

BUILDING SERVICES

What is a Secondary Suite (Accessory Dwelling Unit)

Guideline

Guideline ESP- 30

Purpose

This guideline has been developed to provide guidance and direction on the definition of a Secondary Suite (Accessory Dwelling Unit) and the design considerations which Rocky View County will review when classifying a space as meeting the intent as a Secondary Suite (Accessory Dwelling Unit) when located within an existing residence.



Code Reference

Current National Building Code – Alberta Edition – Definitions
Current National Building Code – Alberta Edition Article 9.5.1.2. Combination Rooms
Rocky View County Land Use Bylaw C-8000-2020



Summary

There has been some uncertainty surrounding Secondary Suites (Accessory Dwelling Units) when located within an existing residential house, specifically, when a space is considered a Secondary Suite (Accessory Dwelling Unit). Therefore, Rocky View County has created this Guideline to provide the following:

- 1) Clarification on the definitions of a Secondary Suite within the current National Building Code – Alberta Edition, as well as the definition of an accessory building within the current Land Use Bylaw C-8000-2020, and
- 2) Clarity on the review process when determining if a space will be considered a Secondary Suite (Accessory Dwelling Unit) when located within an existing residence.



Interpretation

This Guideline provides clarity and direction from Rocky View County on their interpretation and enforcement for Secondary Suites (Accessory Dwelling Units) developed within an existing residence. Based on the information provided within this Guideline, reviews, and enforcement towards Secondary Suites (Accessory Dwelling Units) will be considered in the following manner.

- 1) Definitions:
 - a) Current National Building Code – Alberta Edition / Oxford Dictionary

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- i. **Secondary Suite** means a self-contained dwelling unit located in a building or portion of a building of only residential occupancy that contains only one other dwelling unit and common spaces, and where both dwelling units constitute a single real estate entity.
 - ii. **Dwelling Unit** means a suite operated as a housekeeping unit, used or intended to be used by one or more persons and usually containing cooking, eating, living, sleeping and sanitary facilities.
 - iii. **Oxford Dictionary Definition**
Self-contained means independent; of living accommodation complete in itself.
- b) Land Use Bylaw C-8000-2020
- i. **“Dwelling” or “Dwelling Unit”** a building or portion of a building consisting of one or more rooms operated or intended to be operated as a permanent residence for a household, containing cooking, sleeping and sanitary facilities only for that unit. All Dwellings or Dwelling Units, except Dwelling, Tiny, shall have a permanent foundation.
 - ii. **“Accessory Dwelling Unit”** means a subordinate Dwelling Unit that may be located within a principal building or an accessory building. An Accessory Dwelling Unit that is external to the principal building shall be on a permanent foundation and has a minimum gross floor area (GFA) of 37.1 m² (399.34 ft²).

2) Interpretation

Rocky View County has reviewed the definitions provided and made the following interpretations.

- a) Use of the space – When classifying a space as a Secondary Suites (Accessory Dwelling Unit), the apparent intended use of the space is what is considered. Spaces which are providing a means for sleeping, sanitary and cooking facilities separate from the main building facilities will be reviewed for intent, and discussions with the applicant for clarification may occur.
- b) People occupying the space – There currently is no legislation which identifies limitations for the classification based on the people occupying the space. For example, spaces created for aging family members, young kids, students, renters, or anyone, would all be viewed the same. It is not the people/occupants within the space, but the intended use of the space which makes the determination for the classification.
- c) Cooking Facility – It is Rocky View County’s interpretation that a “cooking facility” would be a kitchen area which provides a means of cooking, by way of a cooking appliance. Examples of a cooking appliance are items such as, but not limited to, a stove, cooktop, oven, toaster oven, microwave, hotplate or any such appliance used to cook or heat food.

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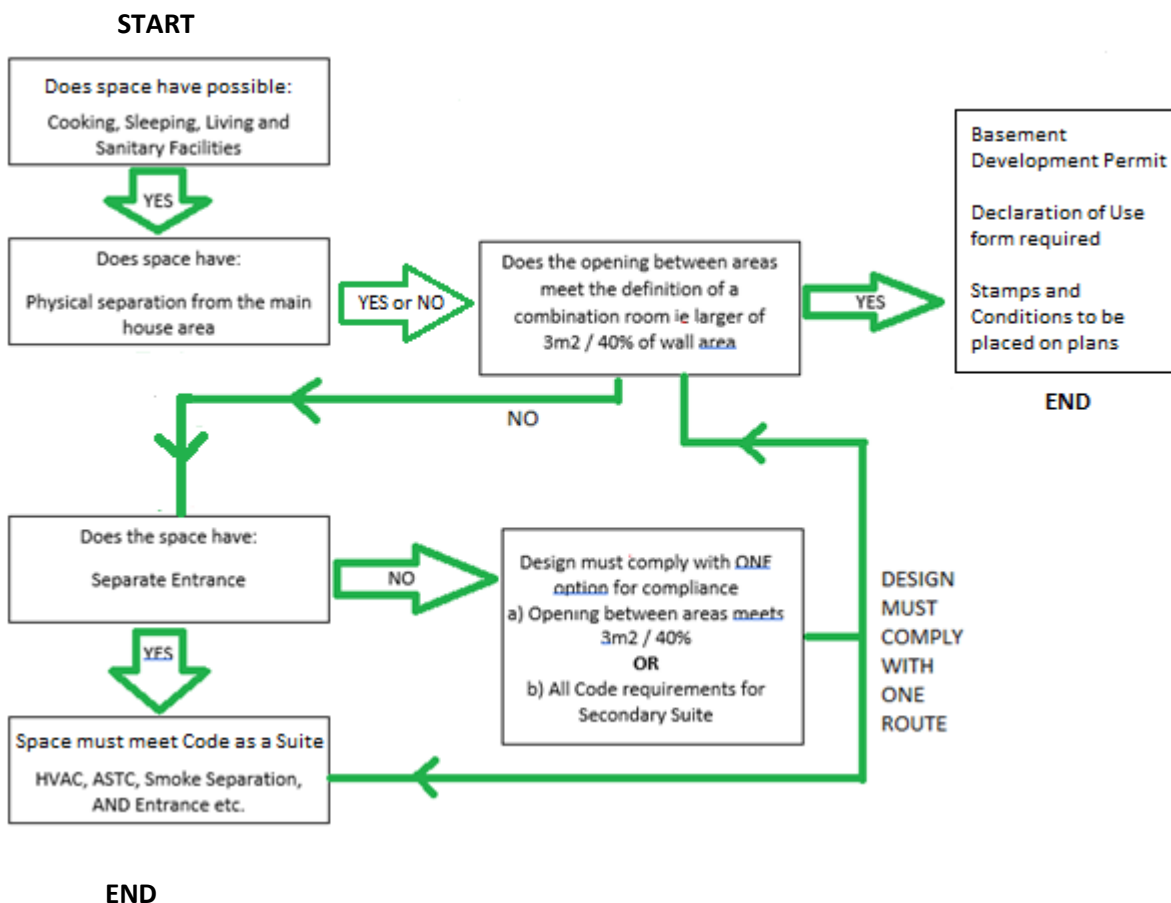
- d) Separation of Units – Many design proposals seen recently, have included the cooking, sleeping and sanitary facilities, but have maintained an “opening” between this space and the main residential unit. Where designs like these are proposed, a review of the “opening” between the spaces will be reviewed for size and calculated to confirm compliance with the current National Building Code – Alberta Edition Article 9.5.1.2. for Combination Rooms. Sentence 9.5.1.2.(1)

Two or more areas may be considered as a combination room if the opening between the areas occupies the larger of 3 m² or 40% or more of the area of the wall measured on the side of the dependent area.

When completing these calculations, Rocky View County will consider the dependent area to be the possible Secondary Suite area.

3) Flow Chart

To assist with providing clarity on Rocky View County’s interpretation of the Code and Land Use Bylaw, the following flow chart was created to identify the review being completed for spaces appearing to contain aspects of a Secondary Suite (Accessory Dwelling Unit).



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4) Enforcement

a) Site Inspections – Where a site inspection is completed, and the work on site either does not match the proposed plans, or includes additional work, such as, but not limited to, the addition of 220V wiring in a “bar” area or other such items, the following options will be provided:

- i. The changes/additions will be required to be removed, or
- ii. Revised plans provided indicating conformance to this Guideline, or
- iii. A Development Permit for an Accessory Dwelling Unit will be required



Additional Information

- A Development Permit may be required for an Accessory Dwelling Unit, depending on the Land Use District the subject parcel is located in. Please contact Planning to further understand the Land Use Bylaw requirements for your proposed Accessory Dwelling Unit.

Planning

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- Many of the Building Code requirements for the construction of a Secondary Suite have been identified in Rocky View County’s Guideline Secondary Suite (Accessory Dwelling Unit). This document can be found on the Rocky View County website at [Forms & Documents | Rocky View County](#) under Guidelines.
- A Declaration of Use – Secondary Suite / Accessory Dwelling Unit form may be required to be completed by the building owner, to confirm the construction and intended use of a space. This document can be found on the Rocky View County website at [Forms & Documents | Rocky View County](#) under Forms.



Reference

Approval Date

- October 2024

Last Review Date

- October 2024