



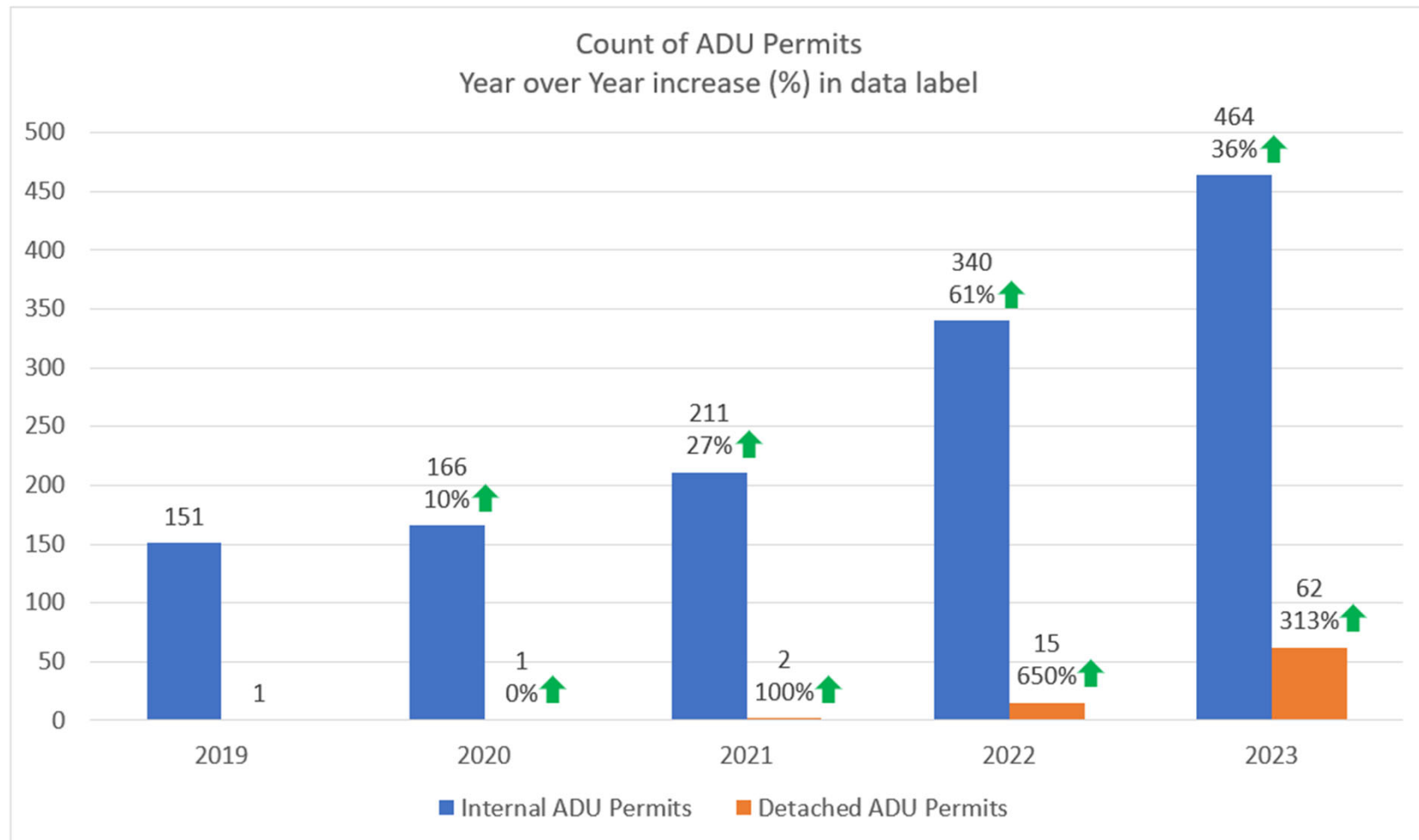
Hamilton

**DETACHED ADDITIONAL DWELLING UNIT
PERMIT PROCESS**

PED24036

April 16, 2024

**PLANNING & ECONOMIC DEVELOPMENT DEPARTMENT
BUILDING DIVISION**



2019-2023 ADU Permits by Ward			
Ward	Internal ADU	Detached ADU	Total
1	66	11	77
2	37	7	44
3	159	5	164
4	93	11	104
5	67	3	70
6	176	6	182
7	200	15	215
8	200	10	210
9	77		77
10	36	4	40
11	23	1	24
12	48		48
13	12	2	14
14	76	6	82
15	62		62
Total	1332	81	1413

- (i) *Expediting the permitting and approvals process for SDU-Ds through a “one window” dedicated approvals team;*
- On June 12, 2023, the Building Division created a new ADU (Additional Dwelling Unit) team that aids those applicants.
 - This specialized team handles all ADU (internal and detached) inquiries and building permit applications.
 - A dedicated phone extension (905-546-2424 ext. 5117) and email address, aduteam@hamilton.ca, have also been created so that customers can inquire directly with the ADU Team.

(ii) Providing access to a library of permit-ready design templates for SDU-Ds;

- The Ontario Building Code (OBC) is very specific on who can prepare a design for a building permit.
- The OBC requires a designer to be qualified, and registered, with the Ministry of Municipal Affairs and Housing or to be an Architect or Professional Engineer. These designers are also required to have insurance.
- Additionally, under provincial legislation the Building Division cannot be both the approver and designer since this would create a conflict of interest.
- From a risk management point of view the City may be putting itself in a liability situation by appearing to be referring homeowners to one specific designer over another. Concerns were also raised by Procurement on advertising a specific designer on the City's website without following Procurement policy.

(ii) Providing access to a library of permit-ready design templates for SDU-Ds (continued);

- While some jurisdictions (mainly in the United States) do provide access to pre-approved plans, most of them require the owner to contact the designer to purchase the drawings required to apply for a permit.
- The time frames for the review of a detached ADU permit application varies from state to state and from county to city. For example, in California they have legislation that requires an application for a detached ADU to be reviewed within 60 days of receiving a completed application. While in Ontario the Building Code requires this type of Building Permit application to be reviewed within 10 working days.
- Additionally, permit regulations, and other applicable approvals, in the United States differ from those in Ontario.

- (ii) *Providing access to a library of permit-ready design templates for SDU-Ds (continued);*
- One innovative approach in Canada that appears to address this issue is the “Standardized Housing Design Project” that the Ministry of Housing in British Columbia is currently working on.
 - This is being done to address the housing crisis in British Columbia and to ensure consistency across municipalities in British Columbia.
 - They are currently in the process of engaging a consultant to provide expert advice. Once the consultant is hired the Ministry of Housing would select a designer to create as many as 10 designs (including 4 for detached ADUs) based on design parameters determined by the consultant team. These designs would be compliant with the British Columbia Building Code and would then be made available to local municipalities in British Columbia.

(ii) Providing access to a library of permit-ready design templates for SDU-Ds (continued);

- If Council feels this British Columbia initiative is something that should also be made available in Ontario, Council could direct staff to draft a letter to the Ministry of Municipal Affairs and Housing requesting that they implement a similar project in Ontario and that the approved designs for Detached Additional Dwelling Units be made available to all Municipalities.
- Although staff cannot support providing permit-ready designs to homeowners at this time, the Building Division will allow designers to have their detached ADU plans reviewed and pre-approved for Building Code compliance prior to making a formal building permit application. These pre-approved “stock” plans could then be used multiple times, provided there are no changes to the floor plan, when applying for a building permit.
- This would result in an expedited issuance of the building permit since the drawings would already have been reviewed for OBC compliance.

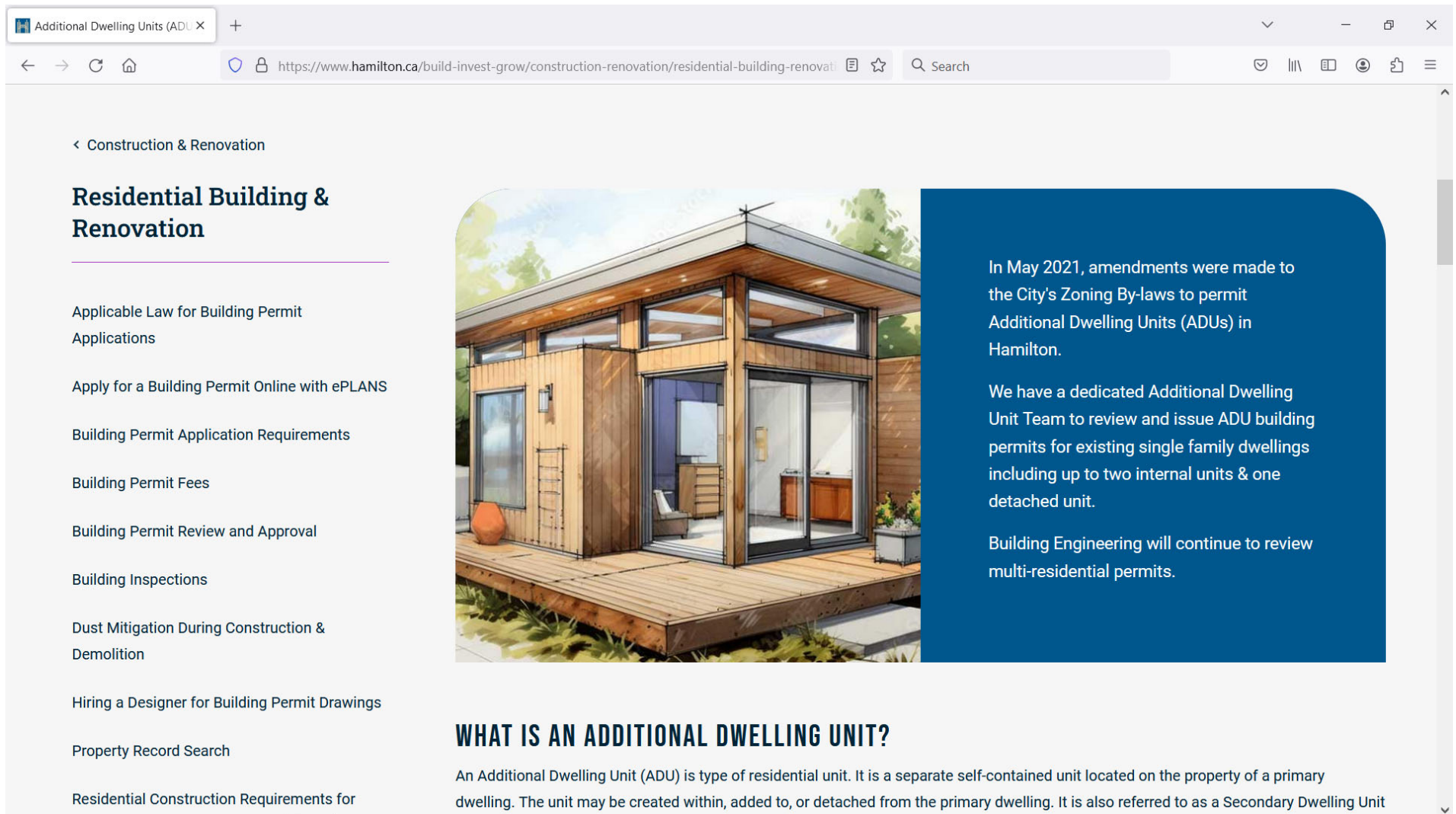
- (ii) *Providing access to a library of permit-ready design templates for SDU-Ds (continued);*

Update on Standardized Housing Designs

- On April 10, 2024, the Ontario Government in their press release on their “*Cutting Red Tape to Build More Homes, Act*” made the following announcement on standardized housing designs:
 - “Ontario is proposing to create a regulation-making authority to exempt standardized housing designs (once created) from certain sections of the Planning Act (e.g. zoning) and from planning provisions under the City of Toronto Act, 2006. If passed, this would allow the province to make regulations that would speed up approvals and allow Ontario to potentially partner with British Columbia and the federal government on a catalog of housing designs that could also be delivered even faster using modular construction.”

(iii) Developing a one-stop SDU-D website that provides a comprehensive inventory of SDU-D information, guidance, resources and summarizes SDU-D regulations and permitting steps;

- A website has been developed for Additional Dwelling units (both internal and detached) www.hamilton.ca/AdditionalDwellingUnits
- This website will provide information on ADUs and how to apply for a building permit.
- Additionally, staff are currently working with the GIS team to have the Zoning requirements for ADUs (internal and detached) available by just clicking on a property.
- Brochures have been developed for the general public (see Appendix “A” to Report PED24036 and Appendix “B” to Report PED24036).




Additional Dwelling Units (ADU) x

https://www.hamilton.ca/build-invest-grow/construction-renovation/residential-building-renovati

< Construction & Renovation

Residential Building & Renovation

- Applicable Law for Building Permit Applications
- Apply for a Building Permit Online with ePLANS
- Building Permit Application Requirements
- Building Permit Fees
- Building Permit Review and Approval
- Building Inspections
- Dust Mitigation During Construction & Demolition
- Hiring a Designer for Building Permit Drawings
- Property Record Search
- Residential Construction Requirements for



In May 2021, amendments were made to the City's Zoning By-laws to permit Additional Dwelling Units (ADUs) in Hamilton.

We have a dedicated Additional Dwelling Unit Team to review and issue ADU building permits for existing single family dwellings including up to two internal units & one detached unit.

Building Engineering will continue to review multi-residential permits.

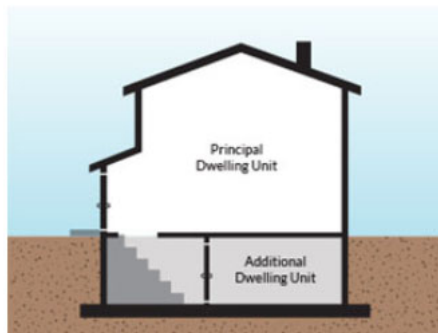
WHAT IS AN ADDITIONAL DWELLING UNIT?

An Additional Dwelling Unit (ADU) is type of residential unit. It is a separate self-contained unit located on the property of a primary dwelling. The unit may be created within, added to, or detached from the primary dwelling. It is also referred to as a Secondary Dwelling Unit

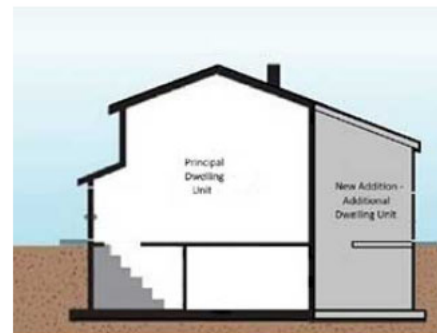
What are some examples of an Additional Dwelling Unit?

Internal ADU

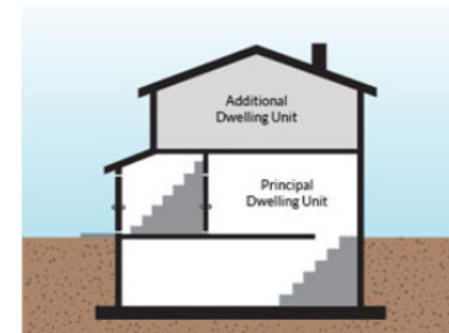
An internal Additional Dwelling Unit (ADU) is a conversion of interior space within an existing dwelling or through a new addition to an existing dwelling to provide one (1) additional dwelling unit to a maximum of four (4) dwelling units in some zones. A new detached dwelling can also be purpose-built to include an internal additional dwelling unit.



Example 1: A basement in an existing dwelling to be converted into a separate residential unit (ADU).



Example 2: A new addition constructed to an existing dwelling for the purpose of a separate residential unit (ADU).

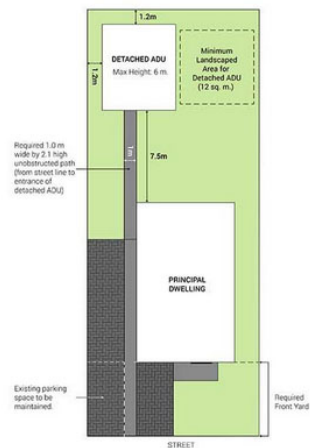


Example 3: A new house including a layout for a separate self-contained unit within the same building.

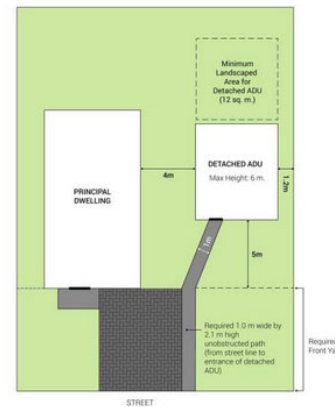
How do I know if a Detached Additional Dwelling Unit is suitable for a property?

A Detached ADU can be located in the rear yard or interior side yard of a property. These diagrams illustrate possible layouts of a Detached ADU on a lot, based on the requirements of the Zoning By-law. Refer to the [Zoning By-law](#) for the full set of regulations that apply to Detached ADUs.

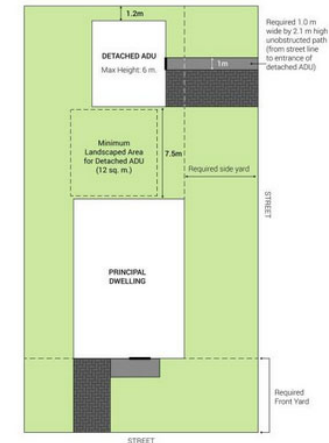
D-ADU Interior Lot - Rear (File, 21.35 KB)



D-ADU Interior Lot - Side (File, 76.38 KB)



D-ADU - Corner Lot (File, 75 KB)



Note: All lots may not be able to accommodate a Detached ADU due to Ontario Building Code and Zoning By-Law requirements. Refer to the Secondary Dwelling Unit By-Law for the complete requirements of Detached - Additional Dwelling Units.

(iv) Facilitating connections among prospective SDU-D owners and residents and relevant experts in the design and construction community;

- Staff have reached out to the Hamilton ADU Facebook Group to advise them of our Division's new ADU team and that the our Division's ADU website is up and running.
- This Facebook Group has included the City's information on their site.
- This website has been used by owners and residents to communicate with each other to obtain information on experts in the design and construction of detached ADUs.
- Staff will continue to work with this group to ensure ADU information is made available to as many people as possible.

- (v) *Partnering with nonprofits, public agencies, and private organizations to develop models for affordable SDU-D construction, using best practices gleaned from other jurisdictions.*
- The Building Division is constantly in touch with other Municipalities as it relates to the Ontario Building Code, including additional dwelling units.
 - Staff are currently involved in a project with other Divisions to coordinate our various Housing initiatives in the City of Hamilton. Staff are also working with Finance and the Housing Secretariate's office to highlight funding/grant programs.
 - Staff are part of the Federal Government, Housing Design Catalogue – Municipal Partner Roundtable.
 - Our Division is always willing to listen to homeowners, designers, builders, etc. and provide feedback on their issues/concerns.

Questions?