



BULLETIN RB06-032

(Updated 2015 Dec 18)

SUBDIVISION OF SEMI-DETACHED DWELLING UNITS AND ROW HOUSING BY PARTY WALLS

Reference: Article 9.10.11.2., Div A, Article 1.1.1.2., and Div C, Clause 2.2.11.1.(1)(d)

Article 9.10.11.2. “Firewalls Not Required”

“(1) In a building of residential occupancy in which there is no dwelling unit above another dwelling unit, a party wall on a property line between dwelling units 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.”

“(2) The wall described in Sentence (1) shall provide continuous protection from the top of the footings to the underside of the roof deck.”

“(3) Any space between the top of the wall described in Sentence (1) and the roof deck shall be tightly filled with mineral wool or noncombustible material.”

Div A, Article 1.1.1.2. “Application to Existing Buildings”

“(1) This Article applies to a building which has been legally built, occupied and used before 02 September 2007.”

“(2) If a building is altered, rehabilitated, refurbished, renovated or repaired, the level of life safety and building performance shall not be decreased.”

“(3) Except as specified in Part 10 of Division B, the authority having jurisdiction shall accept any construction or condition that lawfully existed in Alberta before 02 September 2007 if the construction or condition does not constitute an unsafe condition.”

“(4) A change in occupancy or alteration of any building constructed before 02 September 2007 shall be permitted if the level of safety and building performance proposed are acceptable to the authority having jurisdiction.”

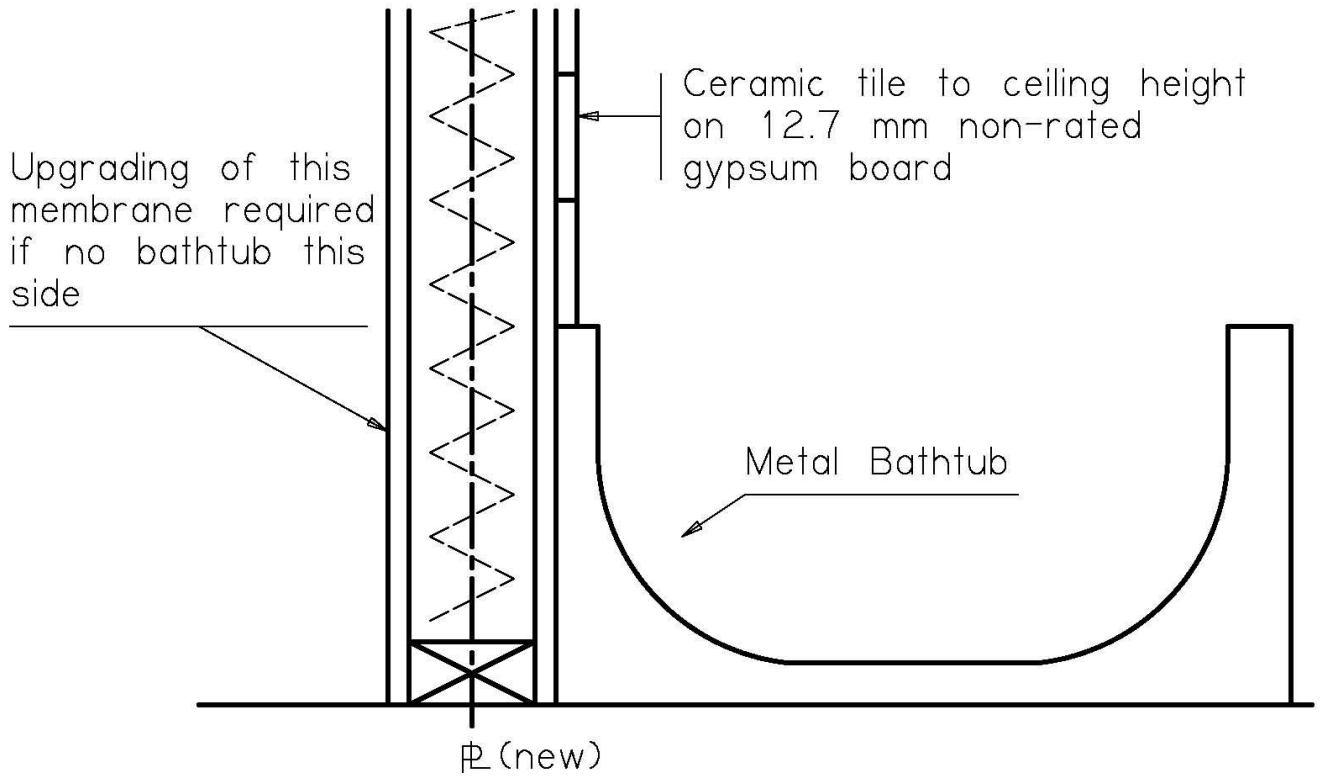
“(5) For a building constructed before 02 September 2007, the authority having jurisdiction may accept an alternative or a proposal that achieves the appropriate level of safety for the specific activity for which the building is to be used.”

“(6) The authority having jurisdiction may accept existing construction not in complete compliance with this Code, in which case it may be accepted subject to conditions.”

Div C, Clause 2.2.11.1.(1)(d) “No person shall allow the property boundaries, or grading of a building lot to be so changed as to place a building in contravention of this Code unless the building is altered, after obtaining any necessary permits, so that no contravention will occur as a result of the change of the property boundary, or grading, of the building lot;”

Question:

In existing semi-detached dwelling units and townhouses, which are to be subdivided into separate properties, should consideration be given to the existing construction of the common wall adjacent to a bathroom with respect to providing the level of safety required by the Code. (See sketch below.)



Commentary / Relevant Facts:

Although the Code requires that the wall separating the adjoining dwelling units in separate lots shall have fully continuous one-hour fire separations, in existing situations, especially in bathrooms, it is difficult to achieve this due to site conditions.

There is a case for not requiring the upgrading of common party walls adjacent to bathrooms on the bathroom side only, if such walls already have at least a 12.7 mm drywall membrane on each side of the studs, for the following reasons:

- a) The walls usually have a metal bathtub at the bottom and ceramic tiling above adjacent to the drywall on the bathroom side. While these make it highly impractical to upgrade the fire rating of the common wall on the bathroom side, they also provide some additional protection from that side.
- b) Bathrooms historically are among the least likely areas in a house for a fire to start.
- c) The above types of issues are considered to lie within the requirements of **Div A, Article 1.1.1.2.** for “Application to Existing Buildings”.

We also have to ensure that the requirements of Div C, Clause 2.2.11.1.(1)(d) are complied with in respect to the subdivision of lots.

Conclusion:

When the semi-detached dwelling units or row housing (where there are no dwelling units above other dwelling units) are subdivided into separate properties, it is not necessary to upgrade a wall adjacent to a bathroom on the bathroom side if the wall is clad with at least one continuous 12.7 mm layer of gypsum board on that side of the studs, and the bathtub is adjacent to the common wall and the wall is finished to the ceiling with ceramic tiles.

Chief Building Inspector

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