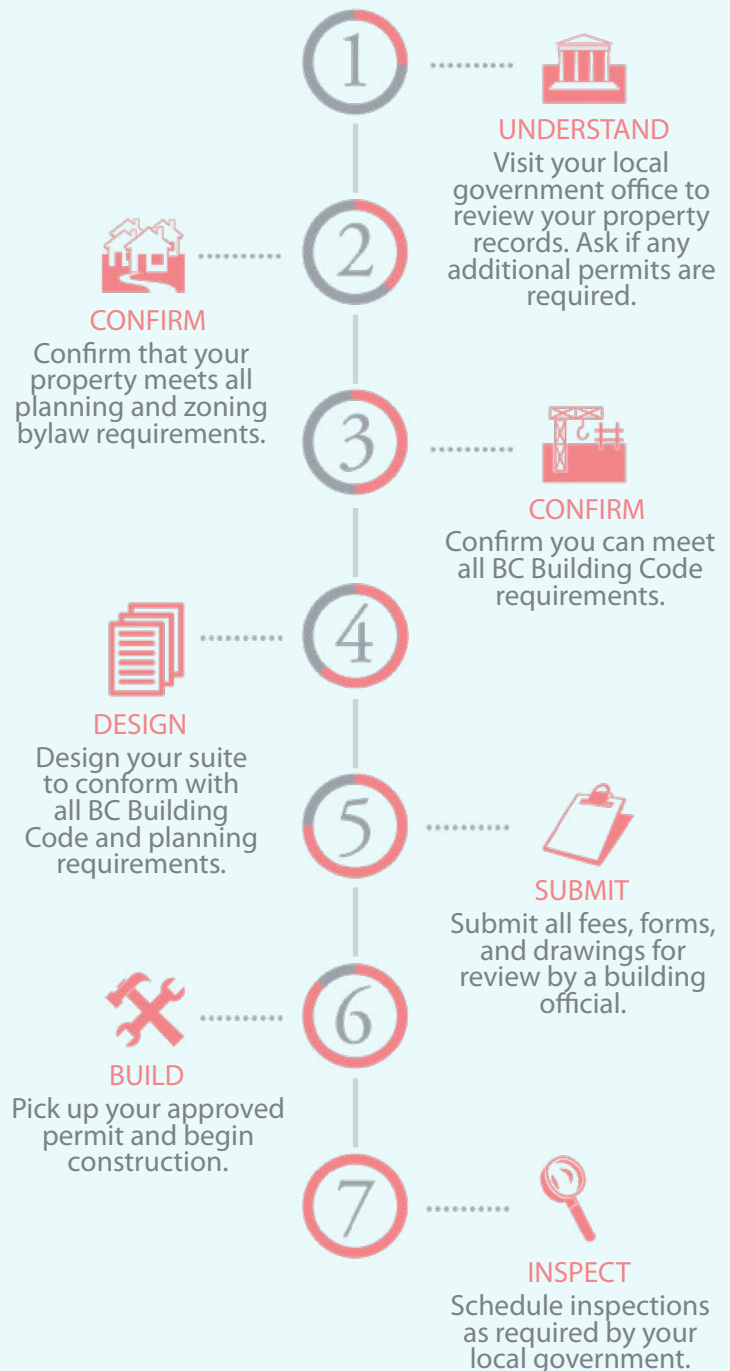
- Confirm compliance with zoning bylaws.
- Confirm compliance with parking and driveway access requirements.
- Approved development permit (if applicable).
- Approved variance or development variance permit (if applicable).

GENERAL DRAWING REQUIREMENTS

- Two sets of drawings are typically required.
- All plans should be drawn accurately and to scale. Pencil drawings are not acceptable.
- Include details and specifications showing Building Code compliance.
- All drawings should highlight any portions of the building being renovated.

Site plans showing:

- Street names, civic address, full legal description, and north arrow.
- Property lines, lot area, and lot dimensions.
- Applicable covenants, rights-of-way, or easements.
- Setbacks to property lines (for walls that have new windows or doors).
- Building foundation outline, including a summation of floor area calculations.
- Driveway length, width, and area (measured from the property line).
- Location and dimensions of new parking space(s).
- Location of walkways from main road frontage to main suite entrance.
- Dimensions of outdoor open space for the suite.
- Landscaped areas, including areas of impermeable surfaces (if applicable).
- Water, sanitary, and storm sewer connections.





Cross sections showing:

- Footing and foundation wall details (if applicable).
- The fire-resistance rating of any new or existing fire separations.
- Proposed wall, ceiling, and floor assemblies.
- Highlight and detail fire-rated walls, doors, floor, and ceiling assemblies separating the secondary suite from any other dwelling unit.
- Location and size of framing (e.g., beams, joists, lintels, etc.).
- Insulation and vapour barriers, including RSI calculations (if being altered).
- Floor-to-ceiling heights of all areas (including under beams, bulkheads, etc.).
- Stairs including clearance, handrail, and guard height (if applicable).

Elevations of each side of the dwelling showing:

- Spatial separation calculations, (e.g., limiting distances, unprotected openings, etc.).
- Location and size of new or altered exterior windows and doors.
- Total area of windows and doors on each wall, including direction of opening.
- Exterior finishes and flashing at new windows and doors.
- Finished height to top of building and midpoint of sloping roof (if new or changed).
- Finished grade of the site and at building corners.

Floor plans of the areas to be renovated showing:

- Outside dimensions of the building.
- Dimensions of rooms, corridors, and shared spaces with functions labelled.
- Construction of footings, foundation walls, and/or crawlspace (if new or altered).
- Details of all load-bearing walls or point loads.
- Location and size of structural elements (e.g., beams, joists, etc.).

- Stair width, rise, and run, as well as handrails, and guards.
- Location of smoke alarms and carbon monoxide detectors.
- Window and door sizes, identifying which can be used for exits.
- Window well details (if applicable).
- Construction of all wall assemblies.
- Highlight and detail all fire-rated walls, doors, floor, and ceiling assemblies.
- Exhaust fans in kitchens, bathrooms, etc.
- Wood stoves and wood fireplaces (if applicable).
- Locations of plumbing fixtures.
- Location of radon system (if applicable).
- Location of mechanical equipment.

REQUIRED DOCUMENTS AND FEES

- Building permit fees.
- Building permit application form.
- Site plans, floor plans, cross sections, and elevations of proposed suite or ADU.
- State of Title Certificate (typically dated within 30 days of application).
- Owner's authorization (signed by all owners on title).
- Heating and ventilation checklist (if applicable).
- Electrical and gas permits or declarations of compliance.
- Plumbing permits.
- Engineered systems shop drawings (if applicable).
- Letters of Assurance and Certificates of Insurance from all registered professionals (if applicable).
- A New Home Registration form, obtained from your licensed residential builder (if you are building an ADU or converting an accessory building newer than 10 years old).

RENTAL CHECKLIST

The following checklist is designed to help you prepare to rent your suite to a tenant. This checklist is intended to serve as a reminder of items you should think about. It does not list everything that should be covered in a tenancy agreement and you may have additional items you wish to consider.

PREPARING TO LIST YOUR SUITE

- Do you understand your rights and responsibilities as a landlord under the *Residential Tenancy Act*?
- Do you understand your future tenant's rights and responsibilities under the *Residential Tenancy Act*?
- How much will you charge for rent?
- What will be included in the rent (e.g., utilities, water, heat, internet, garbage, etc.)?
- When will the rent be due and how will it be collected?
- Have you updated your home insurance to cover the secondary suite or ADU?
- Do you have rental income insurance or landlord's insurance?
- Have you obtained a business licence (if required)?
- Have you checked that everything is working and in good repair (e.g., appliances, doors and windows, electrical outlets, smoke alarms)?
- Has the unit been thoroughly cleaned?
- Have you taken quality photos (e.g., open the blinds, remove clutter, etc.)?

ADVERTISING YOUR SUITE

Include information in your listing on:

- Location of the property and nearby amenities (e.g., bus service, recreation centres, parking, etc.)
- Number of bedrooms and bathrooms
- Furnished or unfurnished
- Pet policy
- Smoking policy
- Utilities
- Move-in date
- Suitability (e.g., single person, couple, accessible/non-accessible unit, etc.)

SCREENING POTENTIAL TENANTS

- Have potential tenants fill out an application form that includes their full legal name.
- Interview applicants on the phone before inviting them for a showing.
- Have someone accompany you during showings.
- Ask for ID before showing your suite (do not copy their ID).
- Consider calling all potential tenant's references (e.g., former landlords, employers, etc.).
- Get consent from the applicant to perform a credit check (only if you are serious about renting to that tenant).

STARTING A TENANCY

- Provide the tenant with a written and signed copy of the tenancy agreement, including all standard terms from the *Residential Tenancy Act* and any additional terms.
- Include any additional terms in the tenancy agreement, such as:
 - Pet policies (does not apply to service and guide dogs)
 - Whether utilities are included
 - Smoking and/or vaping tobacco and cannabis policies
 - Policies about the growth, production, and processing of cannabis
 - Rules around parking and common areas
 - Responsibilities for snow shoveling, mowing, yard maintenance, etc.
 - Policies about roommates and additional occupants
 - Late-payment fees
 - If tenant insurance is required



- Complete a condition inspection with your tenant (including taking photos) and provide the tenant with a signed copy of the inspection report.
- Collect a damage deposit of up to one-half of one month's rent.
- If you are allowing pets, collect a pet deposit of up to one-half of one month's rent (not applicable to service and guide dogs).
- Provide emergency contact information in case of a problem.
- Discuss any expectations around maintenance (e.g., garbage storage and collection, snow shoveling, mowing, etc.) with your tenant.
- Change the locks (if requested by the tenant).

DURING A TENANCY

- Be sure you understand when and why you can enter the unit and how to give notice.
- Communicate with your tenant regularly about anything that might impact them.
- Complete any necessary repairs or maintenance the tenant has identified.
- Be sure to understand when, how, and by how much you can increase rent.
- Keep written records of all discussions and agreements regarding complaints, including any changes made to previous agreements.
- If a complaint is not addressed, provide your tenant with a written letter describing the problem, the desired solution, a reasonable deadline and consequences for inaction.
- Understand the dispute resolution process.
- Know why, when, where, and how to deliver formal notices.

ENDING A TENANCY

- If your tenant is moving, be sure you receive proper notice to end the tenancy.
- If you are ending the tenancy, use the proper form and serve it with proper notice.
- Offer at least two dates for a move-out inspection (the unit must be empty).
- Complete a condition inspection with your tenant (including taking photos) and provide the tenant with a signed copy of the inspection report.
- Obtain a forwarding address for your tenant.
- Within fifteen (15) days, be sure to either:
 - Return your tenant's damage and/or pet deposit(s);
 - Obtain the tenant's written permission to keep all or part of the deposit(s); or
 - File for dispute resolution with the RTB to request all or part of the deposit(s).

GLOSSARY

This glossary contains definitions of terms as they are used in this guide. Definitions of certain terms will vary between local governments, agencies, and publications. Readers are instructed to verify definitions of specific terms as used in the bylaw, regulation, policy, or document in which they appear.

Accessory dwelling unit (ADU): a self-contained dwelling unit located on the same legal lot as a single-detached home, duplex, or other residential unit. ADUs include garden suites, laneway homes, and garage suites that are adjacent to another dwelling on the same lot.

British Columbia Building Code (BCBC): a provincial regulation that provides minimum standards for the safety, health, accessibility, fire, and structural protection of buildings. It applies throughout the province, except for some federal lands and the City of Vancouver.

British Columbia Fire Code (BCFC): a provincial regulation containing technical requirements for the construction, use, or demolition of buildings related to certain fire hazards, as well as protection measures for the current or intended use of buildings.

British Columbia Human Rights Code: a provincial law to protect people from discrimination and harassment. The Human Rights Tribunal is responsible for dealing with complaints under the Human Rights Code.

British Columbia Plumbing Code (BCPC): a provincial regulation containing technical requirements for the design and installation of new plumbing systems to protect health and prevent water or sewer damage.

Building official: a professional providing building and plumbing plan review, and inspections for building construction and some renovations. Building officials ensure that construction meets the minimum acceptable building regulations established by the provincial government. Building officials often also serve as bylaw enforcement officers.

Building permit: a permit confirms that the intended construction complies with local bylaws, the BC Building Code, and health and safety standards.

Covenant: an agreement registered against a property's title that restricts the use of the property, typically to prevent subdivision or to protect a natural or heritage feature or value.

Development permit area: geographic areas designated in an Official Community Plan as areas with special conditions or objectives that require the issuance of a development permit before constructing or altering a building.

Development permit: a permit that specifies how development is to occur on a given parcel of land. A building permit is still required for construction in most cases.

Development variance permit: a permit that allows for a relaxation of certain regulations in a zoning or other development bylaw, such as building setbacks, height, or parking requirements. Development variances cannot be used to vary density or land use.

Duplex: a building which contains two principal dwelling units attached, either side-by-side or up-and-down. The two units together have open space on all sides. The BC Building Code permits secondary suites only in side-by-side duplexes.

Dwelling unit: a suite used as a residence by one or more persons and usually containing cooking, living, sleeping and sanitary facilities. Both the main house and its secondary suite are considered dwelling units.

Fire separation: a construction assembly that acts as a barrier against the spread of fire.

Heritage property: property that has been deemed by an appropriate authority to have sufficient heritage value or heritage character to justify its conservation.

Homeowner Protection Act (HPA): provincial legislation intended to strengthen consumer protection for buyers of new homes and improve the quality of residential construction. Under the HPA, all new homes in BC must be covered by home warranty insurance for a minimum period for defects in materials and labour, building envelope, and structural defects.

Housing tenure: refers to the financial arrangements under which someone has the right to live in a dwelling. The most common forms are tenancy, in which rent is paid to a landlord, and owner-occupancy.

Landlord: the owner of a rental unit, including a secondary suite, who permits occupation of the rental unit in exchange for payment under a tenancy agreement.

Local government: the council of a municipality, and/or the board of a regional district that is responsible for regulating planning and development activities, among other powers, for a specific geographic area.

Multi-family dwelling: a residential building that contains two or more attached dwellings, including duplex, triplex, fourplex, townhouse, row houses, and apartment forms.

Official Community Plan (OCP): a statement of the objectives and policies to guide local government decision-making and land use management.

Residential Tenancy Act: provincial legislation that applies to tenancy agreements, rental units, and other residential property.

Row house: three or more side-by-side dwelling units, separated by party walls, each with direct access from grade.

Secondary suite: a second dwelling unit on a property, including cooking, sleeping, and sanitary facilities, contained within a larger dwelling.

Single-detached home: a free-standing single dwelling, not attached to any other building or structure (except its own garage or shed). It is sometimes referred to as a single-family home.

Tenancy: a tenant's right to the possession of a rental unit under a tenancy agreement.

Tenancy agreement: an agreement, whether written or oral, express or implied, between a landlord and a tenant respecting possession of a rental unit, including the use of common areas and services and facilities.

Tenant: a person who occupies a property in exchange for payment of rent to a landlord.

Zoning bylaw: municipal bylaws that regulate the use, density, size, and location of land, buildings and structures, and requirements for subdivision.

Links and Resources

Financing your suite

Secondary Suites Incentive Program

www.bchousing.org/secondary-suites

Building Your Suite: Acts, Codes and Permits

Accessibility

https://www2.gov.bc.ca/assets/gov/farming-natural-resources-and-industry/construction-industry/building-codes-and-standards/guides/2020_building_accessibility_handbook.pdf

BC Building Code, Division B, Part 9: Housing and Small Buildings

<https://free.bcpublications.ca/civix/content/public/BCBC2018/465649652/1014107289/?xsl=/templates/browse.xsl>

BC Codes

<https://www.bcpublications.ca/bcpublications>

Builders Lien Act

https://www.bclaws.gov.bc.ca/civix/document/id/complete/statreg/97045_01

Building Code Requirements for Secondary Suites

https://www2.gov.bc.ca/assets/gov/farming-natural-resources-and-industry/construction-industry/building-codes-and-standards/bulletins/b19-05_secondary_suites_changes_to_design_and_construction_reqs_2012_12_13.pdf

Electrical and Gas Permits

<https://www.technicalsaftybc.ca/apply-for/permits>

Homeowner Protection Act

<https://www.bchousing.org/licensing-consumer-services/legal/homeowner-protection-act-regulations>

Radon Testing

<http://www.bccdc.ca/health-professionals/professional-resources/radon-testing>

<http://bclung.ca/radon-detector-library-lending-program>

<https://carst.ca/radonwebsales>

<https://c-nrpp.ca/find-a-professional>

Building Your Suite: Hiring a Contractor

Architectural Institute of British Columbia: Online Directory

<https://aibc.ca/resources/online-directory/>

BC Housing Licensing and Consumer Services

<https://www.bchousing.org/licensing-consumer-services>

BC Housing Licensed Builder Registry

<https://licensedbuilderregistry.bchousing.org/>

CleanBC: Contractor Directory

<https://www.betterhomesbc.ca/find-a-contractor>

Canadian Home Builders' Association of BC: Member Directory

<https://chbabbc.org/find-a-member/page/13>

Canadian Home Builders' Association of BC: Guide to Hiring a Contractor

<https://chbabbc.org/get-it-in-writing>

Technical Safety BC: Find a Licensed Contractor in BC

<https://www.technicalafetybc.ca/regulatory-resources/find-a-licensed-contractor>

Building Your Suite: Registries and Warranties

BC Housing New Home Registry

<https://newhomesregistry.bchousing.org>

BC Housing Regulatory Bulletin Home Warranty Insurance

<https://www.bchousing.org/sites/default/files/media/documents/Regulatory-Bulletin-03-2-5-10-Year-Home-Warranty-Insurance.pdf>

Renting your Suite

BC Housing Rent Affordability Limits

<https://www.bchousing.org/publications/BC-RAHA-Rent-Affordability-Limit.pdf>

BC Human Rights Code

https://www.bclaws.gov.bc.ca/civix/document/id/complete/statreg/00_96210_01

LandlordBC

<https://landlordbc.ca>

LandlordBC: I Rent It Right (online course)

<https://landlordbc.ca/irir/>

Office of the Information and Privacy Commissioner for British Columbia

<https://www.oipc.bc.ca/guidance-documents/2332>

Residential Tenancy Act

https://www.bclaws.gov.bc.ca/civix/document/id/complete/statreg/02078_01

Residential Tenancy Branch: Condition Inspection Report

<https://www2.gov.bc.ca/assets/gov/housing-and-tenancy/residential-tenancies/forms/rtb27.pdf>

Residential Tenancy Branch: Contact Information

<https://www2.gov.bc.ca/gov/content/housing-tenancy/residential-tenancies/contact-the-residential-tenancy-branch>

Residential Tenancy Branch: Dispute Resolution

<https://www2.gov.bc.ca/gov/content/housing-tenancy/residential-tenancies/solving-problems/dispute-resolution>

Residential Tenancy Branch: Ending a Tenancy

<https://www2.gov.bc.ca/gov/content/housing-tenancy/residential-tenancies/ending-a-tenancy>

Residential Tenancy Branch: Guide for Landlords and Tenants in British Columbia

https://www.pdmhoa.ca/images/act_english.pdf

Residential Tenancy Branch: Information on Residential Tenancies

<https://www2.gov.bc.ca/gov/content/housing-tenancy/residential-tenancies>

Residential Tenancy Branch: Information for New Landlords

<https://www2.gov.bc.ca/gov/content/housing-tenancy/residential-tenancies/info-for-new-landlords>

Residential Tenancy Branch: Notice of Rent Increase Form

<https://www2.gov.bc.ca/assets/gov/housing-and-tenancy/residential-tenancies/forms/rtb7.pdf>

Residential Tenancy Branch: Residential Tenancy Agreement

<https://www2.gov.bc.ca/assets/gov/housing-and-tenancy/residential-tenancies/forms/rtb1.pdf>

Residential Tenancy Branch: Serving Notices During Tenancy

<https://www2.gov.bc.ca/gov/content/housing-tenancy/residential-tenancies/during-a-tenancy/serving-notices-during-tenancy>

Tenant Resource & Advisory Centre

<https://tenants.bc.ca>