

## RB14-019

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

Reference: Alberta Building Code 2014 Article 9.10.11.2., Article 1.1.1.2., and Div C, Clause 2.2.11.1.(1)(d)

#### Article 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
  - 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.
- 3) The wall described in Sentence (1) shall provide continuous protection from the top of the footings to the underside of the roof deck.
- 4) 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.

#### Division A Article 1.1.1.2. Application to Existing Buildings

- 1) This Article applies to a building that has been legally built, occupied and used before 01 May 2015.
- 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 01 May 2015 if the construction or condition does not constitute an unsafe condition.
- 4) A change in occupancy or alteration of any building constructed before 01 May 2015 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 01 May 2015, the authority having jurisdiction may accept an alternative or a proposal that achieves the appropriate
- 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.

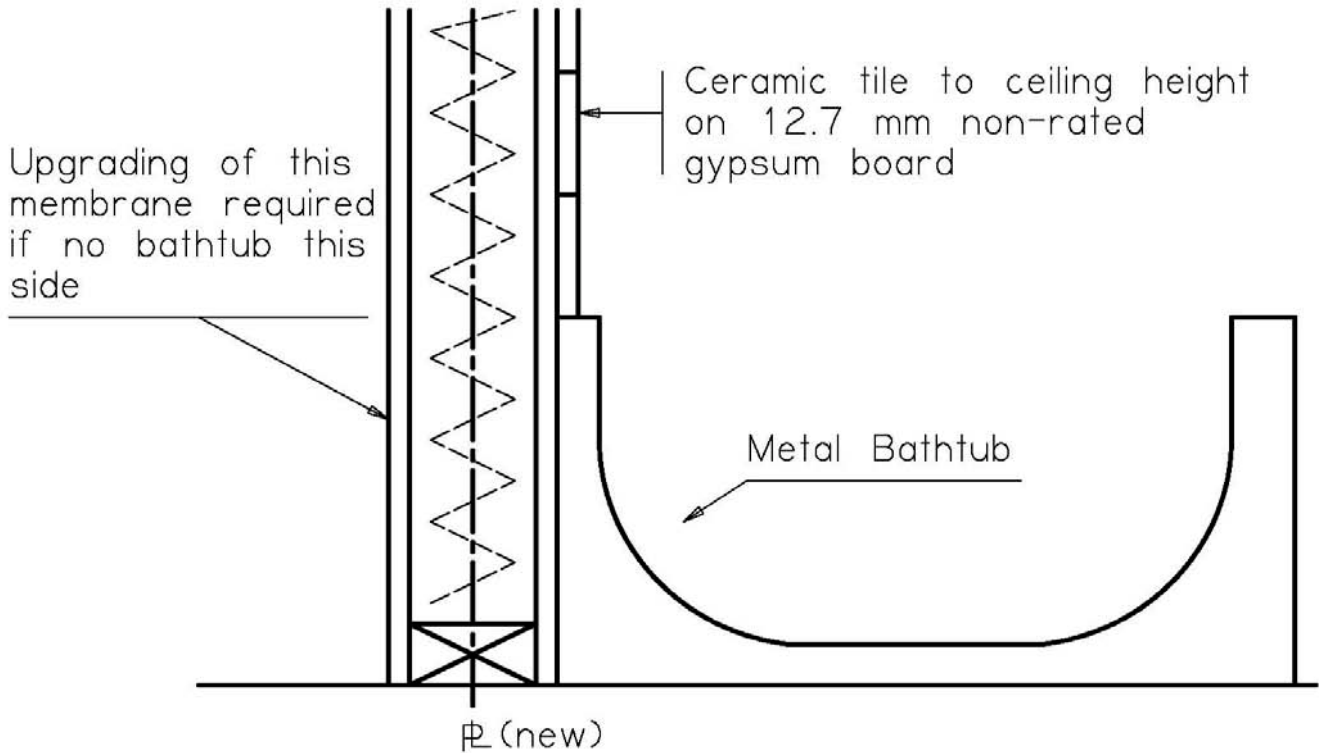
#### Regulation Bulletin General Policy Statement

Unless stated otherwise, the Code references in this Regulations Bulletin are to Division B of the Alberta Building Code 2014 (ABC 2014). Regulation Bulletins do not overrule the ABC 2014 nor constitute a relaxation of the Code. They serve to clarify the Code in areas where the latter is ambiguous or does not cover a specific topic. Regulation Bulletins are City of Calgary clarifications for staff use to enable consistency in the application of the Code. Regulation Bulletins should always be read in the context of the appropriate requirements of the Code.

**Div C, Clause 2.2.12.1.(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. (Refer sketch.)



**Commentary I 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 2.2.12.1.(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