



Interim Amendments to Ontario's 2012
Building Code
"Two-Unit Houses"

August 17, 2017

Notice

This presentation is intended for general information purposes only. It is not intended as legal or technical advice and it should not be relied on as such.

The presentation only highlights certain interim changes to the 2012 Building Code – O.Reg. 139/17. Code users are advised to consult the source documents, including:

- [The Building Code Act, 1992](#); and
- [The 2012 Building Code \(O. Reg. 332/12\) as amended](#)

These documents are available from:

- [e-Laws](#) (official versions of the Act and Code)
- [Publications Ontario](#), where a Building Code compendium (Act, Code and additional materials) can be bought.

Interim Changes

The Building Code (O.Reg. 332/12) was recently amended by O.Reg. 139/17

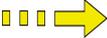
Among other changes, the amending regulation includes new requirements for the following:

1. Retirement homes
2. Two-unit houses (secondary suites)
3. Electric vehicle charging requirements for houses and workplaces
4. Water pipe sizing
5. Gravelless leaching chambers

Content

- This presentation covers new requirements for two-unit houses.
- Separate slide decks are provided for the other new requirements.

Symbols Used in Slides

LEGEND		
Symbol		Denotes
	=	Revision
	=	Moved/incorporated
	=	New/expanded
	=	Deletion
1.2.3.4.(5)	=	2012 Building Code Reference



Division A

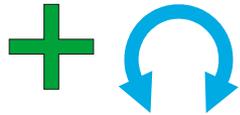
1.4.1.2.(1)(c)

The Building Code has been amended to incorporate the new definition of *house* throughout. There are amendments to various provisions that previously were only applicable to single *dwelling units*. The provisions have been amended to include *houses* that contain one or two *dwelling units* where applicable.

New definition of *House* is added

House means a detached house, semi-detached house or row house containing not more than two *dwelling units*.

House definition introduces a new concept where some relaxations are permitted.



Change in Terminology

New definition of *House* (Cont'd)

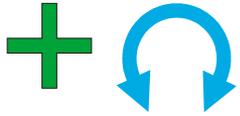
There are many references where the change from single dwelling unit to house would have no substantial impact. An example would be:

Former Sentence 9.8.1.2.(1)

Except as provided in Sentence 9.8.6.2.(3), stairs, ramps, landings, handrails and *guards* in a garage that serve a **single dwelling unit** shall conform to the requirements for stairs, ramps landings, handrails and *guards* within a *dwelling unit*.

New Sentence 9.8.1.2.(1)

Except as provided in Sentence 9.8.6.2.(3), stairs, ramps, landings, handrails and *guards* in a garage that serve a **house or an individual dwelling unit** shall conform to the requirements for stairs, ramps landings, handrails and *guards* within a *dwelling unit*.



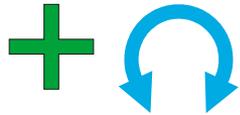
Division A

1.4.1.2. (1)(c)

New definition of *House* (Cont'd)

The reference to “not more than two dwelling units” means not more than two dwelling units in each house.

For example, each row house in a row house block could be constructed as a single dwelling unit or as a two-unit house (subject to exception for stacked row houses in 9.1.1.12.).



Division A

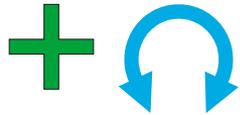
1.4.1.2. (1)(c)

New definition of *House* (Cont'd)

The new definition of “*house*” also replaces previous references to “detached house, semi-detached house, townhouse or row house”.

“Townhouse” is no longer referenced.

Townhouses are captured by the term “row house”.



Division A

1.4.1.2. (1)(c)

New definition of *House* (Cont'd)

The deletion of the term “townhouse” is consistent with other similar legislation:

- Fire Code – Sentence 9.8.1.1.
- Planning Act – section 16(3)
- Planning Act – O. Reg. 384/94 (Apartments in Houses)

Each of these refer to row houses and not townhouses, as townhouses are captured by the term “row house”.



Division B

3.8.1.1.(1)(a)

Application of Barrier Free Design

“Houses, including semi-detached houses, duplexes, triplexes, town houses, row houses and boarding or rooming houses with fewer than 8 boarders or roomers” has been replaced with “*houses*, triplexes and boarding or rooming houses with fewer than 8 boarders or roomers”.

This change in terminology does not change the scope of the exceptions (see next slide).



Division B

3.8.1.1.(1)(a)

Application of Barrier Free Design

Despite change in wording, detached houses, semi-detached houses, duplexes, triplexes and row houses (which include townhouses) need not comply with Section 3.8.

This exception applies to all types of row houses both non-stacked and stacked (formerly referred to as townhouses).



Substantive Change

Division B 9.1.1.12.

Houses

Houses containing two *dwelling units* are not permitted to be constructed above or below another *house*.

A *house* can still be constructed above or below another *house*, if each *house* contains a single *dwelling unit*. However, each house cannot benefit from relaxations provided.

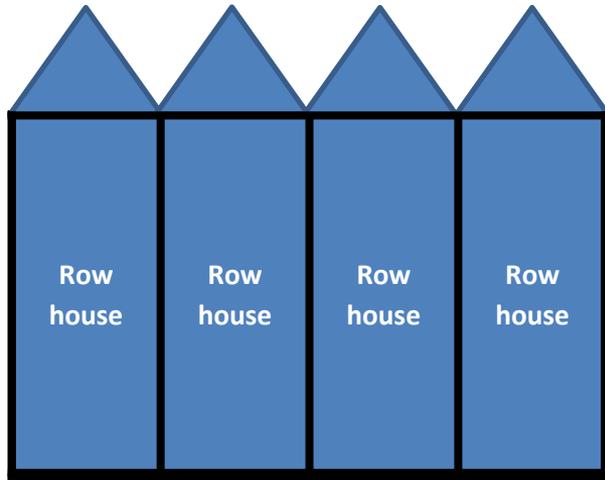
Stacked townhouse blocks can still be constructed as before, however each stacked townhouse in the stacked townhouse block can only have one dwelling unit in it (see next slides).



Substantive Change

Division B 9.1.1.12.

Scenario 1: Traditional Row House Block

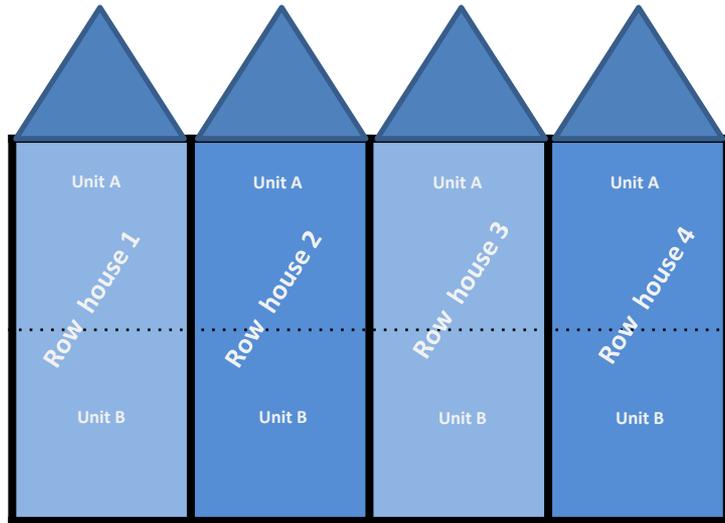


- Each row house in the block contains a single dwelling unit.
- No change from previous construction requirements.
- As noted above, row house and townhouse are interchangeable.



Substantive Change Division B 9.1.1.12.

Scenario 2: NEW Concept - Row House Block where each row house contains two dwelling units

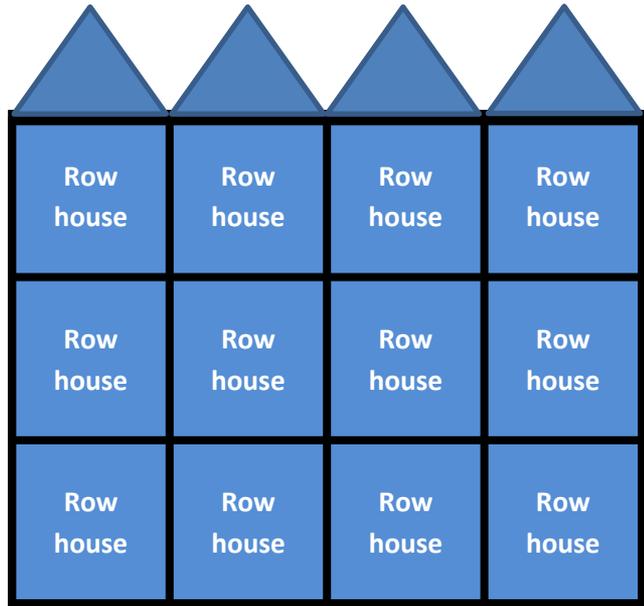


- Each row house has two units.
 - New two unit in a house provisions apply to (e.g. shared HVAC system permitted).
- Each unit could be one or more storeys.
- For the purposes of the application of the new concept, these are not considered a stacked row house or stacked townhouse.



Substantive Change Division B 9.1.1.12.

Scenario 3: Stacked Row House Block



- This and other variations in stacked row house design can be built as they were built prior to the two-unit house amendments.
- However, the new provisions that apply to the creation of two units in a house are not applicable in these scenarios, as the new provisions only apply to a two unit house that is not constructed above or below another house.
- The barrier-free requirements of Section 3.8. do not apply to stacked row house scenarios because *houses* are excluded from the barrier-free requirements, “row houses” are included in the definition of *house*, and townhouses are considered row houses.



Division B

9.5.2.1.

Application of Barrier Free Design

“Houses, including semi-detached houses, duplexes, triplexes, town houses, row houses and boarding or rooming houses with fewer than 8 boarders or roomers” has been replaced with “*houses*, triplexes and boarding or rooming houses with fewer than 8 boarders or roomers”.

This change in terminology does not change the scope of the exception (see next slide).



Division B

9.5.2.1.

Application of Barrier Free Design

Despite change in wording, detached houses, semi-detached houses, duplexes, triplexes and row houses (which include townhouses) need not comply with Section 3.8.

This exception applies to all types of row houses both non-stacked and stacked (formerly referred to as townhouses).



Substantive Change

9.8.6.2.(3.1)

Required Landings

Landings cannot be omitted at a secondary entrance to a *house* where the entrance is a main entrance to one or both of the *dwelling units* in a *house*.



Substantive Change

Division B 9.10.9.14.(4) & (5)

Separation of Residential Suites

A minimum 45 minute *fire separation* is required between *dwelling units* and shared common areas in a *house*.

The required minimum 45 minute *fire separation* may be waived where the *house* is *sprinklered*.



Substantive Change

Division B 9.10.11.2.(1)

Firewalls Not Required

Party walls on a property line are exempt from being constructed as a *firewall* where the property line is between *houses*, and a *fire separation* with a *fire resistance rating* of 1 hour is provided.

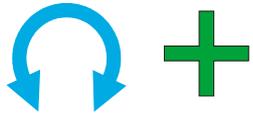


Substantive Change Division B 9.10.15.

Spatial Separation Between Houses

Provisions of Subsection 9.10.15. apply to *houses* with one or two *dwelling units*.

Permits *houses* containing two *dwelling units* to be built of *combustible construction* and *combustible* cladding.



Substantive Change Division B 9.10.19.

Smoke Alarms

Hard wired *smoke alarms* are required in common areas in a *house* such as common laundry rooms and shared *means of egress*.



Substantive Change

Division B 9.13.4.2.

Required Soil Gas Control

Houses are not required to be constructed to resist the leakage of *soil* gas where a subfloor depressurization system is provided in accordance with MMA Supplementary Standard SB-9, “Requirements for Soil Gas Control”.

If *soil* gas control is required for a *house*, it shall consist of a subfloor depressurization system in accordance with MMA Supplementary Standard SB-9, “Requirements for Soil Gas Control”.



Substantive Change

Division B 9.15.1.1.(1)(c)(ii) & 9.20.1.1.(1)(b)(ii)

Insulating Concrete Forms

Permits *houses* containing two *dwelling units to be* constructed using insulating concrete form foundations.



Substantive Change

Division B 6.2.4.7.(14)

Return Air Systems

One heating and/or *air-conditioning* system is permitted to serve a *house* with two *dwelling units* provided certain conditions are met.



Substantive Change

Division B 9.32.3.6.

Ventilation Systems

One ventilation system is permitted to serve a *house* with two *dwelling units*.



Substantive Change

Division B 9.34.2.2.

Lighting Outlets in Houses and Dwelling Units

Article heading is revised to clarify that the Article pertains to lighting and includes lighting outlets in both *houses* and individual *dwelling units*.



Division B

11.5.1.1. (Table 11.5.1.1.C.)

Compliance Alternatives for Residential Occupancies

The following *compliance alternatives* from Table 11.5.1.1.C. have also been amended to incorporate the definition of *house* with no change to the requirements:

C102, C133, C136, C152, C153, C154, C156, C168, C170 and C194.



Substantive Change

Division B 12.3.1.3.

Temperature Control in Dwellings

At least one programmable thermostat is required in each *dwelling unit* in a *house* where each *dwelling unit* is served by a separate heating system.

At least one programmable thermostat is required in a *house* containing two *dwelling units* where both *dwelling units* are served by a single heating system.



Division C

3.2.4.1., 3.2.5.1., and 3.5.2.1.

Qualifications and Classes of Registration

These Articles have been amended accordingly to incorporate the definition of *house*.

Summary of Effective Dates for Interim Building Code Amendments

2017

Long-Term Affordable Housing Strategy Changes

In-effect date: July 1, 2017

- establishing a specific *occupancy* classification and construction standards for *retirement homes*
- amendments regarding *houses* with secondary suites that are intended to increase affordability of secondary suites in newly constructed *houses*

2018

Climate Change and Environmental Changes

In-effect date: January 1, 2018

- water pipe *size* requirements
- electric vehicle charging requirements for homes and workplaces
- On-site sewage gravelless *leaching chambers*

More Information

- www.ontario.ca/BuildingCode
- Sign up for [Code News](#)
- Follow the Ministry of Municipal Affairs on [Twitter](#)
- Buy the Building Code from [Publications Ontario](#) or view on [e-Laws](#) (O. Reg. 332/12 as amended)
- Contact your [local municipality](#)
- [Contact the Building and Development Branch](#) at codeinfo@ontario.ca or by dialling 416-585-6666 (TTY 1-866-220-2290 for the hearing impaired)