



ADDITIONAL DWELLING UNITS DETACHED

INTRODUCTION

In May 2021, amendments were made to the City's Zoning By-laws to permit Secondary Dwelling Units (also known as Additional Dwelling Units). An Additional Dwelling Unit (ADU) is a dwelling unit that is accessory to the main dwelling.

THERE ARE TWO TYPES OF ADDITIONAL DWELLING UNITS

- One that is internal to the main dwelling, such as a basement apartment or an addition to the main dwelling; and
- A Detached Additional Dwelling Unit (ADU-D) which is a self-contained dwelling unit that is separate from the main dwelling on a lot. Detached Additional Dwelling Units may be newly constructed in the rear and/or side yard of a lot, or may be created from the conversion of an existing accessory building such as a detached garage.

This brochure provides general information related to an detached Additional Dwelling Unit. See the "Additional Dwelling Units Internal" brochure for general information related to an internal Additional Dwelling Unit.

BUILDING PERMITS

It is the owner’s responsibility to ensure that a Building Permit is obtained when required, prior to commencing construction or demolition.

A Building Permit gives you the legal authorization to start construction in accordance with approved drawings and specifications.

Building Permits are issued by the Building Division and are reviewed for compliance with the Ontario Building Code, the appropriate municipal Zoning By-law and other applicable provincial and municipal regulations. Building Permits are necessary to ensure that fire, health, construction and structural safety standards are met.

Contact the Building Division at the planning stages of your project to determine whether a Building Permit is required and what specific zoning requirements apply to your property.

CAN I DO MY OWN DRAWINGS?

As the owner, you may design your own project and produce your own drawings. Libraries and home improvement stores carry books with standard details that can be referenced when creating drawings. Discuss your project with material suppliers to establish costs, sizes and spans. Sample drawings can also be obtained from the Building Division to illustrate the quality of submission necessary for a permit application.

All drawings must be to scale and printed in ink. Original drawings in pencil are not acceptable, but photocopies of penciled drawings may be sufficient. Plans must be fully dimensioned in either metric or imperial units, but not a combination of both. Two (2) copies are required of each drawing.

Delays in the issuance of your permit can arise if



your drawing and specification submissions are not complete or do not conform to the Ontario Building Code and/or Zoning By-law.

If you are not familiar with various government regulations, by-laws and Ontario Building Code requirements, you may wish to hire a qualified designer.

Note: A designer is anyone who is responsible for the design, which may include preparing the drawings for submission. If the design is not being completed by the owner, a designer registered and/or qualified under Division C, Part 3, Section 3.2 of the Ontario Building Code is required for an additional dwelling unit.

HOW DO I KNOW IF A DESIGNER IS QUALIFIED?

Qualified designers will have a Building Code Identification Number (BCIN). Qualifications may be verified on the Ministry of Municipal Affairs and Housing website at mah.gov.on.ca. Contact the Ministry at 416.585.6666 if you have any further questions regarding designers or qualifications.

HOW DO I APPLY FOR A BUILDING PERMIT?

Building Permits may be applied for by the property owner, or by an agent on behalf of the owner, such as the contractor or designer. Forms, along with fee schedules, are available at the Building Division office and hamilton.ca/building.

BUILDING CODE REQUIREMENTS

The Ontario Building Code sets out minimum construction standards for how to build an additional dwelling unit. These minimum standards include the following considerations:

Water Service

Depending on the number of fixture units serving the buildings on the property, the water service line on the private and/or public side may need to be increased.

Fire Department Access

An unobstructed path of travel with a minimum 1.0 metre width and minimum 2.1 metre vertical clearance is required from the public street to the entry of the detached additional dwelling unit.

Footings and Foundations

The Building Code has detailed requirements for footings and foundations.

Room Sizes and Floor Area

The Building Code sets out minimum room sizes in additional dwelling units. Room sizes vary depending on whether rooms are separated by walls or the unit is open concept.

Ceiling Heights

Minimum ceiling heights are required in an additional dwelling unit.

Windows

Windows are required in the additional dwelling unit. Window sizes are also based on what type of room they are in. The Building Code regulates the maximum amount of windows permitted in a wall in relation to the distance to the property lines and existing buildings.

Exits

The detached additional dwelling unit requires an exit door that is direct to the exterior and part of the required fire department access.

Plumbing

At minimum the additional dwelling unit will need the following plumbing requirements:

- hot and cold water supply
- sink
- bathtub or shower
- toilet
- kitchen sink
- access to laundry facilities.

Smoke Alarms

The additional dwelling unit will need smoke alarms that meet the CAN/ULC S531 performance standard. A label on the alarm will indicate whether it meets this standard. Smoke alarms must be connected to an electrical circuit, interconnected with all other smoke alarms in the dwelling unit, and have a flashing light when activated.

Carbon Monoxide Detectors

In addition to smoke alarms, carbon monoxide detectors are required if the additional dwelling unit has a furnace that uses natural gas, propane, or other similar fuels. They are also required if the detached additional dwelling incorporates a garage. Carbon monoxide detectors must be connected to an electrical circuit.

Heating and Ventilation

The additional dwelling unit is required to have heating and ventilation that conforms with the Building Code.

HOME CONSTRUCTION REGULATORY AUTHORITY

In Ontario, all builders of new homes must be registered with the Home Construction Regulatory Authority (HCRA). HCRA maintains an Ontario Builder Directory of all new home builders. If you are considering building a new additional dwelling unit, you are encouraged to check the Ontario Builder Directory to ensure your prospective builder is registered with HCRA. Visit hcr Ontario.ca for more information.

WHAT OTHER INFORMATION SHOULD I BE AWARE OF?

Municipal Addressing

A new municipal address is required for the proposed detached additional dwelling unit. Contact addressing@hamilton.ca for more information.

Funding and Incentives

Coming soon (Spring 2024).

Other Fees

An additional dwelling unit may be subject to Parkland and Development Charges. Contact building@hamilton.ca for more information.

Building Permit Application Review, Issuance and Inspection

During the review process, you may be contacted by a plan reviewer if there are any outstanding requirements. All outstanding information must be submitted prior to issuance of the permit.



Please read the permit documents thoroughly before commencing construction. Construction of the additional dwelling unit must be in accordance with the approved plans and documents issued with your permit.

Several inspections are required during construction to ensure all the work is done as per the approved plans. Before construction begins, contact the Building Inspector to find out which inspections are required.

It is the property owner's responsibility to ensure the Building Division is contacted for the required inspections. Either the owner or the contractor can request an inspection by calling 905.546.2424

ext. 7777, Monday to Friday, between the hours of 8:30 a.m. to 4:30 p.m. A request for inspection must be made at least 48 hours before work proceeds from one inspection stage to the next.

HOW DO I KNOW IF A CONTRACTOR IS LICENSED TO WORK IN HAMILTON?

Call 905.546.2782 and press "3" for licensing and staff will be able to tell you if a contractor is licensed to work in Hamilton. More information can be found online at hamilton.ca/tradelicence.

IMPORTANT CONTACTS:	
Call Before You Dig (24 hour service)	1.800.400.2255
Committee of Adjustment (Minor Variances from Zoning By-law)	905.546.4221
Electrical Safety Authority (Electrical permits/inspections)	1.877.372.7233
Encroachments/Alley information	905.546.2424 ext. 4298
Historical Designations/Information	905.546.2424 ext. 1202 or ext. 1220
Ministry of Transportation	416.235.4081 or 416.235.4387
Hamilton Region Conservation Authority	905.525.2181
Halton Region Conservation Authority	905.336.1158
Niagara Peninsula Conservation Authority	905.788.3135
Niagara Escarpment Commission (NEC)	905.877.5191
Grand River Conservation Authority	519.621.2763
Ministry of Municipal Affairs and Housing	ontario.ca/page/add-second-unit-your-house ontario.ca/page/building-laneway-house

DO YOU REQUIRE MORE INFORMATION?



IN PERSON

City Hall
71 Main Street West,
3rd Floor
Hamilton, Ontario
L8P 4Y5



PHONE

Building permits:
905-546-2424 ext. 5117

General zoning:
905-546-2424 ext. 2719

MONDAY - FRIDAY
8:30 am - 4:30 pm



E-MAIL

Building permit questions:
aduteam@hamilton.ca or
building@hamilton.ca

General zoning questions:
zoninginquiry@hamilton.ca



WEB

www.hamilton.ca/building

www.hamilton.ca/AdditionalDwellingUnits

Information collected in the building permit application process, including personal information, is collected under the authority of the *Building Code Act*, 1992, S.O. 1992, Chap. 23 and is subject to the *Municipal Freedom of Information and Protection of Privacy Act*, R.S.O. 1990, c. M.56.