



LEGAL SECOND SUITES CHECKLIST

K E N B E K E N D A M



SECOND SUITES

As the demand for affordable rental units close to amenities, transportation and work increases, towns, cities and municipalities are looking for ways to allow this to happen using existing buildings versus using up limited development land that is often further away and less desirable. Basement conversions and second suites have become a very logical solution and extremely viable from a budget and timeline perspective. For the real estate investor, second suites can make the difference between average and exceptional cash flowing properties. However not every property can be used for these purposes and the regulations involved can vary considerably.



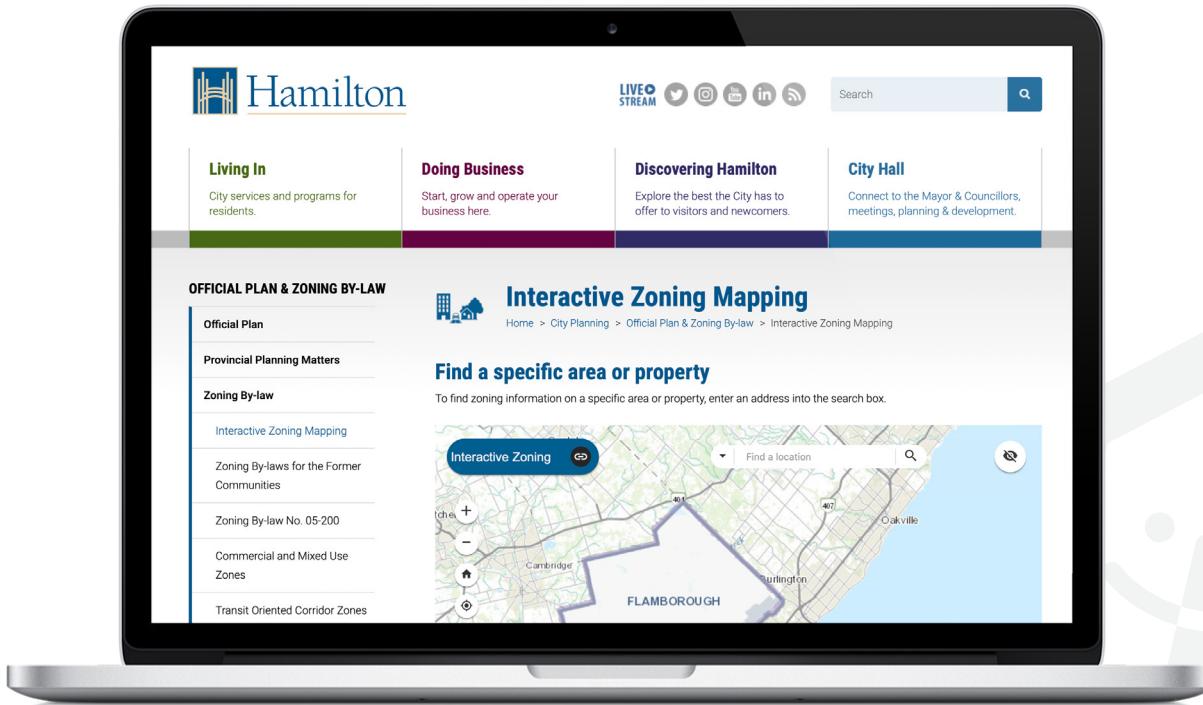
LEGAL SECOND SUITES CHECKLIST

The Legal Second Suite Checklist is a useful go-to document to help real estate investors determine if a second suite is allowed or makes sense. Be sure to download this checklist and bring it with you when viewing properties to ensure that you can meet all the requirements. Through his company King Homes Inc, Ken Bekendam helps and advises other investors with their portfolios through rental property renovations and in particular legal second suite conversions. Ken is one of Ontario's top leading experts on the topic of legal second suites. This checklist is the document that Ken uses for all potential second suite projects.

STAGE 1 - Things you can determine without visiting the property

#1 DETERMINE ZONING DESIGNATION

Look up the zoning designation for the property online via the city's own GIS mapping software. If having difficulty navigating the zoning websites, call or visit the local planning department and "ask them about Secondary Units."



#2 CHECK ZONING BYLAW

Once you have determined the zoning designation, look up the bylaw for that particular zone and check to see if any of the following are permitted uses:

Second Units

Accessory Dwelling(s)

Duplex Dwelling

Detached Accessory Dwelling

Additional Dwelling Unit(s)

Converted Dwellings

Accessory Apartment

STAGE 2 - Things you **MUST** check when completing the property viewing

#3 PARKING

In the zoning by law for the property and any related bylaws pertaining to a second unit, the city will have minimum requirements for # of legal parking spaces per dwelling unit.

In most instances, it is one space per unit with varying requirements for maneuvering space. Some municipalities allow for tandem parking. Some do not.

You will need to take measurements from the house to the property lines and determine if you can fit the required # of legal parking spaces. Parking spaces can be provided in the front yard, side yard or backyard, but all spaces must have access by means of a driveway with legal widths as outlined in the parking bylaw.

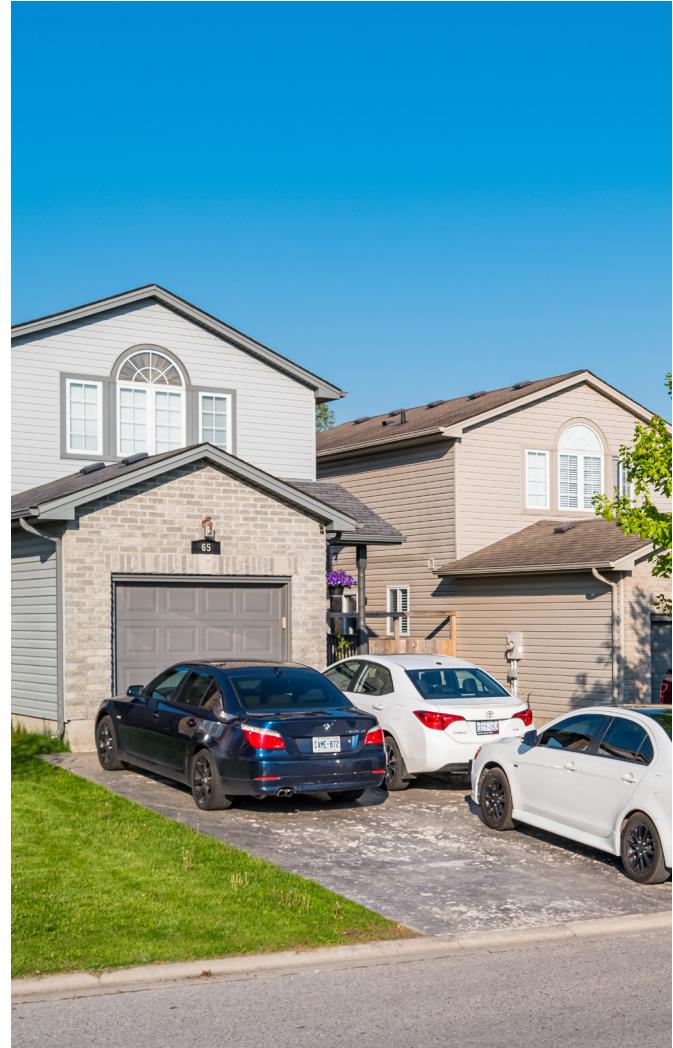
If you don't know where the property lines are, you can refer back to the city's GIS mapping software and in combination with the aerial photography (called Base Maps) and the measuring tool, you can determine with fairly close accuracy where the lot lines are.

Check bylaw for required landscape area if you are having front yard parking spaces. Most municipalities require a 50% landscape area maintained (grass & gardens)

If you are unable to meet one of the required bylaw requirements for a second dwelling unit, you can apply for a minor variance in order to ask for a reduction in one of the requirements.

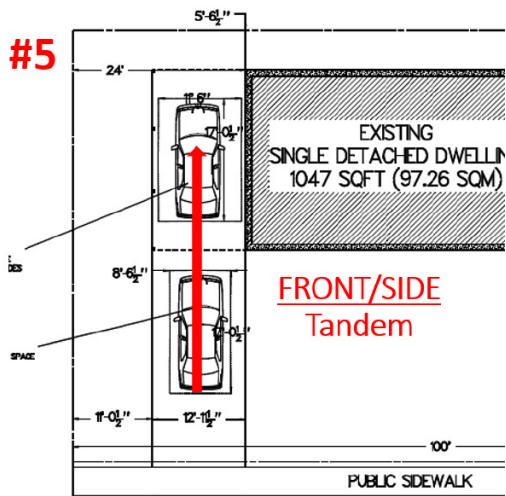
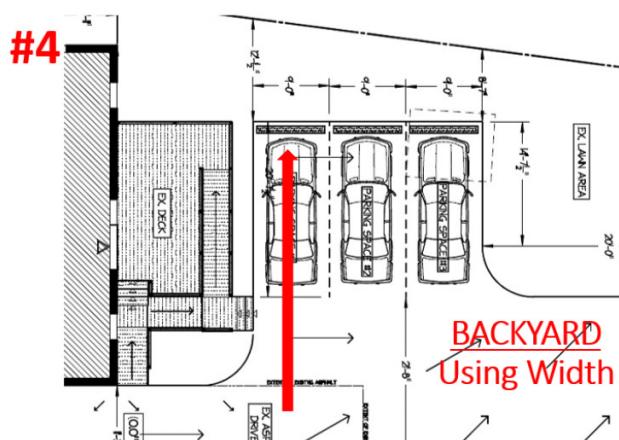
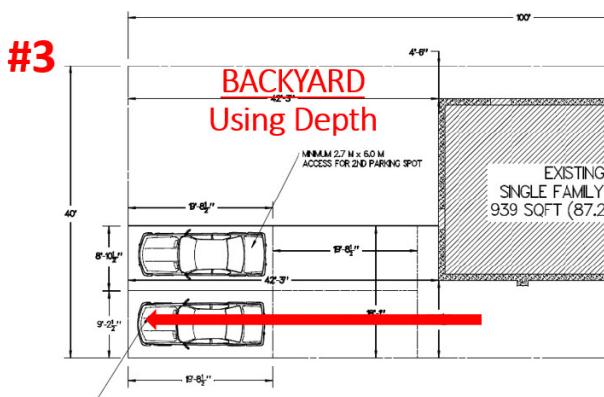
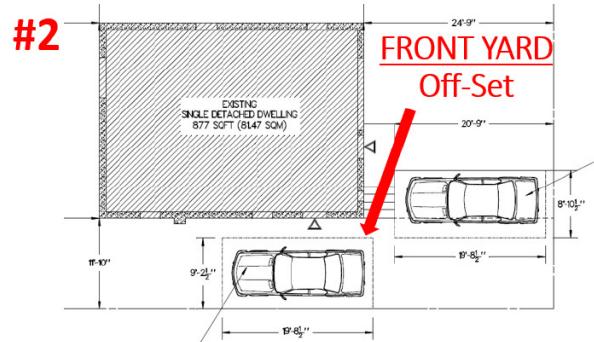
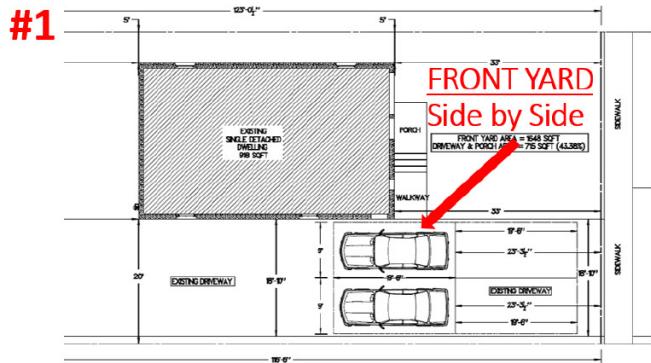
Before you purchase a property, you should triple check the zoning requirements.

There is an added level of risk if the minor variance gets declined and you can't meet the min. requirements. Speak with the planning department in order to understand the level of risk with your application.



STAGE 2 - Things you MUST check when completing the property viewing

PARKING CONFIGURATIONS



STAGE 2 - Things you **MUST** check when completing the property viewing

Ontario Building Code(O.B.C.)Requirements

If the space you are looking to create a legal second suite can't meet min. OBC requirements, you will not be able to obtain a building permit and therefore not obtain a legal second suite designation. The following requirements pertain to houses older than 5 years. If you are working on new construction or houses less than 5 years please get in touch directly and we can explain the newer building requirements.

Certain OBC requirements are harder to achieve than others. You can't obtain minor variances for not being able to meet minimum building code.

#4 CEILING HEIGHTS

Minimum clear height of 1950mm (6'-5") is required under beams or duct work and in any location that would normally be used for passage, especially the exit stairs. This is finished heights.

If the beam height is less than 1950mm (6'-5"), you have to determine if replacing the beam with a flush beam that is raised up inside the joist cavity is feasible to achieve min. height requirements.

Minimum clear height of 2030mm (6'-8") for at least 50% of the ceiling is required. Measure the height from floor to underside of ceiling joists and make sure this can be achieved including finishing materials.

If min. clear height is less than 2030mm (6'-8"), you may have to lower the floor or raise the house in order to meet min. requirements. Some municipalities may accept lower heights based on N.B.C (National Building Code). Confirm with your local building department.

Any heights less than 1400mm (4'-7") can't be used in calculating minimum room sizes.

#5 EGRESS REQUIREMENTS

If the dwelling unit has its own separate exit/entrance that is not shared with another dwelling unit, only one means of egress is required and that would be the entrance door with a min. width of 810mm (32") and min. height of 1980mm (78"). If the dwelling unit has a shared exit/entrance with another dwelling unit, another separate means of egress is required from the dwelling unit. In most cases, this would be an egress window that has an unobstructed opening not less than 0.35m² (3.8sqft) and no dimension less than 380mm (15")

STAGE 2 - Things you MUST check when completing the property viewing

#6 ROOM SIZES

Every dwelling unit must meet the minimum room sizes:

Living Room:	13.5m²	145.31sqft
	11m²	118.4sqft if living room is combined w/ dining & kitchen
Dining Room:	7.0m²	75.34sqft
	3.25m²	34.98sqft if combined with another space
Kitchen:	3.7m²	39.82sqft
Master Bedroom:	9.8m²	105.48sqft
	8.8m²	94.72sqft if a built in closet is provided
	4.2m²	45.20sqft if the bedroom is combined with another space
Other bedrooms:	7.0m²	75.34sqft
	6.0m²	64.58sqft if a built in closet is provided
	4.2m²	45.20sqft if the bedroom is combined with another space



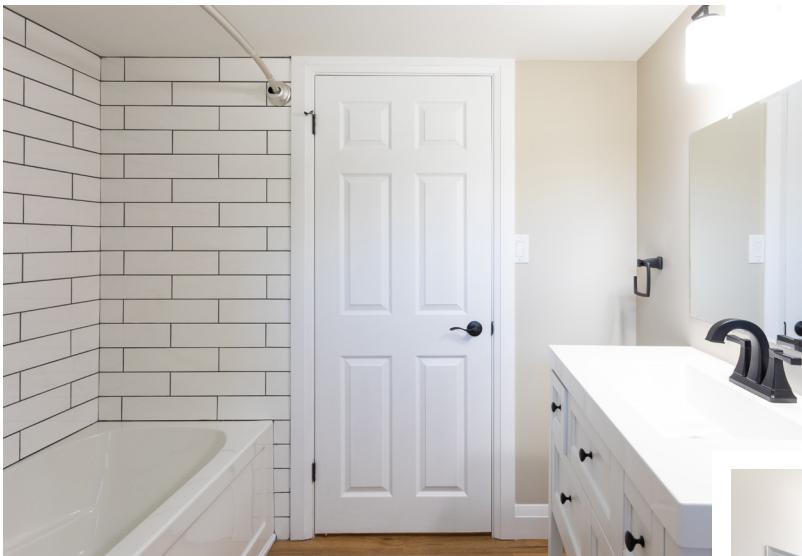
A bedroom has an occupancy load of 2 persons. The reduced living room size can only be used for an occupancy load of 2 persons (ie. 1 bedroom apartment or bachelor). If it is a 2 or 3 bedroom unit, the larger size of 13.5m² (145.31sqft) must be used in the floor calculations.

STAGE 2 - Things you **MUST** check when completing the property viewing

#7 PLUMBING FACILITIES

Each dwelling unit requires the following:

- Kitchen Sink
- Laundry facilities (washer & dryer)...at least hook ups provided
- Bathroom with toilet, bathtub or shower, and vanity.



#8 NATURAL LIGHT

Certain rooms require a min. percentage of glazed openings (window glass area) for natural light



- Living Room: 5% of floor area
- Dining Room: 5% of floor area
- Bedrooms: 2.5% of floor area
- Other finished rooms: 2.5% of floor area
- Laundry room: no windows required
- Kitchen: no windows required
- Bathroom: no windows required

STAGE 2 - Things you **MUST** check when completing the property viewing

#9 FIRE & SOUND SEPARATION BETWEEN DWELLING UNITS

For a house that only has 2 dwelling units, you are only required to have continuous fire separation between the dwelling units, not the service room.

If you have more than 2 dwellings (triplex, fourplex, etc.), the service room requires separate fire separation as well. So this means the ceiling of the furnace room has to be drywalled with 5/8 Type X drywall and fire caulking installed around all penetrations.

OBC requirement for horizontal fire separation between dwelling units and shared exits is 45min. (Part 9.10.9.14). Part 11 - C152 allows for a reduction to 30min for both the dwelling unit and shared exit.

If you have interconnected smoke alarms, this requirement is reduced to 15min. However, keep in mind that there is no ceiling assembly that meets both FRR of 15min and STC50. Some municipalities may accept existing drywall as meeting a 15min FRR.

In the case of the furnace room, which can be a difficult place to provide continuous fire separation, you can leave the inside ceiling unfinished if you fire separate the walls and install a 20min (45mm thick) solid core wood door or metal with a self closing device or hinges installed.

If for whatever reason, the house has sprinklers installed, there are no fire separation requirements.

In the case of a shared exit/entrance, all doors that lead into the shared exit must be a 20min rated (45mm thick) solid core wood door or metal with a self closing device or hinges installed.

Sound separation between dwelling units is closely linked with fire separation from a construction perspective. Both are achieved with insulating the walls and ceiling with SafeNSound Insulation and installing fire rated 5/8" Type X drywall on resilient channel.

The OBC requirement for sound rating between dwelling units is STC50. There are numerous wall and ceiling assemblies that meet this requirement. A typical ceiling assembly that meets both fire and sound separation requirements is 2 layers of SafeNSound insulation in ceiling joists, resilient channel, and 1 layer 5/8's Type X drywall.



STAGE 2 - Things you **MUST** check when completing the property viewing



#10 SMOKE & CARBON MONOXIDE DETECTORS

All newly created bedrooms will require a smoke detector with LED strobe installed in each room. Existing bedrooms do not require a smoke detector. For existing dwelling units, you will still require a smoke detector/CO/Strobe outside of the bedrooms in the common hallway. The shared exit/entrance will require a smoke detector installed. If you have one furnace system that is heating both units, you will require an in-duct smoke detector installed in the furnace cold air return that will turn off the furnace electrical and gas systems. Outside of the sleeping area, 1 smoke detector and 1 carbon monoxide detector are required within 5m (16') of bedroom doors.

STAGE 3 - WHERE DO WE GO FROM HERE?

WHAT'S NEXT?

After you have worked through this checklist, you may still feel uncertain if you can meet all of the requirements for a successful Legal Second Suite project.

Here is how we can help:

BLUEPRINT SERVICE - We can take the project to the next stage for you by completing detailed drawings suitable for you or your contractor to complete applications and construction.

PROJECT MANAGEMENT - You are a busy investor, perhaps with a full time job, who needs someone with the knowledge and expertise to oversee the second suite conversion. We have a fully licensed and insured construction company with specialized crews ready to begin.

JOINT VENTURE - As a passive investor you want your money working for you and a reliable 50/50 partner to take on the project, construction and all the elements of the conversion.

Ken Bekendam is recognized as one of the top second suite and basement conversion experts in Ontario. He completes permit drawings and project management and is normally working on several Legal second suite conversion projects in Brantford, Hamilton, St. Catherines, and surrounding areas in the Greater Toronto Area.

Have Ken as your second suite partner.

Get in touch by completing the Contact form at www.legalsecondsuites.com
or e-mail Ken at info@legalsecondsuites.com





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