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Do I need a permit to build a secondary suite?

Yes, a permit issued by the City of Brandon is required in order to legally establish a secondary suite. A secondary suite can be built on a property with a single detached dwelling (house). A secondary suite is not permitted in a semi-detached, duplex, town-house, apartment, or mobile home dwelling.

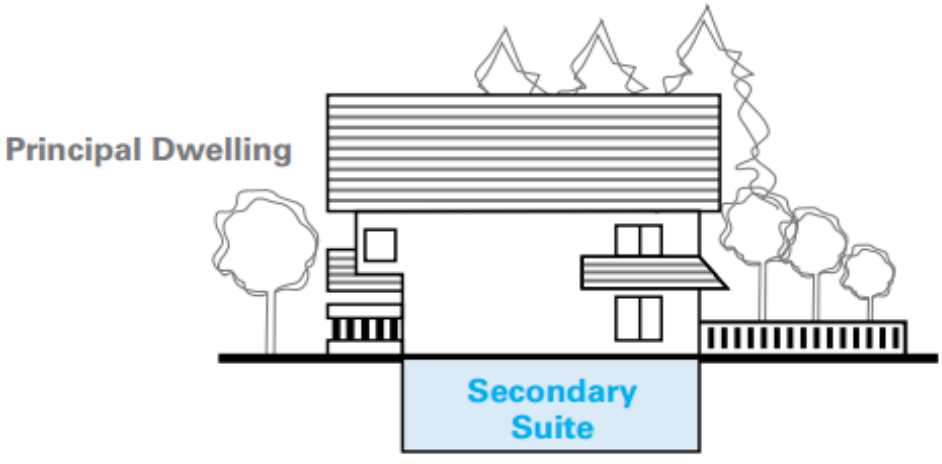
How do I obtain approval to build my secondary suite?

What type of secondary suite are you planning to build? There are three types as defined in the City of Brandon Zoning Bylaw:

- **Attached suite**, meaning a dwelling unit located in the same building as a single detached dwelling
- **Garage suite**, meaning a detached dwelling unit located either above or beside a detached garage; and
- **Detached suite**, meaning a dwelling unit detached from both a single detached dwelling and a detached garage

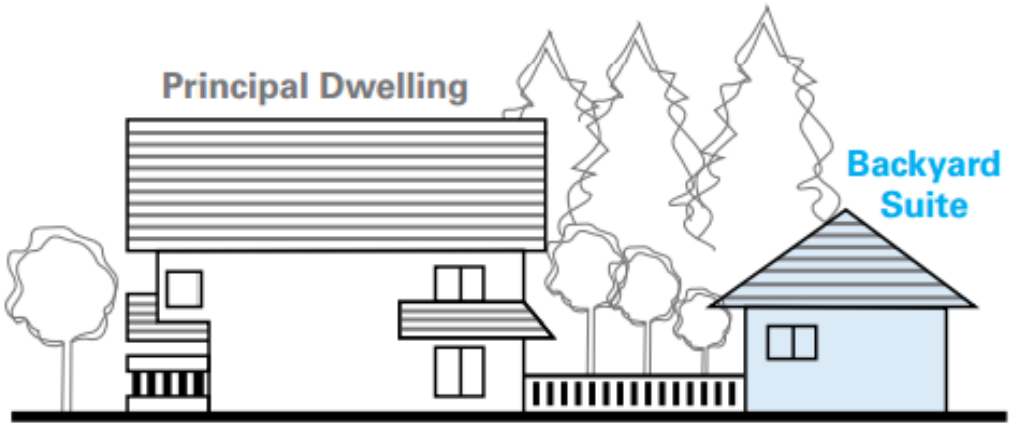
Attached secondary suite requirements:

- **Parking:** a minimum of two off-street parking spaces (one for the principal dwelling and one for the secondary suite). Each parking space must be directly accessible from a street or lane
- **Entrance:** if the attached suite is to have a separate entrance, the entrance must be located on the side or rear wall of the building
- **Size:** a secondary suite cannot exceed 40% of the total floor area of the house, or 80 sq. m. (861 square feet), whichever is lesser
- A site cannot have more than one secondary suite
- A site cannot have both a boarding house and a secondary suite
- You cannot subdivide a secondary suite
- Secondary suites are only permitted in a single detached dwelling

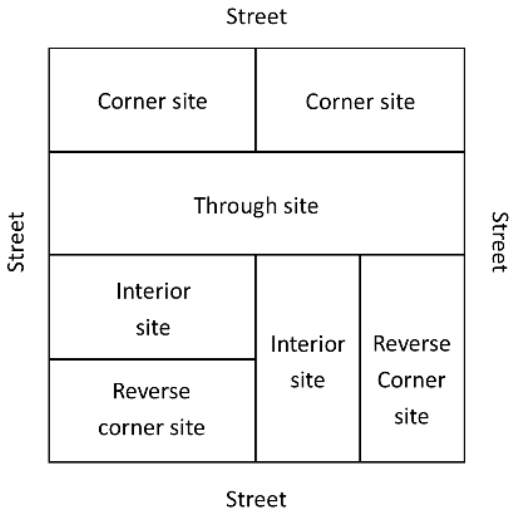


Detached secondary suite requirements:

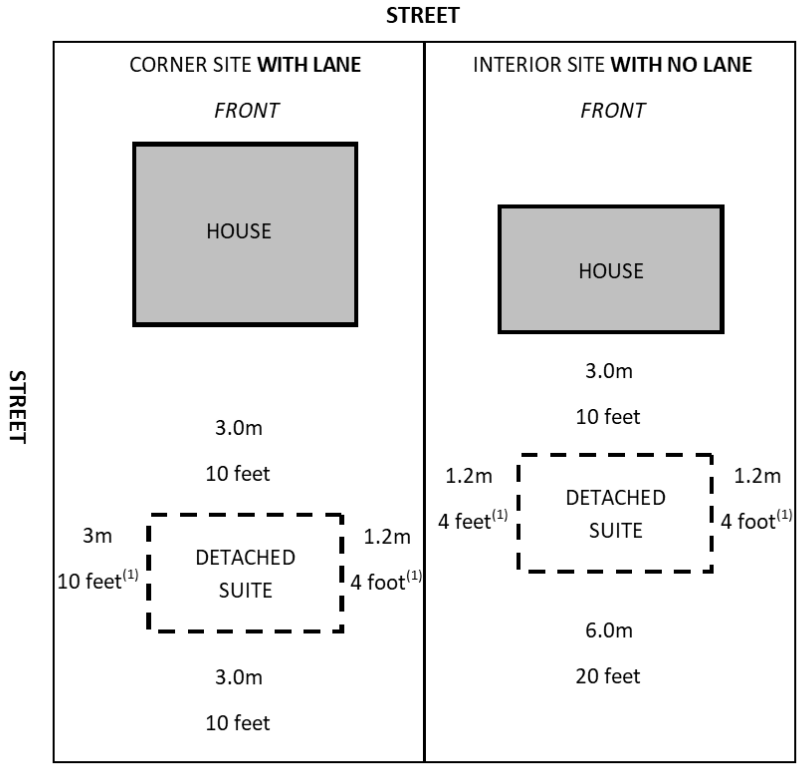
- **Parking:** a minimum of two off-street parking spaces. The parking spaces must be side by side and not a single lane
- **Size:** the maximum floor area of the detached or garage suite shall not exceed 70 sq. m. (753 square feet), or 60% of the floor area of the principal detached dwelling, whichever is less
- Detached and garage suites shall be located to the rear of the principal detached dwelling
- **Height**: the maximum height of a building with a garage suite located above a detached garage shall be 6.5m (21 feet). The maximum height of a detached suite shall be 4m (13 feet). For both types, the height cannot exceed the height of the house. Height is measured from the ground to the midway point of the peak of the roof (not the actual peak)
- **If you have a back lane:** the minimum required rear yard for a detached or garage suite is 3m (10 feet)
- **If you do not have a back lane:** the minimum required rear yard for a detached or garage suite is 6m (20 feet) - 7.6m (25 feet) depending on the specifics of your lot
- Detached or garage suites shall be located a minimum of 3m (10 feet) from the principal detached dwelling on the site



Where can I build my detached secondary suite?



- Must be located behind a single detached dwelling (house)
- Must be setback a minimum of 1.2m (4 feet) from a side property line. If located on a corner lot, the side yard setback is increased to 3.0m (10 feet) from the street side property line
- Must be setback a minimum of 3.0m (10 feet) from the principal dwelling (house)
- The required rear yard setback for a detached secondary suite can vary. Please see below:



(1) Eaves may project 2 feet (0.6m) into required setback

What do I need to submit to complete my permit application?

For all secondary suite types:

1. **A site plan** showing at least two (2) off-street parking spaces and the entrance for each dwelling unit. The site plan can be hand drawn
2. **The dollar value of the construction** cost to build the secondary suite (reasonable estimate)
3. **Contractor information**. The selected contractor must have a business license to operate in the City of Brandon in order for the application to be approved. Homeowners may opt to do their own work and not hire a contractor
4. **A Detailed set of building plans**, including a floor plan with dimensions of rooms and spaces, drawn to scale showing compliance with the City of Brandon Building By-Law and Manitoba Building Code:

    - The primary residence and the secondary suite contained within shall never share a ventilation system
    - Walls and floor-ceiling framing in a house with a secondary suite that separate the two units shall be protected by a continuous smoke-tight barrier of not less than 12.7mm (1/2") thick gypsum board (drywall) on both sides of the wall and the underside of the floor-ceiling framing
    - The walls and floor-ceiling assemblies between the house and the secondary suite shall have a Sound Transmission Class (STC) rating of not less than 43. The purpose of this regulation is to minimize the transmission of noise between the different living spaces by either:

        a) <u>Construction with specific features:</u>
        - The joist spaces (between dwelling units) must have sound-absorbing material that has a nominal thickness of at least 150 mm (6"). This material will help dampen sound vibrations traveling through the floor structure
        - The stud spaces (for common spaces or walls that separate two units) must also be filled with sound-absorbing material to reduce sound transmission through the walls
        - A resilient channel shall be installed on one side of the separation. A resilient channel is a metal channel that provides a decoupling effect, reducing the direct transmission of sound vibrations through walls or ceilings
        - Both sides of the walls and ceilings must be covered with gypsum board that is at least 12.7 mm thick (1/2"). Gypsum board (often known as drywall) is a common building material used for interior walls and ceilings, and its thickness helps enhance sound insulation

b) Construction with a specified Sound Transmission Class (STC) rating:

- The building construction must provide a minimum STC rating of 43. STC is a numerical value that rates a building's ability to reduce airborne sound transmission between rooms or units. A higher STC rating indicates better sound insulation

c) A combination of separating assembly and adjoining constructions with a specified Apparent Sound Transmission Class (ASTC) rating:

- The separating assembly refers to the construction elements (e.g., walls, floors, ceilings) that separate the dwelling units. The adjoining constructions are the materials and assemblies in the adjacent spaces. Together, they must achieve an ASTC rating of not less than 40. ASTC is similar to STC but considers both airborne and impact sound transmission through the building elements

- Ceiling heights in secondary suites shall be not less than 1.95m (6'5")
  - Clear heights under beams and ducting shall be not less than 1.85m (6'1")

- The construction of stairs, including the handrails, guards, risers, treads, stringers and headroom shall comply with Section 9.8. of the Manitoba Building Code.

- Bedroom Egress
  a) Each bedroom or combination bedroom must have at least one outside window or exterior door that can be opened from the inside without the use of keys, tools, or special knowledge, and without having to remove sashes (window frames) or hardware. This means occupants should be able to easily and quickly open the window or door to escape in case of an emergency. The exception to this requirement is when the suite is sprinklered, meaning it has a fire sprinkler system installed

  b) The window referred to in Sentence (a) must meet the following criteria:
  It should have an unobstructed opening with an area of not less than 0.35 square meters (approximately 3.77 square feet). The window should also have no dimension (height or width) less than 380 mm (15 inches). This ensures that the window is large enough for an average-sized person to crawl through if needed

  c) The window must maintain the required opening size during an emergency without the need for additional support. This means the window should not be blocked or obstructed by any barriers that would hinder escape during an emergency

d) If the window required in Sentence (1) opens into a window well (a sunken area outside the window that allows light and ventilation), a clearance of not less than 760 mm (approximately 30 inches) must be provided in front of the window. This clearance ensures that there is enough space for someone to easily climb out of the window well if necessary

e) If the sash of the window (the movable part of the window) swings towards the window well, the operation of the sash must not reduce the clearance in a way that would restrict escape during an emergency. In other words, the window should not be designed in a way that blocks or limits the opening space required for safe egress

f) If a protective enclosure is installed over the window well (e.g., a grate or cover), it must be openable from the inside without the use of keys, tools, or special knowledge of the opening mechanism. This requirement ensures that occupants can easily remove the enclosure and access the window well for escape if needed

- All homes containing a secondary suite shall be equipped with Smoke and Carbon Monoxide (CO) alarms:

a) <u>CO alarms:</u>

CO alarms in secondary suites must meet the following criteria:

- They must conform to the CSA 6.19 standard, ensuring their reliability and effectiveness
- They must have an integral alarm system satisfying the audibility requirements of CSA 6.19 for loud and clear alerts
- If powered by the dwelling unit's electrical system, there should be no disconnect switch between the CO alarm and the power source to ensure constant operation
- The CO alarms must be mechanically fixed at the manufacturer's recommended height for optimal positioning

CO alarm placement:

CO alarms in secondary suites with fuel-burning appliances must be installed:

- Inside each bedroom, or
- Outside each bedroom within 5 meters (approximately 16.4 feet) of each bedroom door, measured along corridors and doorways

CO alarm interconnection:

- In houses with secondary suites, CO alarms must be wired to sound all alarms throughout the building, including the secondary suite and common areas, when any one alarm is activated. This interconnection ensures comprehensive warning and safety for all occupants

b) Smoke alarms:

Smoke alarm placement:

- Smoke alarms conforming to CAN/ULC-S531 must be installed in each dwelling unit and each sleeping room not within a dwelling unit in buildings with secondary suites. Ancillary spaces and common spaces not in dwelling units in a house with a secondary suite must also have smoke alarms

Smoke alarm sound patterns:

- The sound patterns of smoke alarms must meet temporal patterns of alarm signals or be a combination of temporal pattern and voice relay

Smoke alarm locations within secondary suites:

- There should be at least one smoke alarm on each storey, including basements
- On any storey containing sleeping rooms, smoke alarms must be installed in each sleeping room and in a location between the sleeping grooms and the rest of the storey

Smoke alarm power supply

- Smoke alarms in secondary suites must be permanetly connected to an electrical circuit. Battery backup is required to provide power for at least seven (7) days in normal conditions and four (4) minutes of alarm in case of a power supply interruption

Smoke alarm interconnection:

- Smoke alarms within a secondary suite must be interconnected so that if one alarm is activated, all alarms within the suite sound. In houses with secondary suites, smoke alarms must be interconnected with those in other suites and common areas

Silencing of smoke alarms:

- Smoke alarms in secondary suites must have a manually operated device to silence the alarm for up to 10 minutes if needed

- Where a single heating system serves both the primary residence and the secondary suite and common spaces throughout the house, it shall be possible for the occupants to control the temperature in their own dwelling unit
- All secondary suites shall be equipped with a heat recovery ventilator (HRV)
- All secondary suites shall be equipped with a kitchen sink, lavatory, bathtub or shower, and a toilet
- Doors between the secondary suite, common areas, and the primary residence shall be a minimum 45mm (1 ¾”) thick solid core wood door equipped with a self-closing device

- Access to the exterior shall not be through another dwelling unit, mechanical room or other occupancy. The goal of this code requirement is to ensure that each residential unit (suite) within the building has a clear and direct path to an exit in case of an emergency, without encroaching on other occupants' privacy or relying on potentially hazardous areas like utility rooms

I am ready. How do I apply for a permit to build my secondary suite?

- Applications can be applied for online at the City of Brandon website (www.brandon.ca) or via paper copy in our office at 638 Princess Avenue. The entrance to our office is on the west side of the building on 7th street, east of the YMCA
- Please note: a conditional use approval must be secured before a building permit can be approved for a detached or garage secondary suite

I am interested in purchasing a property that has a secondary suite (sometimes referred to as a granny suite). How can I ensure that it is legal?

- Contact our office. We can advise you as to whether or not a permit was issued for a secondary suite at a property within the City of Brandon
- Contact by phone: 204-729-2110
- Contact by email: planning@brandon.ca
- Or stop into our office at 638 Princess Avenue. The entrance to our office is on the west side of the building on 7th street, east of the YMCA
- No enforcement action will be initiated as a result of your inquiry

How do you know if a secondary suite is 'grandfathered?'

- Grandfathered is a common term used to refer to a suite that is lawfully non-conforming
- A suite is lawfully non-conforming if it does not meet modern standards, but it was constructed before a certain date
- The City of Brandon considers a secondary suite to be lawfully non-conforming (or grandfathered) if there is documented evidence that it existed prior to April 9, 2001