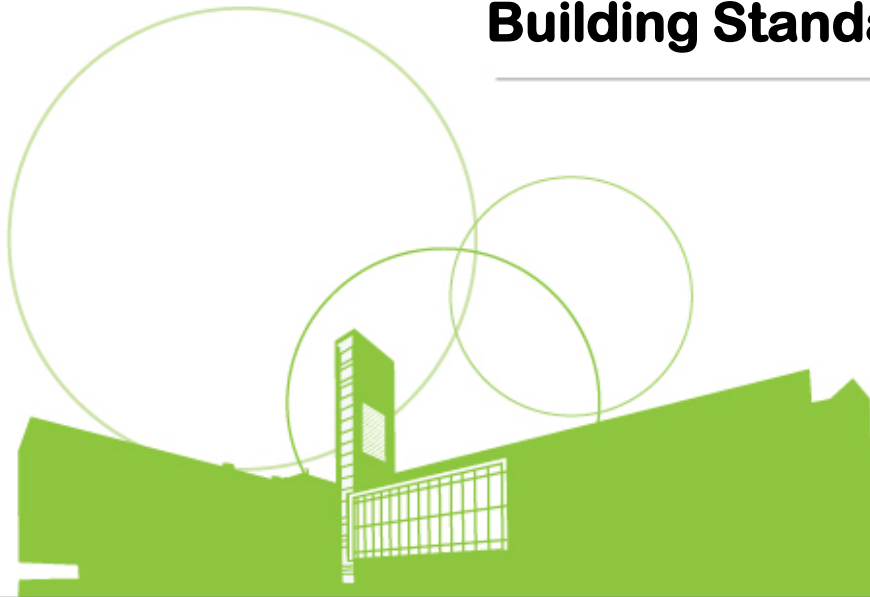


# Second Suites

Building Standards Department



# Table of Contents

- **Current Policies**
- **Department Procedure**
- **Ontario Building Code Regulations.**
- **Other Municipalities**
- **Conclusion**
- **Q. + A.**



# Current Regulations

- Basement apartments (*second dwelling units*) are not permitted unless they are in existence/occupied before November 16, 1995.
- The applicant must provide the Building Standards Department with a statutory declaration along with proof of existence of the basement apartment, i.e. Lease, or an Assessment Notice.



# Ontario Building Code' Regulations

- Unless this information is provided, the application will not be approved.
- Further the applicant must comply with the appropriate requirements of the Building Code and Fire Code.



- **What are second units?**
- Second units — also known as accessory or basement apartments, secondary suites and in-law flats — are self-contained residential units with kitchen and bathroom facilities within dwellings or within structures accessory to dwellings (such as above laneway garages).
- Second units must comply with all applicable laws and standards. This includes the [Building Code](#), the [Fire Code](#) and property standards bylaws.



- **Benefits of second units**

- They provide homeowners with an opportunity to earn additional income to help meet the costs of homeownership
- support changing demographics by providing more housing options for extended families or elderly parents, or for a live-in caregiver
- maximize densities and help create income-integrated communities, which support and enhance public transit, local businesses and the local labour markets, as well as make more efficient use of infrastructure



- **Grandfathering of Second Units**
- Second units must comply with all applicable laws, which could include the Building Code, the Fire Code and property standards by-laws. The changes do not “grandfather” any existing second units that do not meet applicable laws.
- A building permit may be required to establish a second unit depending on whether alterations to the house are needed. As such, homeowners considering establishing a second unit should contact their municipality prior to doing so.



# Ontario Building Code' Regulations





# Current Regulations

- Statutory Declaration of Construction along with a copy of Lease or Assessment notice.

CANADA  
Province of Ontario

IN THE MATTER OF  
An application for a Building Permit  
for an existing second dwelling unit  
in a single family dwelling.

To Wit: \_\_\_\_\_  
(insert Name of Owner of Property)

I, \_\_\_\_\_  
(insert Name of Owner of Property)

of the \_\_\_\_\_ of \_\_\_\_\_ in the \_\_\_\_\_  
(Town, City, ...) (name of Town, City, ...) (Regional Municipality of ...)

## SOLEMNLY DECLARE:

A) That the second dwelling unit at \_\_\_\_\_ was  
(insert Municipal Address, Lot and Plan)  
constructed and occupied by \_\_\_\_\_  
(insert Date)

B) That the declarant accepts that if the above information is deemed to be not correct this will be sufficient grounds for revocation of the Building Permit.

And I make this solemn Declaration conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under oath.

DECLARED before me at the

of

in the

this \_\_\_\_\_ day of \_\_\_\_\_ 199

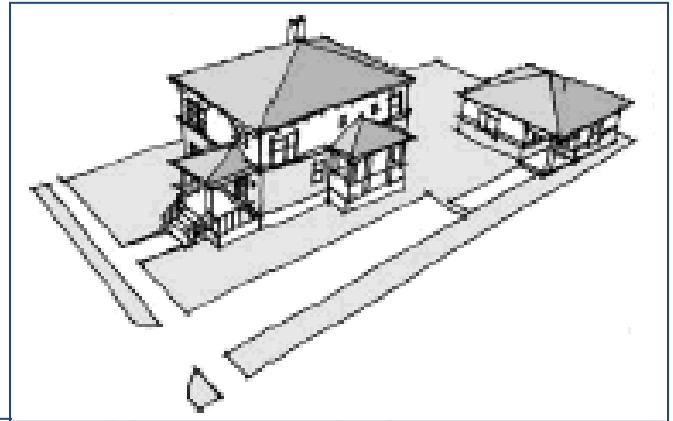
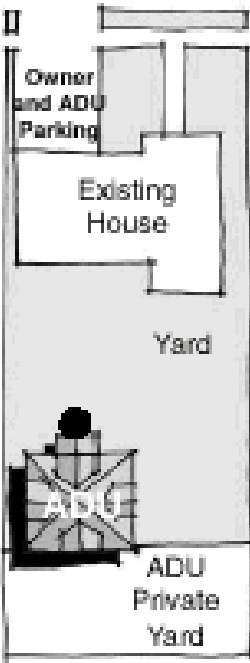
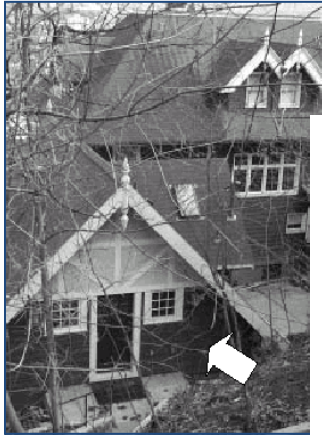
A Commissioner, etc.

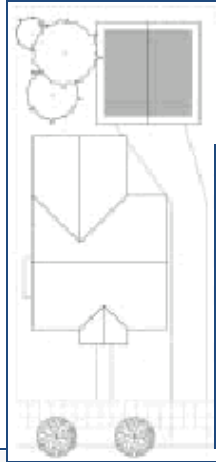


# Definitions

- Dwelling unit means a suite operated as a housekeeping unit, used or intended to be used as a domicile by one or more persons and usually containing cooking, eating, living, sleeping and sanitary facilities.







## O. Reg. 350/06

- Once the new building is classified as multi-residential units, instead of single family dwelling unit, each unit is a separate fire compartment, and further restriction and upgrading is required.
- Exit stairs must be located in Fire-protected enclosures leading directly to outside.
- Openings in exterior walls at angle of less than 135 with exit shall be protected.



## O. Reg. 350/06

- Stairs leading from above or below grade to outside is no longer considered as means of egress within the dwelling unit, but separate Exit Stairs regulated under subsection 9.9.4. Fire Protection of Exits and all exceptions under section 9.8. does not apply.



## O. Reg. 350/06

- Floor assemblies must be constructed as continuous fire separation having at least  $\frac{3}{4}$  hour Fire Resistance Rating (ULC labeled Fire-code Gypsum wallboard).
- All supporting Load-bearing walls, Beams and columns must be protected as well.
- Exhaust ducts serving more than one fire compartment shall comply with 9.10.9.18.



## O. Reg. 350/06

- Service room shall be separated from the remainder of the building as per article 9.10.10.2.
- Openings in required fire separations shall be protected with closure in conformance with 9.10.13.1.
- Sound Transmission between units (Airborne sound) must comply with section 9.11.

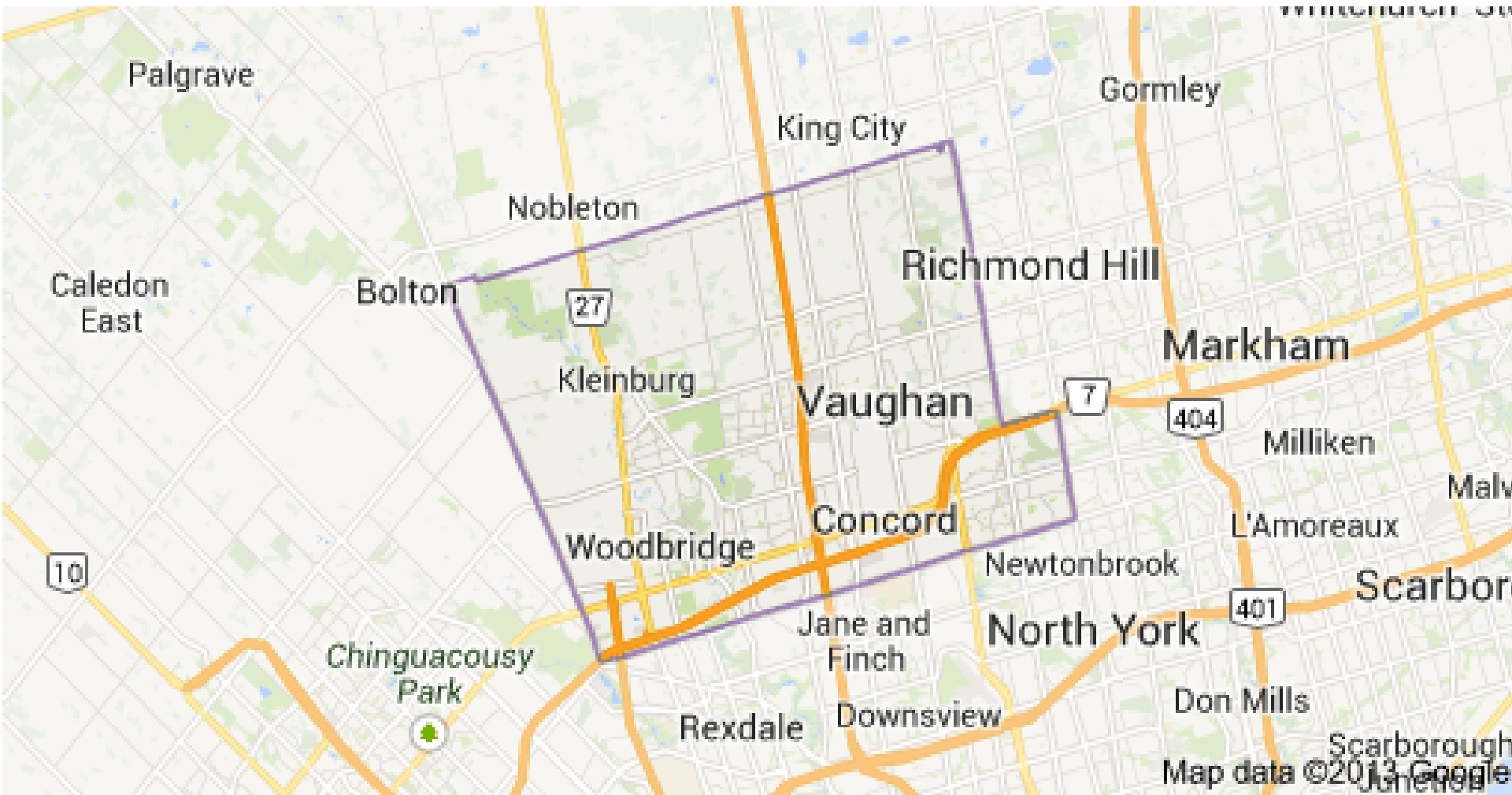




## O. Reg. 350/06

- Infrastructure, Plumbing, Mechanical and Electrical facilities must be upgraded to accommodate more occupant load (*number of persons for which the building or part of the building is designed for*).





# Other Municipalities

- City of Mississauga
- Town of Newmarket



# Conclusion

- Fire Code
- Zoning By-Laws



# Additional Information

- <http://www.mah.gov.on.ca/Page9575.aspx>
- <http://cms.burlington.ca>
- <http://www.mississauga.ca>
- <http://www.newmarket.ca/en/townhall/accessorydwellingunits.asp>
- <http://www.pickering.ca/en/cityhall/resources/twounitdwellings.pdf>



**Q. + A.**



**Thank you**

