

Basement Apartments Making them Safe and Sound

Whether it's called a basement apartment, nanny flat, second suite, or any other name, the issue of apartments in houses comes up regularly for home inspectors. Many prospective homeowners, particularly first-time buyers, are either looking for properties that have an existing apartment or they are considering installing one.

In the GTA, some municipalities are very welcoming and accommodating of basement apartments, viewing them as fulfilling an important void in the rental market and effective use of infrastructure, while other municipalities are more restrictive or don't allow them at all. It's important to check with the zoning and by-law department in the municipality where the home is located before committing to renting out a second suite.

Whether planning to purchase a home with an existing basement apartment or building one, there are two important steps that should be undertaken. It's imperative that the apartment be a safe place to live. This is done by making sure the apartment conforms to both the local fire and electrical codes. Depending on the house, this is not necessarily as difficult or costly to achieve as some might think.

In the meantime, as a homebuyer, some basic things to look for when considering a home with an existing apartment are listed below. Please note this list is meant as a guideline only. It is in no way intended to be all-inclusive and will not replace the independent inspections also noted below.

Some basic things to look for in any apartment include:

- Handrails on stairs
- Kitchen ventilation to the outside
- Bathroom ventilation to the outside
- GFCI receptacles in bathrooms (and kitchens in newer apartments)
- Smoke and Carbon Monoxide alarms
- Secondary means of egress (not necessarily required depending on other conditions)
- Separation of the furnace/utility room including self-closing solid core door
- 30 minute fire-resistance rated ceilings and walls (drywall is okay but paneling or ceiling tiles are not, without provisions for other additional protection)

Purchasers must understand that realtors and home inspectors are unable to warrant retrofit or confirm if a basement apartment meets the requirements or provisions of the Ontario Fire Code, ESA (Electrical Safety Authority), or local municipality. If an existing apartment can't be confirmed as meeting safety requirements, separate Fire Code Retrofit and ESA inspections should be performed. Apartments not conforming can result in significant fines or even jail for the homeowner. Independent inspections of these services are available at a nominal cost and will provide peace-of-mind and security to the homeowner. A call to your insurance company would also be prudent at this time. The Insurance Bureau of Canada advises that the homeowner is *obligated* to advise the insurance company of any material change in risk to the property.

For your convenience, a list of helpful telephone numbers and websites are on the back of this page.

Contact numbers inside Toronto

When creating a new second suite:

Planning Departments

Toronto City Hall, 100 Queen Street W & East York Civic Centre, 850 Coxwell Avenue: 416-392-7539
Etobicoke Civic Centre, 399 The West Mall & York Civic Centre, 2700 Eglinton Ave W: 416-394-8002
North York Civic Centre, 5100 Yonge Street: 416-395-7000
Scarborough Civic Centre, 150 Borough Drive: 416-396-4166

*When enquiring, also ask for the number or extension of the Code Consultant

If you have an existing second suite and wish to legalize it, contact:

Fire Services

General Inquiry: 416-338-9050
West District (Etobicoke and York): 416-394-2535
East District (Scarborough and East York): 416-396-7071
North District (Toronto): 416-392-6940

*If you are calling any of the Fire Service numbers above, note that they are required to inform their respective municipal governments that you have a second suite. If you prefer to ensure your suite meets fire code safety requirements (retrofit) without involving municipal services, you will want to hire an independent fire consultant, such as **The Fire Guy**, 905-884-4423.

Municipalities outside of Toronto

Ask for the Planning and/or By-law departments using the main switchboard numbers below:

Durham:

Ajax: 905-683-4550
Oshawa: 905-725-7351
Pickering: 905-420-4660 or 1-866-683-2760
Whitby: 905-668-5803

Peel:

Brampton: 905-874-2000
Caledon: 905-584-2272 or 1-800-303-2546
Mississauga: 905-896-5000

York:

Aurora: 905-727-1375
East Gwillimbury: 905-478-4282
Georgina: 905-476-4301
King: 905-833-5321
Markham: 905-477-7000
Newmarket: 1-877-550-5575
Richmond Hill: 905-771-8800
Vaughan: 905-832-8510
Whitchurch/Stouffville: 905-640-1900

Other Important Numbers and Websites

Ontario Electrical Safety Authority: 1-877-ESA-SAFE or www.esasafe.com
Landlord's Self-Help Centre: 416-504-5190 or www.landlordselfhelp.com
Ontario Rental Housing Tribunal: 416-465-8080 or 1-888-332-3234 or www.orht.gov.on.ca
Insurance Bureau of Canada: 416-362-2031 or www.ibc.ca