

[Date]

[Owners Name]

[Address]

[Brampton], ON [Postal Code]

Dear [Owner]:

Re: Fire Safety, [Address], Brampton, ON

It has come to our attention that there may be the existence of multiple dwelling units (often referred to as basement apartments) within your home. It is your responsibility to comply with the Ontario Fire Code, the Ontario Building Code and City of Brampton By-Laws as applicable. The information included in this package provides you with resources so that you will be able to achieve code compliance.

As per the requirements of the Ontario Fire Code Division A, 1.2.1.1., the owner is responsible for carrying out the provisions of the code. If anything should happen, such as a fire, the homeowner will be held liable for failing to meet code requirements. Further, failure to comply with the code may result in fines of up to \$50,000 and/or not more than one year in prison for each violation of the code. Additionally, having more than one dwelling unit in your home may make your home owner's insurance coverage null and void.

Requirements for Smoke Alarms and CO Alarms

- Ontario Fire Code Division B, 2.13.2.1. requires operating smoke alarms on every storey of each dwelling unit, located outside of the sleeping area.
- City of Brampton By-Law 275-98 as amended requires that a Carbon Monoxide alarm (CO alarm) is installed outside of the sleeping area in each dwelling unit of a house that contains a fuel-fired appliance (eg. gas / oil furnace, fireplace)

Additional Requirements:

Note: The Ontario Fire Code is applicable regardless of who is living in additional units within your home.

Please identify which of the following condition exists within your home and refer to the appropriate Appendix for further instruction:

- two dwelling units that came into existence on or before July 14, 1994 – go to “Appendix 1”
- two dwelling units that came into existence between July 15, 1994 and November 15, 1995 - go to “Appendix 2”
- two dwelling units that came into existence on November 16, 1995 to present - go to “Appendix 3”
- two dwelling units that came into existence with dates unknown - go to “Appendix 3”
- three or more dwelling units present – go to “Appendix 4”

You will need to determine if your additional dwelling unit is a permitted use as defined by the City of Brampton Zoning By-Law by contacting the Zoning Department at 905-874-2090.

In order to comply you must start this process immediately as it may take the full time allotted to gain compliance.

Directive

Be advised that under the authority of Section 28.(1)(d) of the Fire Protection and Prevention Act, 1997, every person is guilty of an offence if he or she, refuses or neglects to obey or carry out the directives of the Fire Marshal, an Assistant to the Fire Marshal or a Fire Chief given under the authority of this Act. 1997, c. 4, s. 28 (1); 2002, c. 18, Schedule N, s. 6. and that an individual convicted of an offence under subsection (1) is liable to a fine of not more than \$20,000 or imprisonment for a term of not more than one year, or both.

Under this authority you are hereby **directed** to attend and permit access by Brampton Fire and Emergency Services personnel to all areas of the property located at [Address] on [Date] at [Time] for the purpose of conducting a fire safety inspection. This includes access to any additional dwelling units that may exist. Please ensure that sufficient notice has been provided to tenants if applicable.

On the date of the inspection, the expectation is that the building is fully compliant with all codes and by-laws and all pertinent documentation be provided. Please complete the Checklist as provided in Appendix 5.

When the Fire Prevention Officer attends on the date specified, charges will be filed if your building is not compliant with all codes and by-laws.

The person who will be conducting your inspection is Fire Prevention Officer [Name], [Phone number].

Further information relating to two unit dwellings can be found at the following websites:

<http://www.brampton.ca/en/residents/By-Law-Enforcement/Pages/Basement-Apartments.aspx>

An electronic copy of this package can be found online at: <http://www.brampton.ca/en/residents/fire-emergency-services/Fire-Safety/Pages/Multiple-Dwelling.aspx>

Yours truly,

[Name Here]
Fire Prevention Officer
Assistant to the Fire Marshal
Brampton Fire & Emergency Services
Tel: [Phone] Fax: (905) 874-2735
[email@brampton.ca]

ENCL.

Appendix 1: Legal Non-Conforming Two-Unit Dwelling that came into existence on or before July 14, 1994.

Two unit dwelling that came into existence on or before the above date is a permitted use by “Grandfathering” of prior laws. Legal non-conforming means that only one additional dwelling unit is a permitted use by the City of Brampton Zoning By-Law and does not mean that your residence is necessarily in conformance with the Ontario Fire Code.

The Ontario Fire Code is applicable regardless of who is living in the additional dwelling unit within your home. The 2007 Ontario Fire Code, Division B, Section 9.8 defines a **dwelling unit** as a room or suite of rooms operated as a housekeeping unit that is used as a domicile by one or more persons and that contains cooking, eating, living, sleeping and sanitary facilities.

Failure to comply with the code may result in fines of up to \$50,000 and/or not more than one year in prison for each violation of the code.

In order to comply, **ALL** of the following steps must be taken:

1. Approval must be obtained from the City of Brampton Zoning department for permitted use of one additional dwelling unit. Please contact Zoning at 905-874-2090.
2. The dwelling units must comply with Division B, Section 9.8 of the 2007 Ontario Fire Code. The 2007 Ontario Fire Code can be found on the website for the Office of the Fire Marshal at: <http://www.ofm.gov.on.ca/en/Legislation%20Directives%20and%20Technical%20Guidelines/Fire%20Code/default.asp>
The Office of the Fire Marshal’s phone number is 416- 325-3100.
3. An Inspection by the Electrical Safety Authority is required for both units and deficiencies must be corrected prior to the Fire Prevention Officer’s inspection. A copy of a clearance letter for both units must be given to the Fire Prevention Officer. The Electrical Safety Authority can be contacted at: <http://www.esainspection.net/> 1-877-372-7233.
4. Ontario Fire Code Division B, 2.13.2.1. requires operating smoke alarms on every storey of each dwelling unit, located outside of the sleeping area.
5. City of Brampton By-Law 275-98 as amended requires that a Carbon Monoxide alarm (CO alarm) is installed outside of the sleeping area in each dwelling unit of a house that contains a fuel-fired appliance (eg. gas / oil furnace, fireplace).

OR

The property can be converted back to a one dwelling unit house by completing **ALL** of the following:

1. All tenants/occupants must be removed from one of the dwelling units, and
2. The locks separating the units shall be removed and replaced with passage sets, and
3. Owners must sign the “One Unit Dwelling Declaration” located at the back of this package and provide to the Fire Prevention Officer, and

Appendix 1: Continued

4. Ontario Fire Code Division B, 2.13.2.1. requires operating smoke alarms on every storey of each dwelling unit, located outside of the sleeping area, and
5. City of Brampton By-Law 275-98 as amended requires that a Carbon Monoxide alarm (CO alarm) is installed outside of the sleeping area in a house that contains a fuel-fired appliance (eg. gas / oil furnace, fireplace).

It is strongly recommended that you contact a consultant for assistance. Consultants may be found in your local yellow pages or online at <http://www.yellowpages.ca/search/si/1/home+inspect/brampton> or on the website for the Office of the Fire Marshal at: <http://www.ofm.gov.on.ca/en/Library/Fire%20Protection%20and%20Emergency%20Management%20Links/Protection%20Consultants.asp>

Before starting any work, a building permit is required. It may be helpful for you to speak to the City of Brampton Building Department before attending in person. They can be contacted at: (905) 874-2401 <http://www.brampton.ca/en/residents/Building-Permits/Pages/contact-us.aspx>

Information for Landlords and Tenants and a link to the Residential Tenancies Act, 2006, may be found at: <http://www.brampton.ca/en/residents/By-Law-Enforcement/Pages/Basement-Apartments.aspx>

A Fire Prevention Officer will attend your residence after 90 days to inspect the entire property and the expectation is that the building is fully compliant with all codes and by-laws. If you want to bring your two unit dwelling into compliance with the fire code, you will need to provide copies of **two (2)** electrical inspection certificates with no deficiencies, one for each of the **two (2)** dwelling units. If applicable you will also need to provide, a copy of the completed building permit and a copy of the consultant's report.

Failure to comply with all applicable codes and by-laws will result in prosecution.

Appendix 2: Legal Non-Conforming Two-unit Dwelling that came into existence between July 15, 1994 and November 15, 1995

Two unit dwelling that came into existence during the above dates are a permitted use by “Grandfathering” of prior laws, however Division B, Section 9.8 of the Ontario Fire Code DOES NOT APPLY. Legal non-conforming means that only one additional dwelling unit is a permitted use by the City of Brampton Zoning By-Law and does not mean that your residence is necessarily in conformance with the Ontario Building Code.

The Ontario Building Code is applicable regardless of who is living in the additional unit within your home.

- o Definition of dwelling unit as per 1994 Ontario Building Code “Dwelling Unit means a suite operated as a housekeeping unit, used or intended to be used as a domicile by 1 or more persons and usually containing cooking, eating, living, sleeping, and sanitary facilities”.
- o Failure to comply with the Ontario Building Code could constitute a fire hazard and as such is in violation of 2.1.2.2. of Division B of the Ontario Fire Code.
- o Failure to comply with the fire code may result in fines of up to \$50,000 and/or not more than one year in prison for each violation of the fire code.

In order to comply, **ALL** of the following steps must be taken:

1. The dwelling unit must comply with the requirements of Part 9 or Part 11 of the 1990 Ontario Building Code with the 1994 amendments. The requirements of Part 9 and Part 11 of the 1990 Ontario Building Code can be found on the City of Brampton Fire and Emergency Services website <http://www.brampton.ca/en/residents/fire-emergency-services/Pages/Welcome.aspx> and
2. An Inspection by the Electrical Safety Authority is required and deficiencies must be corrected prior to the Fire Prevention Officer’s inspection. The Electrical Safety Authority can be contacted at: <http://www.esainspection.net/> 1-877-372-7233, and
3. Ontario Fire Code Division B, 2.13.2.1. requires operating smoke alarms on every storey of each dwelling unit, located outside of the sleeping area, and
4. City of Brampton By-Law 275-98 as amended requires that a Carbon Monoxide alarm (CO alarm) is installed outside of the sleeping area in each dwelling unit in a house that contains a fuel-fired appliance (eg. gas / oil furnace, fireplace).

OR

The property can be converted back to a one dwelling unit house by completing **ALL** of the following:

1. All tenants/occupants must be removed from one of the dwelling units, and
2. The locks separating the units shall be removed and replaced with passage sets, and

Appendix 2: Continued

3. Owners must sign the “One Unit Dwelling Declaration” located at the back of this package and provide to the Fire Prevention Officer, and
4. Ontario Fire Code Division B, 2.13.2.1. requires operating smoke alarms on every storey of each dwelling unit, located outside of the sleeping area, and
5. City of Brampton By-Law 275-98 as amended requires that a Carbon Monoxide alarm (CO alarm) is installed outside of the sleeping area in a house that contains a fuel-fired appliance (eg. gas / oil furnace, fireplace).

Approval must be obtained from the City of Brampton Zoning department for permitted use of one additional dwelling unit. Please contact Zoning at 905-874-2090.

Before starting any work, a building permit is required. It may be helpful for you to speak to the City of Brampton Building Department before attending in person.

They can be contacted at: (905) 874-2401

It is strongly recommended that you contact a consultant for assistance. Consultants may be found in your local yellow pages or online at <http://www.yellowpages.ca/search/si/1/home+inspect/brampton> or on the website for the Office of the Fire Marshal at: <http://www.ofm.gov.on.ca/en/Library/Fire%20Protection%20and%20Emergency%20Management%20Links/Protection%20Consultants.asp>

Information for Landlords and Tenants and a link to the Residential Tenancies Act, 2006, may be found at: <http://www.brampton.ca/en/residents/By-Law-Enforcement/Pages/Basement-Apartments.aspx>

A Fire Prevention Officer will attend your residence after 90 days to inspect the entire property and the expectation is that the building is fully compliant with all codes and by-laws. If you want to bring your two unit dwelling into compliance, you will need to provide copies of **two (2)** electrical inspection certificates with no deficiencies, one for each of the **two (2)** dwelling units. If applicable you will also need to provide, a copy of the completed building permit and a copy of the consultants report.

Failure to comply with all applicable codes and by-laws will result in prosecution.

Appendix 3: Two units that came into existence from November 16, 1995 to present, or date of existence unknown to owner – illegal use

More than one dwelling unit is not permitted and is not safe. The property must be returned to a One Dwelling Unit house regardless of who is occupying the additional dwelling unit.

Definition of dwelling unit as per 1994 Ontario Building Code “Dwelling Unit means a suite operated as a housekeeping unit, used or intended to be used as a domicile by one or more persons and usually containing cooking, eating, living, sleeping, and sanitary facilities”.

The property shall be converted back to a one dwelling unit house by completing **ALL** of the following:

1. All tenants/occupants must be removed from one of the dwelling units, and
2. The locks separating the units shall be removed and replaced with passage sets, and
3. Owners must sign the “One Unit Dwelling Declaration” located at the back of this package and provide to the Fire Prevention Officer, and
4. Ontario Fire Code Division B, 2.13.2.1. requires operating smoke alarms on every storey located outside of the sleeping area, and
5. City of Brampton By-Law 275-98 as amended requires that a Carbon Monoxide alarm (CO alarm) is installed outside of the sleeping area in a house that contains a fuel-fired appliance (eg. gas / oil furnace, fireplace).

Information for Landlords and Tenants and a link to the Residential Tenancies Act, 2006, may be found at: <http://www.brampton.ca/en/residents/By-Law-Enforcement/Pages/Basement-Apartments.aspx>

A Fire Prevention Officer will attend your residence after 90 days to inspect the entire property and the expectation is that the building is fully compliant with all codes and by-laws. The expectation is that the building will be converted back to a One Dwelling Unit house and if not, charges will be filed.

Failure to comply with all applicable codes and by-laws will result in prosecution.

Appendix 4: Three or more dwelling units present - illegal use

Approval must be obtained from the City of Brampton Zoning department for permitted use of more than two dwelling units. Please contact Zoning at 905-874-2090.

Should your house be zoned for more than two dwelling units and approval is obtained, contact the fire prevention officer listed in the letter.

Two dwelling units may be permitted, see Appendix 1 or Appendix 2.

If approval is not obtained from the City of Brampton Zoning department the property must be returned to a One Dwelling Unit house regardless of who is occupying the additional dwelling unit.

The property shall be converted back to a one dwelling unit house by completing **ALL** of the following:

1. All tenants/occupants must be removed from one of the dwelling units, and
2. The locks separating the units shall be removed and replaced with passage sets, and
3. Owners must sign the "One Unit Dwelling Declaration" located at the back of this package and provide to the Fire Prevention Officer, and
4. Ontario Fire Code Division B, 2.13.2.1. requires operating smoke alarms on every storey located outside of the sleeping area, and
5. City of Brampton By-Law 275-98 as amended requires that a Carbon Monoxide alarm (CO alarm) is installed outside of the sleeping area in a house that contains a fuel-fired appliance (eg. gas / oil furnace, fireplace).

Information for Landlords and Tenants and a link to the Residential Tenancies Act, 2006, may be found at: <http://www.brampton.ca/en/residents/By-Law-Enforcement/Pages/Basement-Apartments.aspx>

A Fire Prevention Officer will attend your residence after 90 days to inspect the entire property and the expectation is that the building is fully compliant with all codes and by-laws. The expectation is that the building will be in compliance with Appendix 1 or Appendix 2, or converted back to a One Dwelling Unit house and if not, charges will be filed.

Failure to comply with all applicable codes and by-laws will result in prosecution.

Appendix 5: Checklist For Owner

- Do you have smoke alarms installed between each sleeping area and the remainder of the dwelling unit? Where the sleeping areas are served by hallways the smoke alarms shall be installed in the hallways. In addition at least one smoke alarm shall be installed on each storey that does not contain a sleeping area in a dwelling unit.
- Do you have working carbon monoxide alarms in each dwelling unit located so that the alarm can be heard in the bedrooms when the intervening doors are closed?
- Have you made note of the date and time of your inspection by the Fire Service?
- If you have converted your residence back to a One Unit Dwelling, have you completed and signed the One Unit Dwelling Declaration?
- Do you have zoning approval for a second dwelling unit?**
If Yes the following applies:
- Do you have a building permit and approved drawings if applicable?
- Is your building permit signed by the building inspector?
- Have you had an electrical inspection by the Electrical Safety Authority?
- Do you have a copy of **two (2)** Electrical Safety Inspection Certificates demonstrating compliance for each of the **two (2)** dwelling units where permitted, to provide to the Fire Prevention Officer?
- Do you have a copy of the Consultant's report, if you hired one, to provide to the Fire Prevention Officer?



ONE UNIT DWELLING DECLARATION

ADDRESS: _____

I declare that the above referenced property is a one unit dwelling. No areas within the property will be used as a second dwelling unit. All occupants have free access to the entire one unit dwelling.

Owner: _____
 (print)

 (sign)

Date: _____

Owner: _____
 (print)

 (sign)

Date: _____

Witness: _____
 (print)

 (sign)

Date: _____