

**From:** Mary Lynn Taylor  
**Sent:** March 31, 2021 4:57 PM  
**To:** [clerk@hamilton.ca](mailto:clerk@hamilton.ca)  
**Subject:** Fwd: SDU submission

Good afternoon,

Please find attached my written submission comments for the April 6,2021 planning committee meeting.

Thanks kindly,  
Mary Lynn Taylor

I appreciate the efforts being made to have policies and procedures in place in converting residential dwellings to include Secondary Dwelling Units.

Who is responsible to ensure investors are obtaining building permits and meeting fire regulations when converting single dwelling houses into 2 apartments? It is great to have policy and procedures but who is responsible in enforcing them? Do you have additional budget to financially support the staff who will be required to enforce new policies?

On the east Hamilton mountain, ward 6, bungalows (under 1100 sq ft) continue to be bought by investors to be converted into 2 rental units (1 on the main floor, one in the basement). In most cases these home renovations are completely renovated without any/all the required building permits and/or meeting fire code. Without inspection the newly converted apartments may or may not meet/pass building and fire regulations.

Section 8.1.1 Minimum and Maximum Size Requirements of a Second Dwelling Unit:

"Current regulations in Hamilton require both the principal dwelling and accessory dwelling unit to each exceed 65 square metres which means a dwelling has to be at least 130 square metres (1,400 square feet) to be eligible to add a SDU."

Square footage of a bungalow calculations are based on the area above grade (ground) and does not include basement (below grade) area, developed or undeveloped, as liveable floor area. The section 8.1.1 Minimum and Maximum

Size Requirements of a Second Dwelling Unit uses the term square footage of a dwelling, but does it really mean total liveable space as square footage is above grade (ground)? Does this mean the conversion of single dwelling homes under 1400 square feet into 2 apartments does not meet section 8.1.1 and are therefore illegal? Who is responsible to enforce this?

The Ontario Fire Code Retrofit Section 9.8 looks at these areas of Fire Safety:

- Containment - Fire separations between dwelling units.
- Means of egress - The number of means of escape from a dwelling unit.
- Electrical Safety - in order to ensure that the electrical wiring in a two unit dwelling is safe, the owner is responsible for having a general inspection conducted by the Electrical Safety Authority (ESA) and must pay for the associated inspection fees. Any electrical hazards identified during the inspection must be repaired. Owners should retain the letter of compliance from ESA for future reference purposes. This letter must be made available to the Chief Fire Official upon request.
- Fire Alarm and Detection - Smoke alarms and Carbon Monoxide detectors

There appears to be a lack of policies or procedures or follow up to be sure the Investors are made to request Building Permits for work required to comply with Fire Code, or an Inspection order issued under the Fire Protection and Prevention in conversion of single family homes to two unit apartments (SDU's). Who is responsible to enforce Ontario Fire Code Retrofit Section 9.8?

Are the people renting these apartments aware these dwellings may or may not have been inspected and may or may not meet building and fire codes?

My concern is not only for the safety of the renters who may not know they are renting a unit that may not have passed building and fire code inspection, but also for the neighbouring house owners.

In summary, who is responsible to ensure investors are obtaining building permits and meeting fire regulations when converting single dwelling houses into 2 apartments? Does the city have budget to hire the necessary resources to enforce the policies? It is great to have policies and procedures in place as long as they are being enforced.