

SECONDARY SUITES – IN BUILDINGS OLDER THAN 5 YEARS

GENERAL INFORMATION BULLETIN - 2024 ONTARIO BUILDING CODE

This bulletin includes information towards those who wish to create a secondary suite/dwelling unit WITHIN an existing house that is older than 5 years old. It also includes highlights related to the changes made with the introduction of the 2024 Ontario Building Code and the general zoning and building requirements surrounding this type of proposal. Purpose-built houses with secondary suites (i.e. duplex), and houses that are less than 5 years old, are required to conform to 2024 OBC provisions.

WHAT ARE THEY?

2024 Ontario Building Code (OBC) updates have defined a secondary suite as 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. A secondary suite has access to a private kitchen, bathroom facilities and sleeping area(s).

WHERE ARE THEY PERMITTED?

In the Town of Fort Erie, secondary suites are permitted in all zones; except for core mixed use (CMU) and commercial zones (i.e. C1, C2, etc.); and within single detached, semi-detached, and townhouse buildings that currently have only one single dwelling unit within the building. Considerations shall be made for additional parking requirements as well as setbacks for exterior access to units such as decks and basement walkout. The Town's Zoning Technician will need to be contacted for all preliminary consultations.

WHAT ARE THE BUILDING PERMIT REQUIREMENTS?

A building permit application is required for the creation of a secondary suite within an existing house through the Town of Fort Erie Building Department. The following documentation shall be submitted to building@forterie.ca to support the application:

- Application and Schedule 1 form found through the Town of Fort Erie website.
- Dimensioned and scaled construction drawings completed by a listed homeowner, qualified Designer, Architect or Engineer:
 - Existing and proposed building plan layouts including room names, locations and sizes of windows and doors, exits and fire/smoke separations, smoke alarms, and laundry facilities. See further information on following page.
 - Cross section drawings detailing ceiling heights and wall and floor assemblies along with proposed fire resistance ratings/ smoke seals.
- HVAC design by a qualified Designer if a separate heating system or extension of an existing system is being proposed. See further information on following page.

The following expands on building permit requirements that shall be specified on the drawings:

FIRE PROTECTION AND SOUND CONTROL (DIV B 9.10.8., 9.10.9. & 9.11.1.)

The separation between the suites shall be clearly identified on the drawings. There are exemptions in place for houses with secondary suites in buildings 5 years or older. This includes a minimum 30-minute fire resistance vertical (walls) rating consisting of a single layer of ½" drywall on either side AND a minimum 15-minute horizontal (floor/ceiling) fire resistance rating consisting of a single layer of ½" drywall; provided smoke alarms with strobes are installed in every dwelling unit, in common areas, and interconnected throughout the ENTIRE building. This is the most common construction method used. A minimum 20-minute fire resistance rated door with a self-closing device is required at all door openings within a separation also.

In addition to the fire protection requirements above, when adding a secondary suite to an existing house, a sound transmission rating (STC rating) is required within the walls, floors and ceilings that divide the secondary suite from the remainder of the house. In houses 5 years or older, the OBC allows for the addition of 6" nominal sound-absorbing material (such as Roxul), within the joist spaces or filled stud spaces, and metal resilient channel (also known as u-channel or furring channel) spaced 16" or 24" on centres on one side of the separation to achieve the required sound rating.

HEATING SYSTEM(S) (DIV B 9.32. & 9.33.)

Confirmation shall be provided on how the individual suites will be heated. This is in the form of an HVAC design layout and supporting calculations completed by a qualified Designer. In houses 5 years or older, the OBC allows existing heating or air-conditioning systems to be altered to serve the existing and proposed secondary suite. This is provided smoke alarms are installed in each dwelling, and an in-duct smoke detector is installed in the supply or return air duct system serving the entire building which would turn off the fuel supply and electrical power to the heating system upon activation of such detector.

WHAT ARE THE FEES ASSOCIATED?

At time of permit application, the application fee is calculated based on the square footage of the proposed suite noted on the Application Form (i.e. for a proposed secondary suite in a basement the fee would be taken at the finished basement rate - \$0.85/sf as of January 2025). During permit review, the Building Inspector will verify the proposed square footage against the submitted dimensioned drawings and add additional fees for new plumbing work and municipal protection deposits as necessary. Once calculated, a final invoice is sent out to the Applicant to be paid in order to release the building permit. The latest Fee Schedule can be found on the Town of Fort Erie website. Development charges are not applicable for the construction of a second and third suite in an existing house.

WHAT INSPECTIONS ARE REQUIRED?

Once the building permit is issued the following inspections are required prior to covering or continuing. Note not all the inspections below may apply, and they may not necessarily be completed in this particular order:

1. **Underground Plumbing** – Takes place before covering any underground plumbing work with stone and/or concrete. The plumbing system shall be pressure tested with the water lines being tested at 100 psi and the sewer pipes being tested at 5 psi for inspection. This ensures the integrity of the plumbing system by detecting leaks before the system is put into use. Please note that a separate backflow preventor device may be required to be installed, or the plumbing system is to be reconfigured so that an upper unit sanitary connection is down stream of the existing backwater valve serving a lower unit.
2. **Above Ground Plumbing** – The verification of the new, or extension of plumbing drainage and venting above the ground and includes water lines. The plumbing system shall be pressure tested same as noted above.
3. **Framing** – Inspection of new wall partitions, both structural and non-structural if any.
4. **HVAC** – Inspection of the new, or extension of, HVAC ductwork.
5. **Insulation / Fire Separations** - Inspection of all insulation (if necessary), including vapour barrier, and fire separation prep work that will not be visible at future inspections.
6. **Final** – This inspection often includes all remaining inspections including the final plumbing, HVAC final, and fire separations, and items pertaining to life safety including installation of smoke alarms, guard and handrails, protection around cooktops etc. Once the final inspection has been signed off by the Building Inspector, a final inspection report will be automatically e-mailed to the applicant, and a cheque to return the permit rebate (deposit) will be mailed to the payor.

Any further questions please contact the Town of Fort Erie Building Department.