

PLANNING & DEVELOPMENT SERVICES ADVISORY



Secondary Suites Located in a Rowhouse

The Regina Zoning Bylaw, 2019 regulates where secondary suites are permitted. In a Building, Row (Rowhouse) secondary suites are permitted in the Residential Low-rise zone, Residential High-rise zone, and certain Direct Control Districts. Please reference Table 2C.T1 of Chapter 2 of The Regina Zoning Bylaw, 2019 for more details.

Should the zoning regulations for the property allow for a secondary suite, Part 9 of the National Building Code of Canada (NBC) has regulations around the separation of those suites. When those separation walls fall on a property line – you are required to construct it either as a firewall or a party wall, depending on the building design (see below for more information).

Note: secondary suites will not be permitted within rowhouse buildings on one parcel of land.

Related NBC References

9.10.11.1. Required Firewalls

1. Except as provided in Article 9.10.11.2., a party wall on a property line shall be constructed as a firewall. (See Note A-3.2.3.4.(1).)

9.10.11.2. Firewalls Not Required

1. Except as stated in Sentence (2), a party wall on a property line of a building of residential occupancy need not be constructed as a firewall, provided it is constructed as a fire separation having not less than a 1 h fire-resistance rating, where the party wall separates
 - a. two dwelling units where there is no dwelling unit above another dwelling unit,
 - b. a dwelling unit and a house with a secondary suite including their common spaces, or
 - c. two houses with a secondary suite including their common spaces.
2. **Where a building of residential occupancy contains more than 2 houses, a party wall that separates any 2 adjacent houses with a secondary suite from the rest of the building shall be constructed as a firewall to create separate buildings each containing no more than 2 adjacent houses with a secondary suite.**

What is the difference between a party wall and a firewall?

Firewall means a type of fire separation of noncombustible construction that subdivides a building or separates adjoining buildings to resist the spread of fire and that has a fire-resistance rating as prescribed in this Code and has structural stability to remain intact under fire conditions for the required fire-rated time.

Party wall means a wall jointly owned and jointly used by 2 parties under easement agreement or by right in law, and erected at or upon a line separating 2 parcels of land each of which is, or is capable of being, a separate real-estate entity.

From the definitions above – you can see that a firewall is required to be of non-combustible construction and must be structurally able to stay intact during a fire (i.e. break away floor construction). 9.10.11.3 states that these firewalls must conform to all requirements of Part 3. A party wall can be of combustible construction as long as the fire resistance rating is continuous from footing to underside of roof deck. Converting a party wall to a firewall will not be a simple, easy or inexpensive undertaking. It is essential then to have the initial construction clear on whether the building was designed to accommodate secondary suites in the future, even if not included at the time of construction.

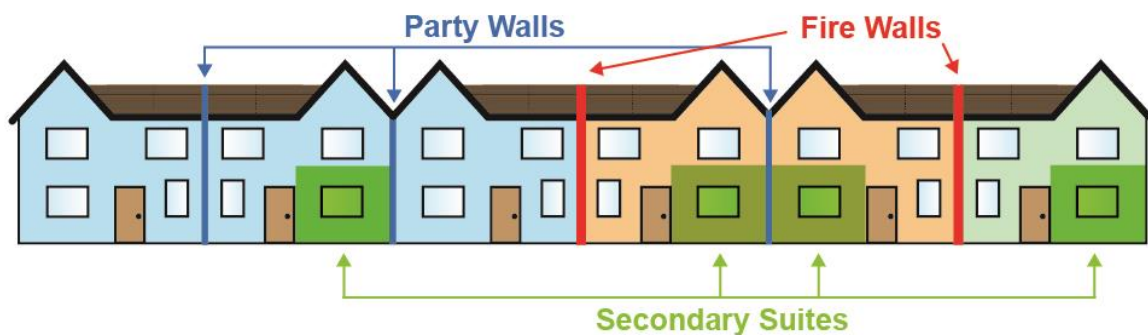
How this may affect your Construction Project

This means that if your building has more than two houses with secondary suites (or wish to allow for future secondary suites), a firewall must be constructed to create separate buildings. Each of these buildings must have not more than two adjacent houses with a secondary suite. If a building of row houses was constructed containing only party walls between the units – not all units in that building would be able to have a secondary suite. Requests to add suites may have to be denied until they construct the required firewalls.

Example: see the image below that details a row house with six units and four secondary suites. Because the orange units both have adjacent secondary suites, the orange units have to be separated from the remainder of the building by fire walls—a party wall is not sufficient to meet Sentence 9.10.11.2(2).

Because the blue units only have one secondary suite, the secondary suite does not have to be separated from all other units by a fire wall—a party wall is sufficient to meet Sentence 9.10.11.2(2).

*Note: this is simply one example and other configurations may be acceptable.



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