

Government Programs and Regulations

Second Suites in Ontario

Description

Second suites, also known as basement apartments or auxiliary dwelling units, are private, self-contained residential rental units within dwellings. Second suites can provide homeowners with extra income to offset ownership costs. According to CMHC, second suites are an important supply of rental housing in many cities, towns, and rural communities across Canada.

As of January 1, 2012, all regions and municipalities are required to establish policies allowing second suites in new and existing developments as dictated by the Planning Act, 2011. However, not all Ontario municipalities have put in place second suite regulations yet. Municipalities are responsible for determining their own standards and zoning provisions for second units in relation to matters such as minimum unit size, licensing, and parking requirements.

The following is a list of frequently asked questions regarding existing and new second suites.

What is a second suite?

- Second suites are private, self-contained residential rental units within dwellings, or within accessory structures to dwellings, such as a carriage house.

- They are most commonly known as basement apartments but are also referred to as granny flats, second units, in-law suites, and accessory apartments.

Are second suites new?

- No. Many municipalities throughout Ontario, including Toronto, have had established second suite by-laws for many years.

Where are second suites permitted in the community?

- Second suites are not permitted in every dwelling. Check with the municipal planning department office. Permission varies by the municipality and conditions may also be in place.
- The municipality may require registration or licensing of the second suite, and fees may apply. Check with the municipal planning department office for details.

Will the homeowner need a building permit?

- 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.

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Will the homeowner require special or additional insurance?

- According to the Insurance Bureau of Canada, homeowners should notify their insurance company about adding or an existing second suite on their property to ensure proper coverage. For further information, contact the insurance provider.

What are some of the things a homeowner needs to know about renting their second suite?

- Homeowners that rent out their second suite are landlords, and thus must abide by regulations found in the Ontario Residential Tenancy Act.
- All tenancy agreements are subject to rules and regulations regarding discrimination under the Human Rights Code.
- For more information on the rights and responsibility of landlords and tenants, visit the Landlord and Tenant Board of Ontario's website, www.ltb.gov.on.ca. What are some of the conditions that apply to all second suites?
- Self-contained with kitchen and bathroom facilities.
- All new second suites must comply with the Ontario Building Code.

- Existing and new second suites must comply with the Ontario Fire Code.
- All new and existing second suites must comply with municipal zoning and property standard by-laws.
- For more information on how second suites are created, visit Canada Mortgage and Housing Corporation website, https://www.cmhc-schl.gc.ca/en/inpr/afhoce/afhoce/afhostcast/afhoid/pore/pesesu/pesesu_001.cfm

How can I find out if an existing second suite complies with the regulations?

- Contact the municipal planning department.

If you have comments or questions on this issue, please contact TRREB's Government Relations Specialist at 416-443-8176 or by email at aoprea@trebnet.net.

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