

SECOND UNITS

City of Sault Ste. Marie draft planning policies - Subject to change (February 2019)

Policies as required by the Province - *Planning Act*, Section 16 (3)

1. Permitted on lots with these primary dwelling types:
 - a. Single detached, semi-detached and multiple attached (townhouse).
 - b. Permitted in both urban and rural areas.
2. Permitted as part of accessory buildings and as standalone accessory buildings.
3. Maximum number
 - a. One Second Unit per lot.

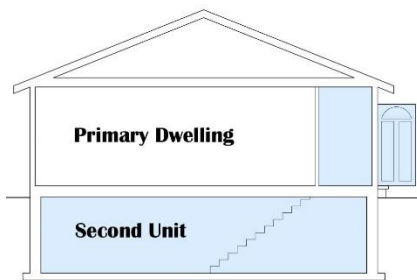
Proposed policies specific to Sault Ste. Marie

4. Zone restrictions
 - a. Not permitted in Commercial zones, the REX - Rural Aggregate Extraction zone and the RP - Rural Precambrian Uplands zone.
5. Building regulations and Second Unit size

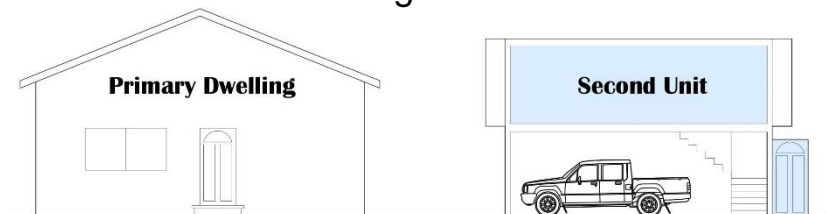
Type of Second Unit	Maximum Second Unit Size (Gross Floor Area)	Maximum Building Height	Required Setback Distances	Required Lot Frontage & Area, and Maximum Lot Coverage
Within Main Building	Not larger than existing dwelling unit.	Same as for <u>main</u> building.	Same as for <u>main</u> building - specific distances dependent on zoning.	Same as for <u>main</u> building - specific requirements dependent on zoning.
As part of an Accessory Building	Not larger than existing dwelling unit, to a maximum of: <ul style="list-style-type: none"> 90m² (969ft²) in the <u>R1 - Estate Residential</u> and <u>RA - Rural Area</u> zones, and 75m² (807ft²) in <u>all other zones</u>. 	6.0m	Same as for <u>accessory</u> buildings - specific distances dependent on zoning.	NOTE: Second Units are not permitted on existing lots that do not have the required lot frontage and area.
As a standalone Accessory Building		1 storey	Same as for <u>accessory</u> buildings - specific distances dependent on zoning.	

6. Parking for the Second Unit
 - a. One additional space.
 - i. Excluding 'The Downtown', where an additional parking space is not required.
 - b. Stacked parking is permitted.
 - c. Parking in a required front yard is prohibited.
 - i. Excluding 'The Downtown' (but as noted, 1 additional space is not required).
7. Exterior and façade
 - a. Any changes to the exterior of the primary building should be consistent with the character of the neighbourhood.
8. Water, sewer and construction requirements
 - a. Must meet all applicable Ontario Building Code, Fire Code, Electrical Code, Sault Ste. Marie PUC and Algoma Public Health standards.
9. Outdoor amenity areas
 - a. No requirements.
10. Registration/Licensing
 - a. No requirements.

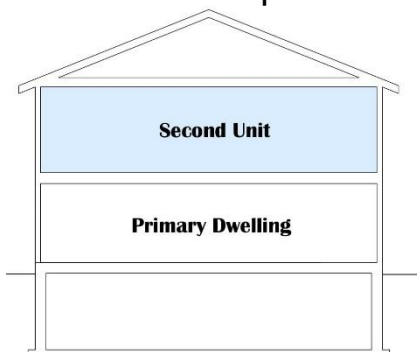
Basement Apartment



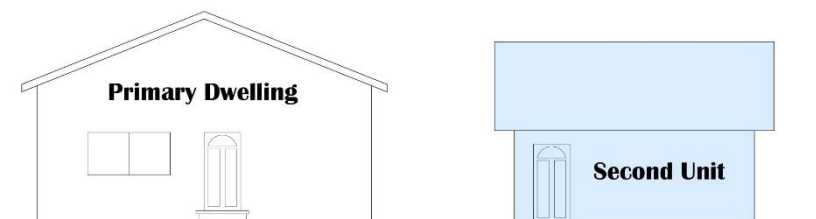
Garage Suite



Second Floor Apartment



Coach House



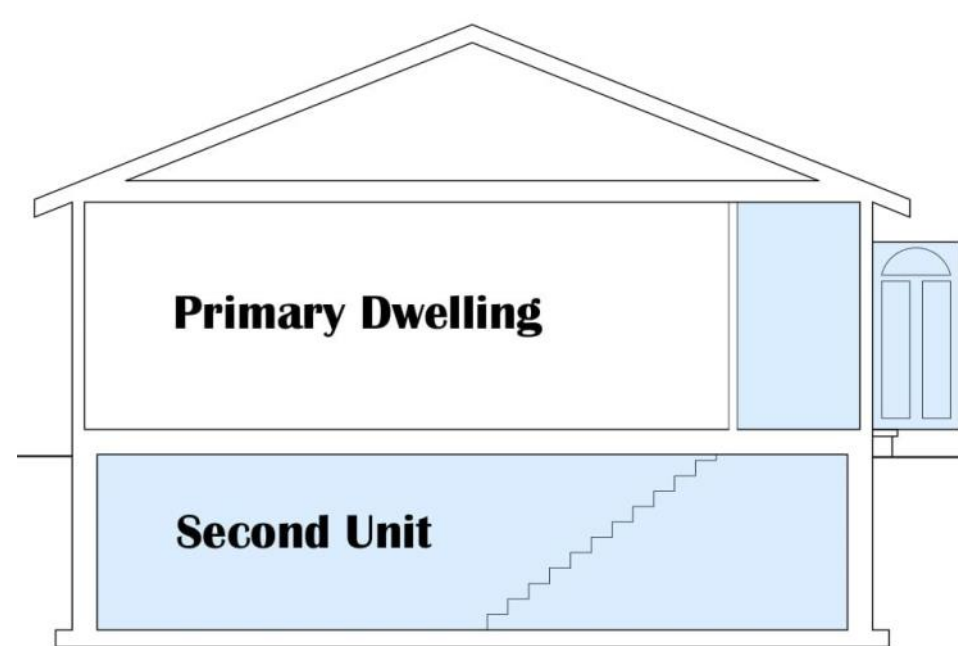
Second Units in Ontario

WHAT ARE SECOND UNITS?

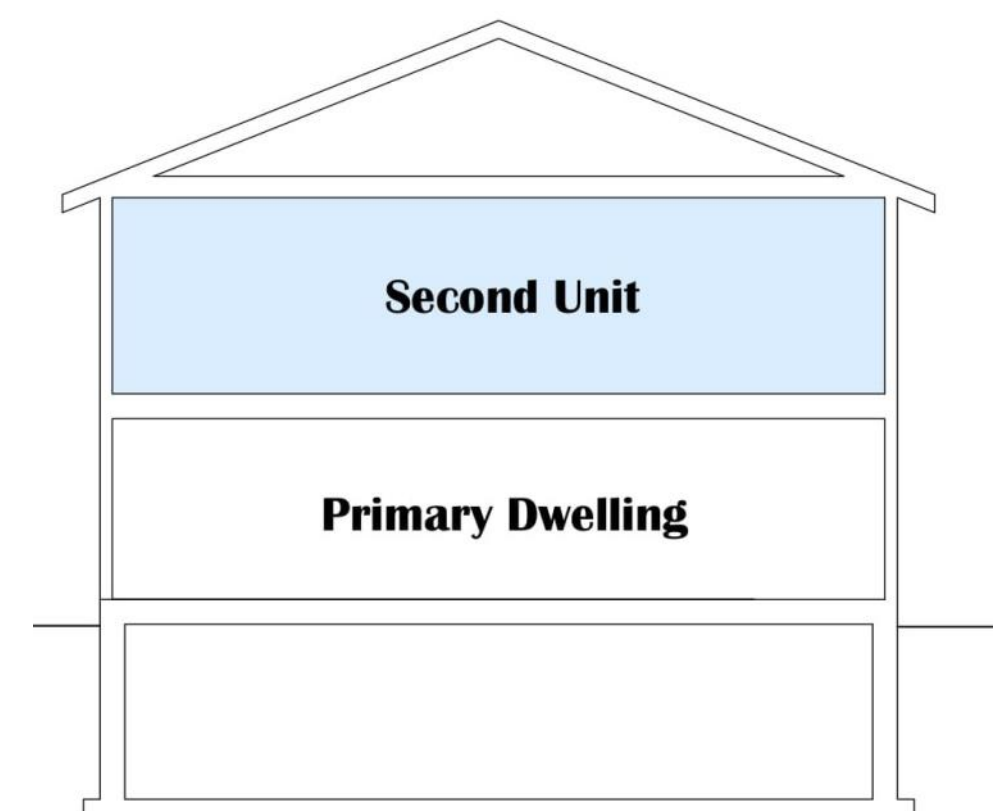
- **Self-contained accessory residential units** with a private kitchen, bathroom facilities and sleeping areas. Basically, a second dwelling unit on the same property as a house.
- Can be built as:
 - An apartment within a house, like a **basement apartment**.
 - Part of an accessory building to the main house, like a **garage suite**.
 - A standalone accessory building to the main house, like a **coach house**.

THE PROVINCE SAYS...

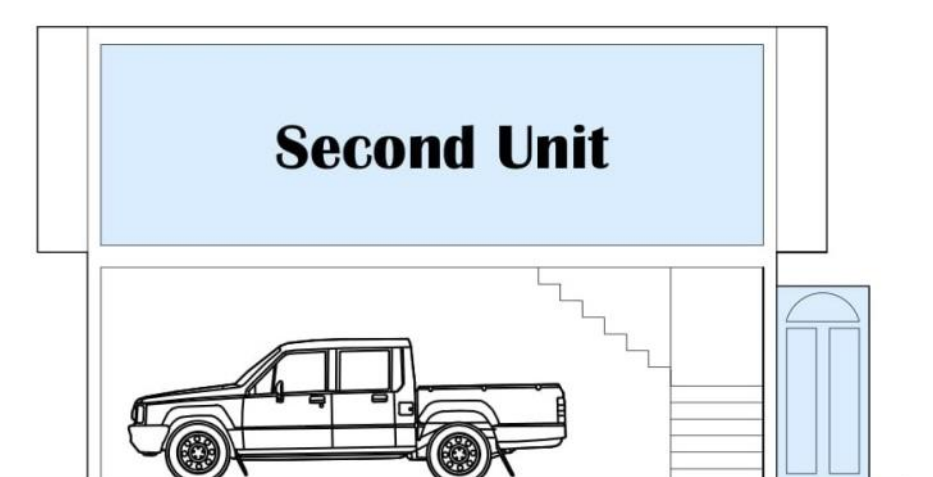
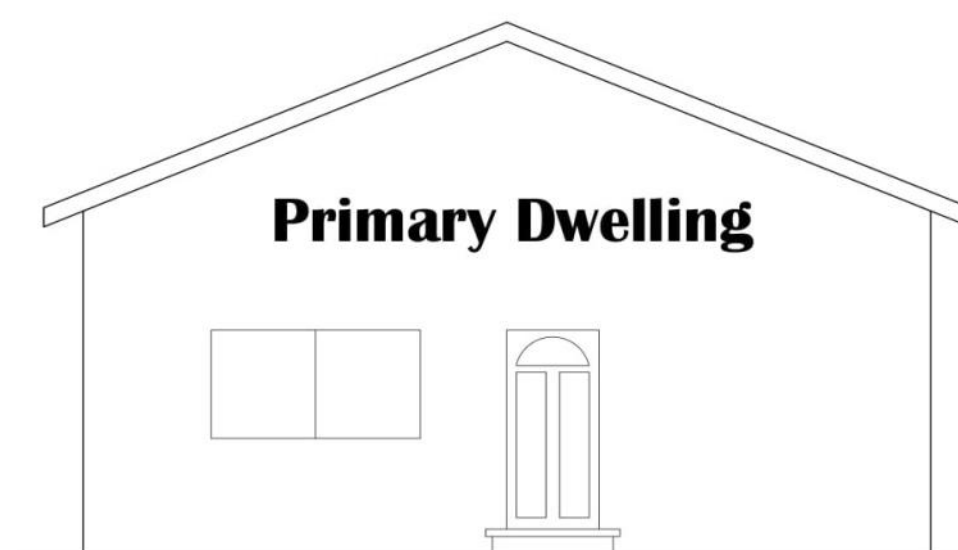
- Municipalities must permit [Second Units](#) in **single detached houses, semi-detached houses and townhouses**, and also in **accessory buildings** of these houses. *[Planning Act s.16]*
- A lot cannot have a [Second Unit](#) in both the primary dwelling (i.e. the main house) and an accessory building. *[Planning Act s.16]*
- **No ability to appeal** Official Plan policies and Zoning By-law regulations about [Second Units](#) to the Local Planning Appeal Tribunal. *[Planning Act s.17 & 34]*
- Permit and facilitate **all forms of residential intensification**, including [Second Units](#), and establish development standards that minimize the cost of housing, facilitate compact form, and maintain public health and safety. *[Provincial Policy Statement, 2014]*



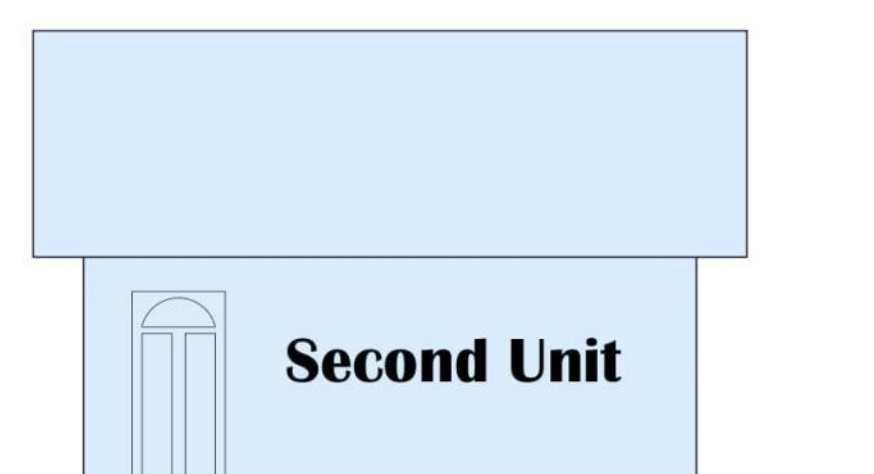
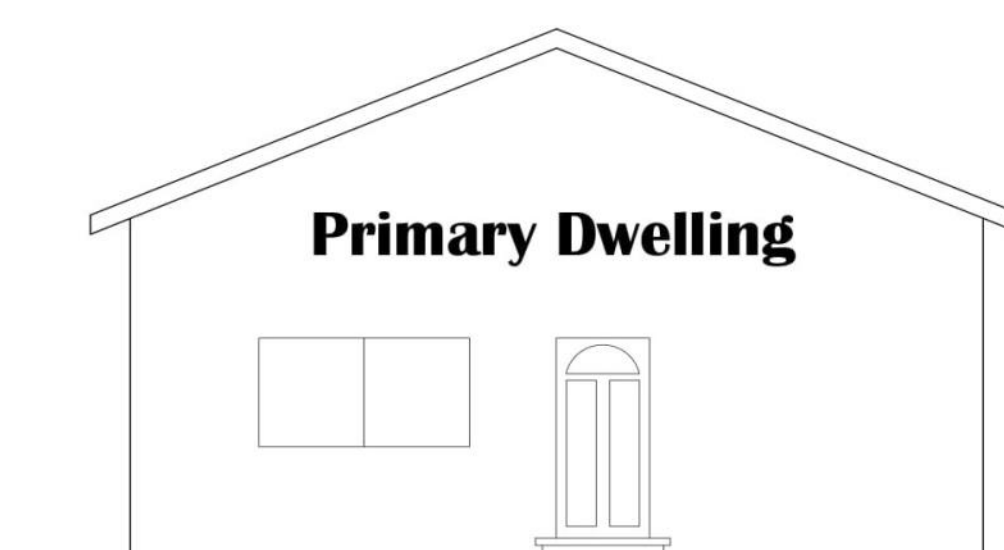
Basement apartment



Accessory suite within house



**Garage suite
(Second Unit in accessory building)**



**Coach house
(standalone Second Unit)**

Second Units currently in Sault Ste. Marie

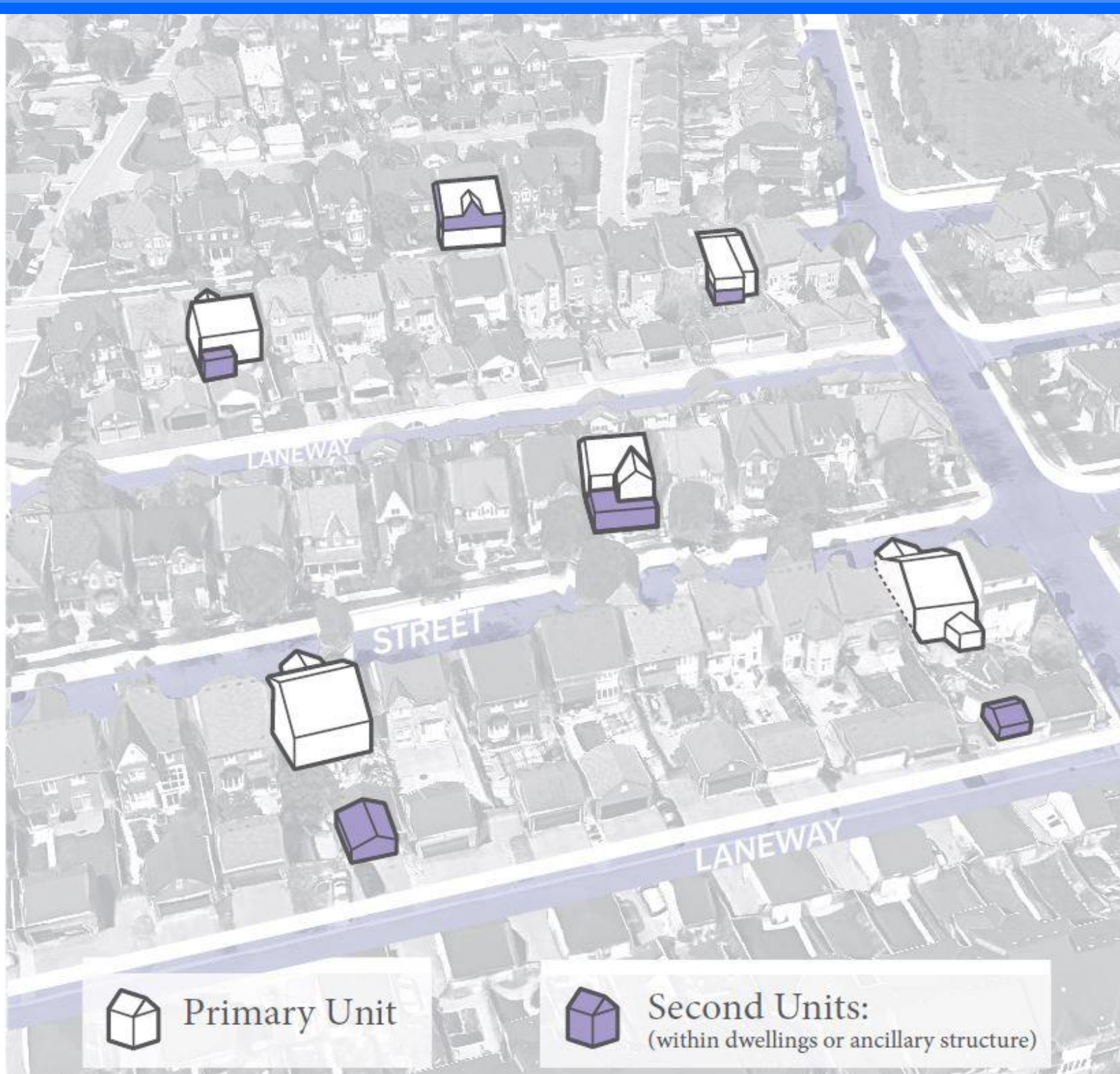
- Since 2012, the City's Planning Division has processed **14 Rezoning Applications** that requested permission to have a **Second Unit** on an existing residential property.
- Most were for a **Second Unit** within a single detached house (i.e. basement apartment; essentially creating a duplex). Two were for a **Second Unit** above a detached garage.
- All but one application were for properties within the City's urban areas, in lands zoned **Single Detached Residential (R2)**.
- The City already permits houses with two dwelling units (duplexes and semi-detached) in many urban areas, such as all lands zoned **Low Density Residential (R3)**.

WHAT ARE SOME CONCERNS?

- Number of required parking spaces.
- Stacked parking & parking in front yards.
- Need to uphold property standards.
- Traffic impacts.
- Changes to streetscape.
- Space between adjacent properties.
- Changes to neighbourhood character.

WHAT ARE SOME BENEFITS?

- Allow homeowners to earn income to help with homeownership costs.
- Provide spaces for homeowners' parents, elders and caregivers to "age in place" and live close together.
- Increase local rental housing stock.
- Use existing infrastructure more efficiently.
- Provide more housing options in both new and old neighbourhoods.



WITH THE PROPOSED POLICIES:
Homeowners can apply directly for a **BUILDING PERMIT** to construct a Second Unit, without needing a Rezoning approval from City Council.

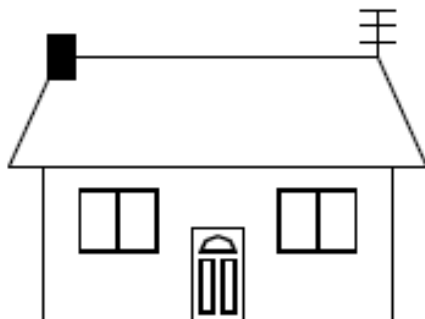
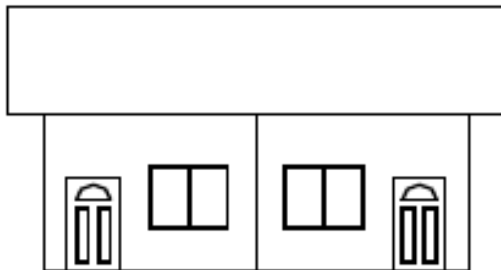
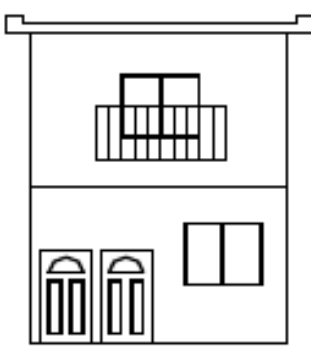
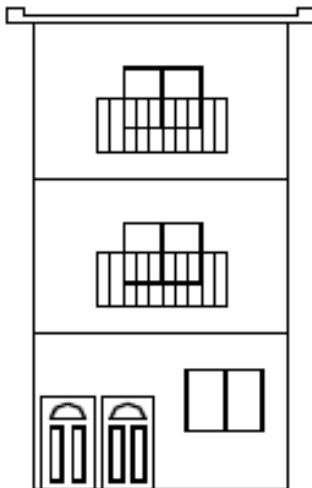
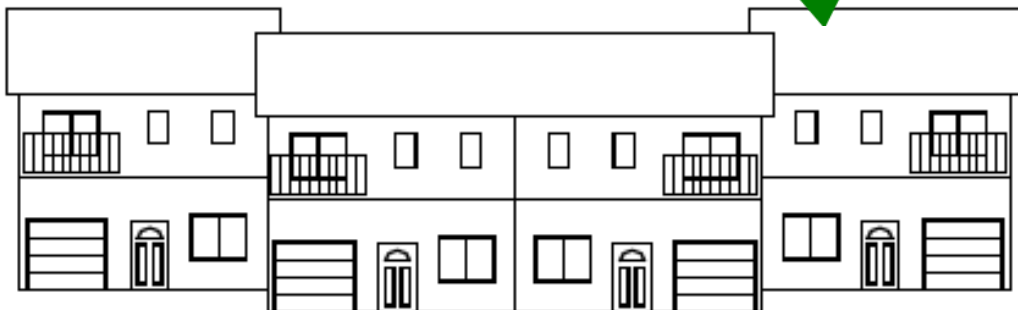
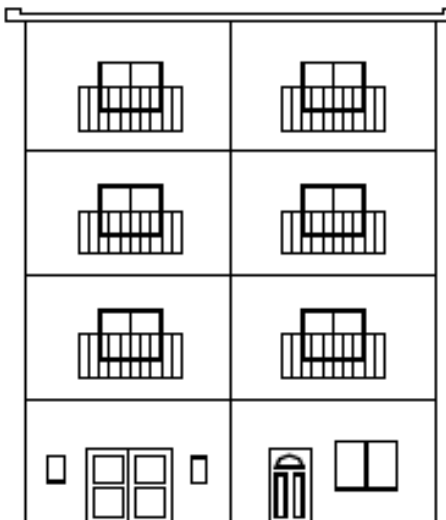
A neighbourhood with Second Units.
Source: Ontario Ministry of
Municipal Affairs and Housing

Proposed policies for Second Units: As required by the Province

- **Primary dwelling types:** The main home on the lot is a single detached house, semi-detached house or townhouse ("multiple attached" house).
- **Second unit types:** The [Second Unit](#) can be within the primary dwelling, part of an accessory building or be a standalone accessory building.
- **Maximum number:** 1 [Second Unit](#) per lot.

WHERE CAN SECOND UNITS BE BUILT?

Dwelling types in Sault Ste. Marie Zoning Bylaw:

<p>Single Detached Unit</p> 	<p>Semi-Detached</p> 
<p>Duplex</p> 	<p>Triplex</p> 
<p>Multiple Attached</p> 	<p>Apartment Building</p> 

Proposed policies for Second Units: Specific to Sault Ste. Marie

- **Not permitted in Commercial zones.**
- **Environmental site restrictions:**
Same as with any residential use (e.g. flood hazards, wetlands, significant slopes, etc.).
- **Number of parking spaces:**
One additional space is required, above what's already required for the existing house.
- **Types of parking spaces:**
Permitted - "Stacked" parking (one car behind the other).
Not permitted - Parking in a required front yard.
- **Exterior and façade:**
Alterations to the existing house's walls should be minimal, especially along the front wall.
- **Water, sewer and construction requirements:**
Must meet all applicable standards from PUC, Algoma Public Health, and the Ontario Building Code, Fire Code and Electrical Code.

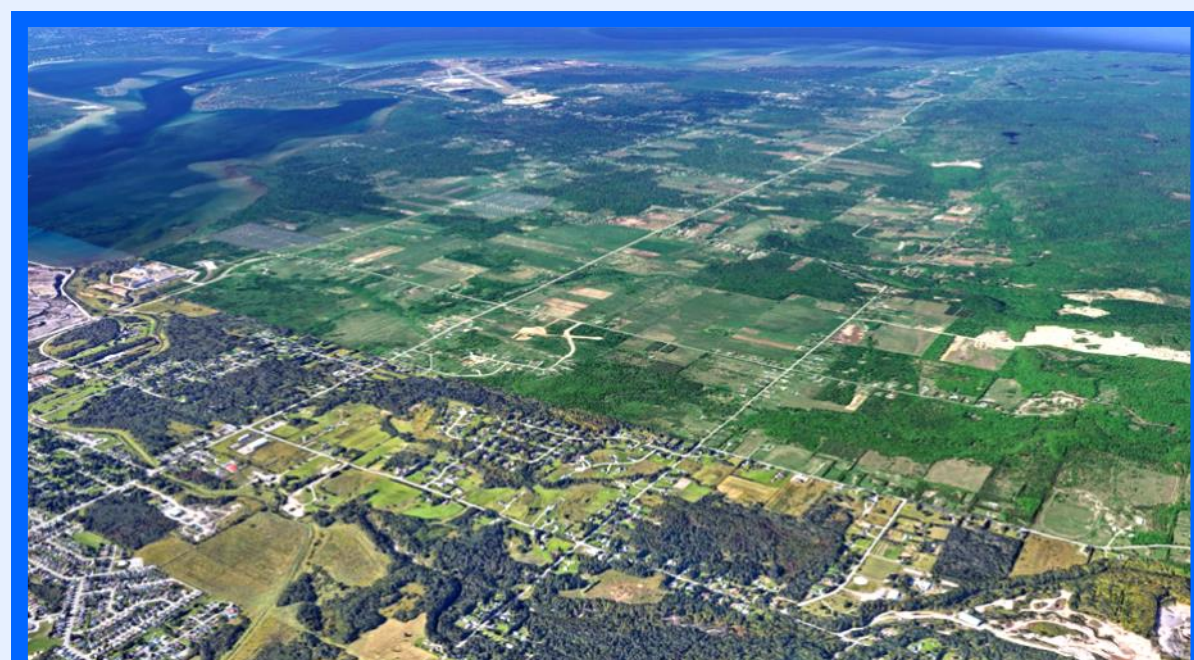
IF THE SECOND UNIT IS ON A LOT IN THE DOWNTOWN...

- **No additional parking space** is required.



IF THE SECOND UNIT IS ON A RURAL LOT...

- The lot cannot be located within the **Rural Aggregate Extraction (REX)** or **Rural Precambrian Uplands (RP)** zones. This is to protect the mineral aggregate resources and sensitive natural environment in these areas.
- Even though the Zoning By-law currently says that **existing rural lots without the required frontage or lot area** can be built upon, this exemption does not apply to building a **Second Unit**.



Proposed policies for Second Units: Specific to Sault Ste. Marie - Building Regulations

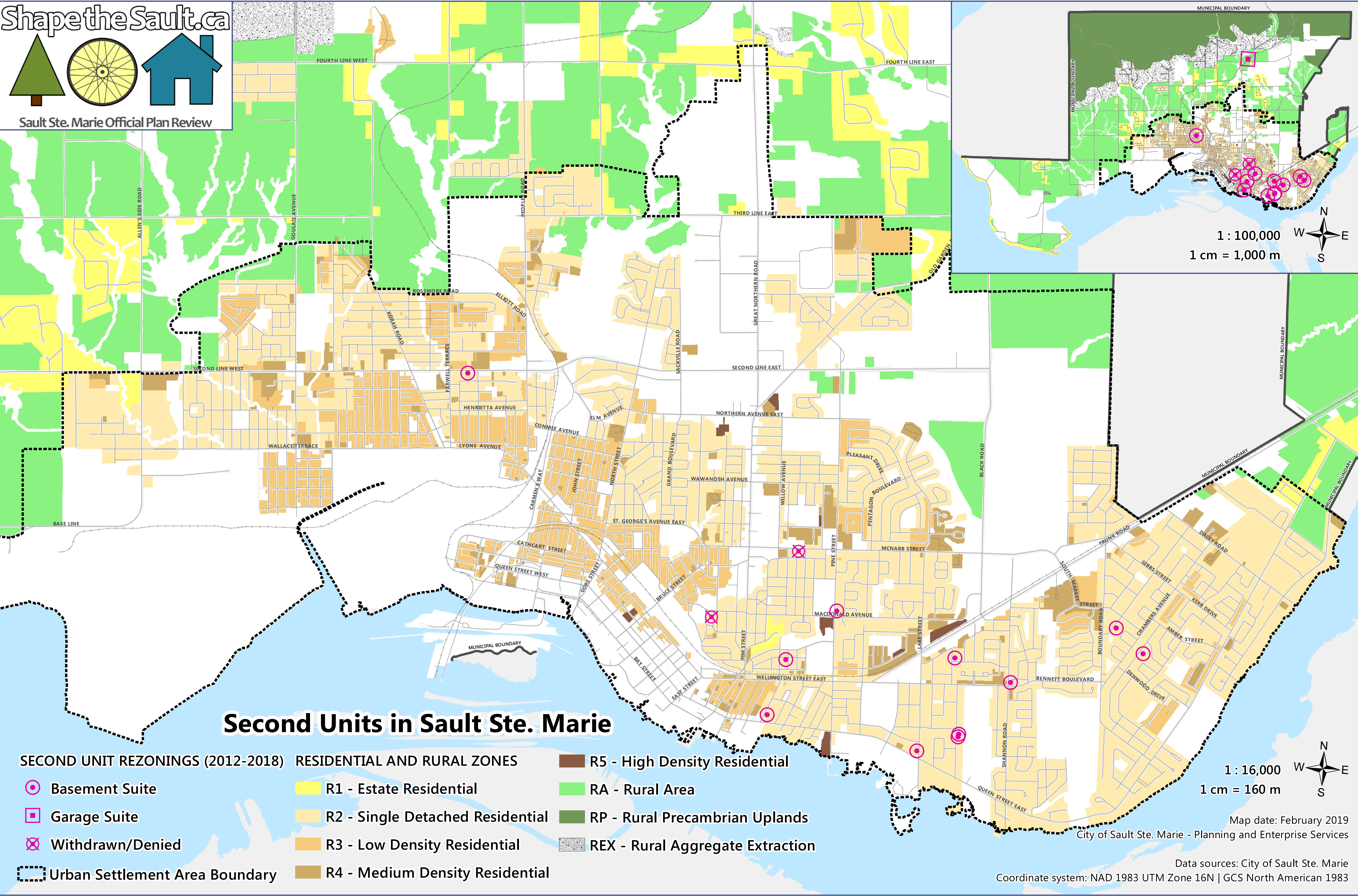
TYPE OF SECOND UNIT	Maximum Second Unit Size (Gross Floor Area)	Maximum Building Height	Required Setback Distances	Required Lot Frontage & Area, and Maximum Lot Coverage
Within Main Building	Not larger than existing dwelling unit.	Same as for <u>main</u> building.	Same as for <u>main</u> building - specific distances dependent on zoning.	Same as for <u>main</u> building - specific requirements dependent on zoning.
As part of an Accessory Building	Not larger than existing dwelling unit, to a maximum of: <ul style="list-style-type: none"> 90m² (969ft²) in the R1 - Estate Residential and RA - Rural Area zones, and 75m² (807ft²) in all other zones. 	6.0m	Same as for <u>accessory</u> buildings - specific distances dependent on zoning.	Second Units are not permitted on existing lots that do not have the required lot frontage & area.
As a standalone Accessory Building		1 storey	Same as for <u>accessory</u> buildings - specific distances dependent on zoning.	

So... A homeowner wants to build a Second Unit.

WHAT HAS TO HAPPEN?

	1. The property has a single detached house, semi-detached house or townhouse (multiple attached) .
	2. There will only be one Second Unit on this lot.
	3. The property is not located in a Commercial zone, or in the Rural Aggregate Extraction (REX) or Rural Precambrian Uplands (RP) zones.
	4. The building site either does not have any environmental site restrictions or the risks can be mitigated (e.g. flood hazards, wetlands, significant slopes, etc.).
	5. All regulations for the property's lot area, lot coverage, frontage, building height, and setbacks are met.
	6. The Second Unit's Gross Floor Area is not larger than that of the existing home.
	7. <u>For Second Units in accessory buildings</u> : Gross Floor Area is <u>also</u> not larger than 75m² (807ft²) , OR 90m² (969ft²) if in Estate Residential (R1) or Rural Area (RA) zones.
	8. One additional parking space can be accommodated on the property (<u>not required if in Downtown</u>). Stacked parking OK, but not parking in the front yard.
	9. Any changes to the exterior of the primary building should be consistent with the character of the neighbourhood.
	10. Confirmation from PUC and Algoma Public Health that water and sewer systems or proposed well and septic systems are sufficient and meet standards.
	11. Confirmation that the Second Unit will meet all applicable Ontario Building Code, Fire Code and Electrical Code requirements.

**If all OK, eligible to apply for a BUILDING PERMIT
for a Second Unit on this property.**





Checklist for Converting a Single Family Dwelling Unit to Two Units Ontario Building Code (OBC) Compliance

The following items should be checked when preparing an application for a secondary dwelling unit. Although every application is different, this list should represent the bulk of the items that are to be checked.

Note: Where compliance cannot be attained through OBC Part 9, OBC Part 11 can be utilized if the dwelling has been in existence for 5 years or more.

ITEM	PART 9 – OBC	CODE REFERENCE	PART 11 – Compliance Alternative
Fire Resistance Rating			
1	Floor assembly between the two dwelling units is to be a 45 min fire rated separation.	9.10.9.14. 9.10.8.1.	C152 C147
2	Structural elements supporting fire rated assemblies are to have a 45 min fire rating.	9.10.8.3.	C147
3	Wall assemblies around the furnace and other common areas (i.e. public corridor, common laundry room) are to be a 45 min fire rated separation.	9.10.9.14. 9.10.9.15.	C152
4	Exit enclosure is to be a 45 min fire rated separation.	9.9.4.2.	C121
Sound Transmission Rating			
1	Wall and floor assemblies separating the two dwelling units are to have a 50 STC.	9.11.2.1.	n/a
Note: This is only if the ceiling requires renovations. If no renovation is required, then current STC is acceptable.			
Number of Exits and Exposure			
1	Minimum of one exit to the exterior is to be provided	9.9.8.2. 9.9.9.1. 9.9.9.3.	C134 C136
2	Exit stair to be protected from fire exposure	9.9.4.4. 9.9.4.6.	n/a
Room Size and Dimensions			
1	Room sizes, doorway sizes and ceiling heights.	9.5.	C102 C103 C104
Windows and Spatial Separation			
1	Window sizes.	9.7.	C107 C108
2	Bedroom windows.	9.9.10.1.	C137
3	Spatial separation.	9.10.15.	C171 C172
Alarms			
1	Smoke alarms.	9.10.19.	C175
2	Carbon monoxide alarms.	9.33.4.	C197
Heating, Ventilation & Air Conditioning (HVAC)			
1	Heating System.	9.33.	C195
2	Ventilation	9.32.	C194



Checklist for Converting a Single Family Dwelling Unit to Two Units Ontario Building Code (OBC) Compliance

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Note: Where compliance cannot be attained through OBC Part 9, OBC Part 11 can be utilized if the dwelling has been in existence for 5 years or more.

ITEM	PART 11 Compliance Alternative	Description
Fire Resistance Rating		
1	C152 C147	(a) Except as provided in (b) and (c), 30 min fire separation is acceptable. (b) In a house, 15 min horizontal fire separation is acceptable where, (i) <i>Smoke alarms</i> are installed in every <i>dwelling unit</i> and in common areas in conformance with Subsection 9.10.19., and (ii) <i>Smoke alarms</i> are interconnected (c) In a house, the <i>fire-resistance rating</i> of the <i>fire separation</i> is waived where the building is <i>sprinklered</i> .
2	C147	Same as item 1
3	C152	Same as item 1
4	C121	Except as permitted in C.A. C136, in a building containing not more than four <i>dwelling units</i> or <i>suites</i> , one <i>exit</i> need not be separated from the remainder of the building at the <i>first storey</i> where there are once or more other <i>exits</i> complying with C.A. C122.
	C122	30 min <i>fire separation</i> acceptable.
Number of Exits and Exposure		
1	C134 C136	In a <i>house</i> , <i>exit</i> requirements are acceptable if at least one of the following conditions exists: (a) A door, including a sliding door, that opens directly to the exterior from a <i>dwelling unit</i> , serves only that <i>dwelling unit</i> and has reasonable access to ground level, and the <i>dwelling units</i> are equipped with <i>smoke alarms</i> installed in conformance with Subsection 9.10.19 (b) An <i>exit</i> that is accessible to more than one <i>dwelling unit</i> and provides the only <i>means of egress</i> from each <i>dwelling unit</i> , provided that the <i>means of egress</i> is separated from the remainder of the <i>building</i> and common areas by a <i>fire separation</i> having a 30 min <i>fire resistance rating</i> and provided further that the required <i>access to exit</i> from any <i>dwelling unit</i> cannot be through another <i>dwelling unit</i> , <i>service room</i> or other <i>occupancy</i> , and both <i>dwelling units</i> and common areas are provided with <i>smoke alarms</i> that are installed in conformance with Subsection 9.10.19 and are interconnected, or (c) Access to an <i>exit</i> from one <i>dwelling unit</i> which leads through another <i>dwelling unit</i> where, (i) An additional means of escape is provided through a window that conforms to the following: (A) The sill height is not more than 1,000 mm above or below adjacent ground level, (B) The window can be opened from the inside without the use of tools, (C) The window has an individual unobstructed open portion having a minimum area of 0.38m ² with no dimensions less than 460 mm, (D) The sill height does not exceed 900 mm above the floor or fixed steps, (E) There the window opens into a window well, a clearance of not less than 1,000 mm shall be provided in front of the window , and (F) <i>Smoke alarms</i> are installed in every <i>dwelling unit</i> and in common areas in conformance with Subsection 9.10.19. and are interconnected.

Room Size and Dimensions		
1	C102	In a <i>house</i> , (a) Minimum room height shall not be less than 1,950 mm (6'-5") over the required floor area and in any location that would normally be used as a <i>means of egress</i> , or (b) Minimum room height shall not be less than 2,030 mm (6'-8") over at least 50% of the required floor area, provided that any part of the floor having a clear height of less than 1,400 mm (4'-7") shall not be considered in computing the required floor area.
	C103	Door may be lesser heights to suit ceiling heights.
	C104	Existing acceptable, provided not less than 600 mm.
Windows and Spatial Separation		
1	C107	(a) Where windows are not used as <i>means of egress</i> and where they do not conflict with ventilation requirements, the minimum glass areas as shown in Table 9.7.2.3. may be reduced by 50%, and (b) An existing room converted to an interior room, created by an addition, shall not require a window, provided there is an opening in a dividing wall occupying not less than 30% of the separating plane to an adjoining room, where the adjoining room has a minimum of 5% window area of the combined floor areas, and provided the required ventilation for the combined room is maintained.
	C108	Existing is acceptable
2	C137	In a <i>house</i> , existing is acceptable, where there is direct access the exterior
3	C171	Where an addition to an existing residential <i>building</i> has its <i>exposing building face</i> further distant from the line than the existing <i>exposing building face</i> and the <i>limiting distance</i> is at least 1,200 mm (4'-0") the total area of allowable <i>unprotected openings</i> may be determined under Sentence 9.10.14.2.(2) or 9.10.15.2.(2) for the combined new and existing <i>exposing building faces</i> and, (a) Where the existing <i>exposing building face</i> has no <i>unprotected openings</i> , or the existing <i>unprotected openings</i> are to be filled in, the total allowable area of <i>unprotected openings</i> may be installed in the new <i>exposing building face</i> , or (b) Where the existing <i>unprotected openings</i> are to remain, (i) Their area shall be deducted from the total allowable area of <i>unprotected openings</i> , and the balance may be installed in the new <i>exposing building face</i> , and (ii) Sentences 9.10.14.2.(3) and 9.10.14.4.(2) or Sentences 9.10.15.2.(3) and 9.10.15.4.(4) apply only to the new <i>exposing building face</i> .
	C172	Existing windows. (a) Existing windows in walls may be relocated to another part of the wall, provided the existing opening is blocked up to provide the same fire rating for the new wall, and the projection of the new opening, at a right angle to the property line onto another <i>building</i> , lies no closer than 300 mm (1'-0") from a window in such other <i>building</i> , where the "opposite" window is less than 2,400 mm (7'-10") from the opposite new opening, and (b) Except relocation of units, to be restricted to the same <i>fire compartment</i> and shall conform to the requirements of Article 3.2.3.14. or 9.10.12.3. where applicable, or (c) Where a <i>building</i> does not satisfy the requirements of Subsection 3.2.3. for the amount of openings facing a yard or space that does not have sufficient <i>limiting distance</i> , such existing openings are allowed to be relocated provided: (i) Such openings are not increased in size and they are protected with wired glass in steel frames conforming to Sentence 3.1.8.14.(2), or (ii) The <i>building</i> is <i>sprinklered</i> .
Alarms		
1	C175	<i>Smoke alarms</i> may be battery operated.
3	C197	Carbon monoxide alarms may be battery operated or plugged into an electrical outlet.
Heating, Ventilation & Air Conditioning (HVAC)		
1	C195	In a <i>building</i> containing not more than four <i>dwelling units</i> , the existing heating or <i>air-conditioning</i> system may be altered to serve more than one <i>dwelling unit</i> , provided <i>smoke alarms</i> are installed in each <i>dwelling unit</i> and provided a <i>smoke detector</i> is installed in the supply or return air duct system serving the entire <i>building</i> which would turn off the fuel and electrical power to the heating system upon activation of such detector.
2	C194	In a <i>house</i> , rooms or spaces to be ventilated by natural means in accordance with Subsection 9.32.2 or by providing adequate mechanical ventilation.