



## INFORMATION GUIDE

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# SECOND DWELLING UNITS BUILDING CODE BASICS

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Table of Contents

- 1. Introduction ..... 3
- 2. Ontario Building Code and Second Dwelling Units..... 3
- 3. How Do I Make My Secondary Dwelling Unit Legal? ..... 3
- 4. Process to Occupying Your Second Dwelling Unit ..... 4
- 5. How Much Does It Cost? ..... 5
- 6. How Do I Make an Application for A Building Permit?..... 5
- 7. Building Code Requirements ..... 7
  - 7.1. Minimum Room Size Requirements ..... 7
  - 7.2. Minimum Required Ceiling Height ..... 8
  - 7.3. Minimum Window Requirements for Natural Light ..... 8
  - 7.4. Minimum Door Width Requirements ..... 8
  - 7.5. Smoke and Carbon Monoxide Alarms ..... 9
  - 7.6. Fire Separations between and within Units ..... 9
  - 7.7. Heating and Ventilation ..... 10
  - 7.8. Minimum Plumbing Facilities ..... 11
  - 7.9. Egress Requirements ..... 11
- 8. Electrical Safety and Inspections ..... 12
- 9. Contact Information ..... 12

## 1. Introduction

The following guide has been developed to aid homeowners in the process of obtaining a building permit for the development of a second dwelling unit within the Municipality of Brighton. This guide should not be used in place of industry professionals. If you are unfamiliar with building construction procedures the assistance of a qualified building contractor, registered designer, architect or engineer may save you both time and money.

This guide provides specific information pertaining to the application preparation and the issuance of a building permit. For more information and forms, please visit the Municipality of Brighton Building Section website:

<https://www.brighton.ca/en/municipal-services/applications-forms-licences-and-permits.aspx>

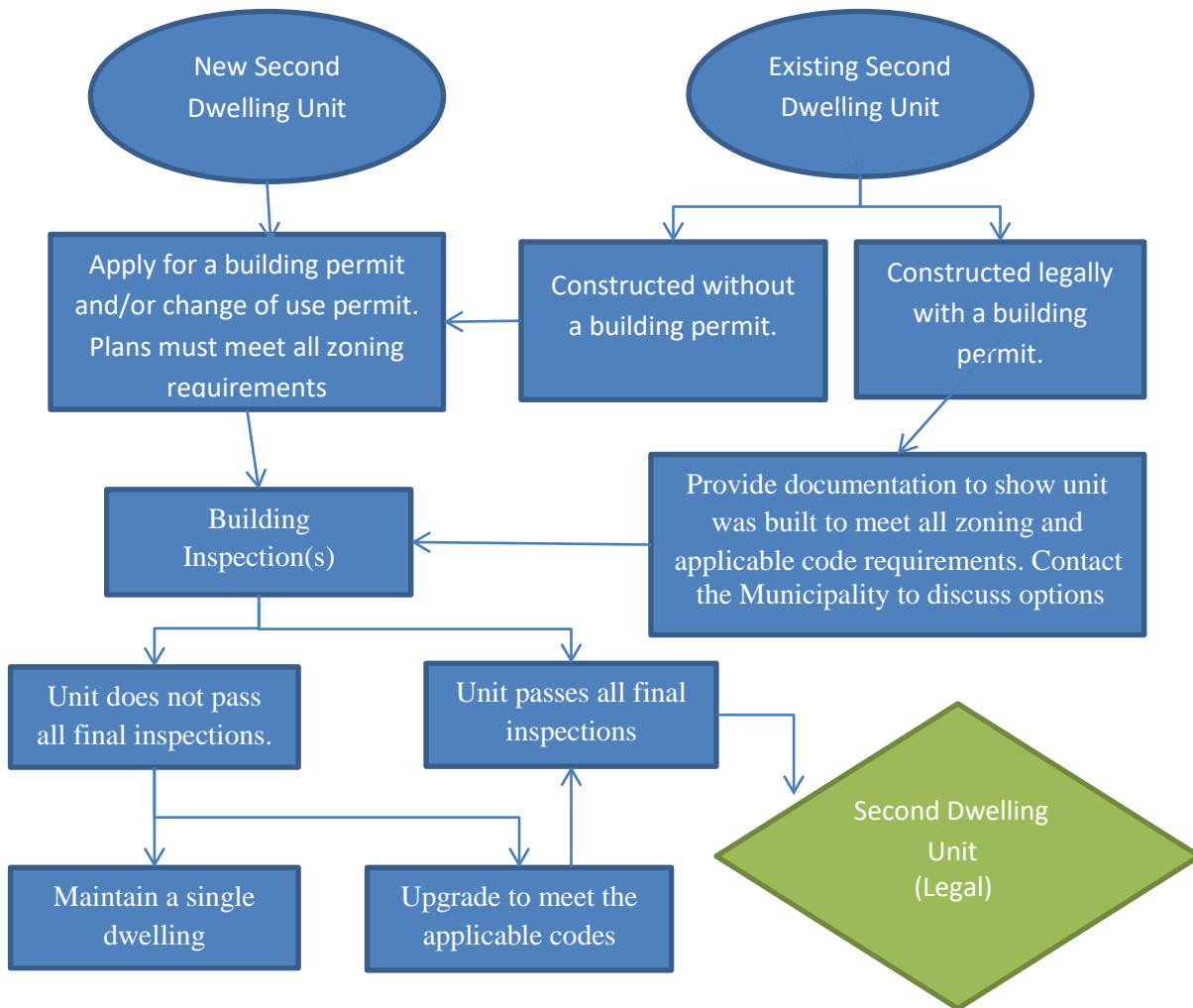
## 2. Ontario Building Code and Second Dwelling Units

The Ontario Building Code provides the minimum construction requirements for all buildings in Ontario. It ensures that public health and safety, fire protection and structural integrity of buildings during construction, renovation, additions, and changes in use are upheld. Within the Municipality of Brighton, the Chief Building Official is responsible for reviewing building permit applications to ensure that applications meet these minimum requirements. In order to begin construction on your Secondary Dwelling Unit, you must obtain a building permit. A completed application including all information and drawings must be submitted to the Building Department. A list of documents required at submission is listed later in this guide. If you have hired an industry professional to prepare the building designs, they must be a qualified designer under the Ontario Building Code and have experience submitting an application and obtaining a permit from the Municipality of Brighton. The homeowner however is ultimately responsible for ensuring a building permit is obtained and that all building code requirements are met.

## 3. How Do I Make My Secondary Dwelling Unit Legal?

To have a legal Second Dwelling Unit it must comply with the Municipality's Zoning By-Law and Ontario Building Code. The chart below gives an overview of the process required to achieve Occupancy:

## 4. Process to Register your Second Dwelling Unit



A building permit provides official permission from the Municipality of Brighton to start construction of your second dwelling unit project. The building permit means that the municipality has reviewed your project and is satisfied that the proposed works meet the requirements of the Ontario Building Code and other regulating documents such as the Zoning By-law.

Existing Second Dwelling Units that were constructed without a permit, will require a building permit and inspections to ensure that the construction meets the requirements of the Building Code prior to registering your second Dwelling Unit. This is important to ensure that minimum safety requirements are met otherwise all occupants of the building will be exposed to an increased level of risk.

## 5. How Much Does It Cost?

Building permit fees are applicable and are based on the estimated value of work being proposed.

Building Permit Fee	\$8.00 / \$1,000.00 value of construction, minimum \$150.00
Plumbing Permit Fee	\$150.00 + \$17.00 / fixture

Please note that permit fees may change from time to time and in the event of a discrepancy between the fees noted in this guide and the Municipality's By-law the Fees in the Building By-law shall govern. There are no development charges applicable to the creation of a Second dwelling unit in an existing house or an addition to a house where the floor area of the new dwelling unit does not exceed the floor area of the existing dwelling unit.

## 6. How Do I Make an Application for a Building Permit?

To submit your application to the Municipality of Brighton Building Department, a complete Building Permit Application shall be accompanied by 2 sets of drawings depicting the proposed work. Building permit applications are available on our website:

<https://www.brighton.ca/en/municipal-services/applications-forms-licences-and-permits.aspx>

The following drawings are typically required with the submittal of a building permit application to ensure that the proposed project complies with all relevant by-laws and regulations.

**SITE PLAN** is a drawing of the property identifying the location of all structures on the property including their dimensions and distances to the property lines. A plot Plan submission should include:

- ✓ Drawing scale
- ✓ North arrow
- ✓ Lot lines and dimensions
- ✓ Existing and proposed construction and dimensions
- ✓ Setbacks to lot lines
- ✓ Proposed changes to existing grade
- ✓ Parking spaces including driveway dimensions (measured to lot line not the street)
- ✓ Entrances and pathways serving both dwelling units

**ELEVATIONS** show the exterior walls of each side of the home and are typically identified by the direction the wall faces. (i.e. North, West, etc.). An Elevation

Drawing should include:

- ✓ Drawing scale
- ✓ Extent of new and existing construction
- ✓ Vertical and horizontal dimensions of walls, windows and doors above grade
- ✓ Grade level
- ✓ Exterior cladding (i.e, siding materials)
- ✓ Decks, stairs, porches, landings, handrails, guards, etc.
- ✓ Roof shape, slope and finishing material
- ✓ Exterior lighting

**FLOOR PLANS** are drawings illustrating the floor layout as viewed from above. One floor plan is required for each floor of the house to ensure that the safety of one unit does not impact another unit.

Floor plans should include:

- ✓ Drawing scale
- ✓ Use and dimensions of rooms and spaces (e.g. Bath room, Kitchen, bedroom, etc.)
- ✓ Extent of new construction including new construction within existing building areas.
- ✓ Size, type, and location of exterior and interior walls and partitions
- ✓ All structural elements, beams (wood, steel, etc.), columns, structural walls, etc.
- ✓ Dimensions and location of all openings (doors and windows)
- ✓ Location, dimensions and direction of all stairs
- ✓ Heating system details and calculations
- ✓ Smoke and carbon monoxide alarm locations
- ✓ Fire and sound separation construction details including any fire damper locations
- ✓ Location of plumbing fixtures
- ✓ Location of bulkheads enclosing ductwork

**SECTION DRAWINGS** illustrate a cross sectional view of the home, typically through the stair, that shows existing and proposed construction. The drawing should include:

- ✓ Drawing scale
- ✓ Floor to ceiling height, head clearances over stairs
- ✓ Construction details of footings, foundations, walls, floors, and the roof
- ✓ Attic and crawl space ventilation
- ✓ Fire and sound separation construction details

**MECHANICAL DRAWINGS** provide information about the heating capacity and Calculations of the proposed furnace(s) and any cooling system(s). The mechanical drawings must identify the design and layout of the duct system(s).

Upon submittal, Building Official will review the application. If the application is complete, the reviewer will either issue a permit or request additional information necessary within 10 business days. Once the project has been determined to comply with the minimum requirements of the building code and a permit is issued construction can then commence.

During the construction you will need to request a series of building inspections with the Municipality of Brighton building department. On the day of inspection, the building inspector will come to your property and inspect your project to ensure that it has been constructed in accordance with the Building Code and follows the plans reviewed by the Municipality. The inspector may ask you to fix items that do not meet the building code and may require you to book a re-inspection. When booking an inspection, the Municipality requires 48 hours notice to schedule a visit to your property.

**The Municipality of Brighton does not conduct pre-purchase inspections.**

For information regarding the services of a pre-purchase home inspector, please Consult your telephone directory. However, if you have questions or concerns about a planned or existing Second Dwelling Unit, you can contact Brighton’s Building Department.

## 7. Building Code Requirements

The Ontario Building Code provides two different scenarios that apply to your property depending on when your home was constructed. Part 9 of the Building Code applies to new construction, including new Second Dwelling Units. Part 9 also applies to an addition to your home that is intended to contain all or a portion of your Secondary Dwelling Unit. If your home is greater than 5 years old, alternative designs that comply with Part 11 of the Ontario Building Code will also be accepted where meeting Part 9 requirements is impractical. The following tables outline some of the requirements of the Building Code related to the Second Dwelling Units with relevant Part 11 alternatives. All relevant sections of the Building Code apply and in the case of a discrepancy between the tables below and the original text of the Building Code, the Building Code shall govern.

### 7.1. Minimum Room Size Requirements

Required Space	Minimum Area
<b><u>Open Concept Bachelor Apartment</u></b>	
Living, Dining, Kitchen and Sleeping space	13.5 m <sup>2</sup>
<b><u>Other Partitioned Apartments</u></b>	
Living area	13.5 m <sup>2</sup>
Living Room combined with a kitchen and dining space (not intended for more than 2 persons)	11.0 m <sup>2</sup>
Dining area	7.0 m <sup>2</sup>
Dining area if combined with one other space	3.25 m <sup>2</sup>
Kitchen	4.2 m <sup>2</sup>
	3.7 m <sup>2</sup> (not more than 2 persons and not more than one bedroom)
Master Bedroom (unit must contain one)	9.8 m <sup>2</sup>
	8.8 m <sup>2</sup> (if a built-in closet is provided)
Other Bedrooms	7.0 m <sup>2</sup>
	6.0 m <sup>2</sup> (if a built-in closet is provided)
	4.2 m <sup>2</sup> (if bedroom is combined with any other space)
Bathroom	Sufficient space to accommodate a toilet, sink and bathtub or shower stall.

## 7.2. Minimum Required Ceiling Height

Rooms and Combined spaces	New Houses Less than 5 years old	Greater than 5 years old
Living Room	2.3 m (7'-7") over at least 75% of the required floor area with a clear height of 2.1 m (6'-11") at any point	Minimum 1950 mm (6'-5") over the required floor area of minimum room height not less than 2030 mm (6'-8") over at least 50% of the required floor area
Living Room combined with a kitchen and a dining area		
Dining Room	2.3 m (7'-7") over at least 75% of the required floor area with a clear height of 2.1 m (6'-11") at any point	
Dining Room if combined with other spaces		
Master Bedroom	Clear height of 2.1 m (6'-11") at any point	
Bedroom	2.3 m (7'-7") over at least 75% of the required floor area with a clear height of 2.1 m (6'-11") at any point	

## 7.3. Minimum Window Requirements for Natural Light

Location	New Houses Less than 5 years old	Greater than 5 years old
Laundry Room, Kitchen, Bathroom	Window not required	Window not required
Living and Dining Rooms	10% of floor area	5% of floor area
Bedrooms and other Finished Rooms	5% of floor area	2.5% of floor area

## 7.4. Minimum Door Width Requirements

Door Location	Requirements
Entrance Door to Dwelling	810 mm (32")
Any door between the exterior and the basement	810 mm (32")
Utility rooms	810 mm (32")
Walk-in closets	610 mm (24")
Bedrooms	760 mm (30")
Bathrooms	610 mm (24")



## 7.5. Smoke and Carbon Monoxide Alarms

Requirements	New Houses Less than 5 years old	Greater than 5 years old
<p><b>SMOKE ALARMS</b></p> <ul style="list-style-type: none"> <li>• Required to be contained within each unit, on every storey, in any hallway serving bedrooms, in every shared means of egress</li> </ul>	<ul style="list-style-type: none"> <li>• Must be hardwired</li> <li>• Must be interconnected within the suite</li> <li>• Must have a strobe light</li> </ul>	<ul style="list-style-type: none"> <li>• May be battery operated</li> <li>• Interconnected (wireless)</li> <li>• Must have a strobe light</li> </ul>
<p><b>CARBON MONOXIDE ALARMS</b></p> <ul style="list-style-type: none"> <li>• Required when a fuel burning appliance is located in any suite or if there is an attached garage.</li> <li>• Must be installed adjacent to all sleeping areas.</li> <li>• Installed per manufactures instructions, or in the absence of that, on or near the ceiling.</li> </ul>	<ul style="list-style-type: none"> <li>• Must be mechanically fastened</li> <li>• Must be hardwired</li> <li>• Must be interconnected within the suite</li> </ul>	<ul style="list-style-type: none"> <li>• Must be battery operated or plugged into an electrical outlet.</li> </ul>

## 7.6. Fire Separations between and within Units

New and Houses less than 5 years old	Houses greater than 5 years old
<p><b>1. If both dwelling units only have 1 storey:</b></p> <ul style="list-style-type: none"> <li>• 45 minutes fire separation required between units</li> <li>• 45 minute fire rating required to protect supporting structure (columns, loadbearing walls, beams, etc.)</li> </ul> <p><b>2. If either dwelling unit has more than 1 storey:</b></p> <ul style="list-style-type: none"> <li>• 1 hour fore separation is required between the units, and</li> <li>• 1 hour fore rating required to protect supporting structure (columns, loadbearing walls, beams, etc.)</li> </ul>	<ul style="list-style-type: none"> <li>• 30 minute fire separation required between units</li> <li>• 30 minute fire separation required to protect supporting structure (columns, loadbearing walls, beams, etc.)</li> </ul>

## 7.7. Heating and Ventilation

New and Houses less than 5 years old**	Houses greater than 5 years old
<ul style="list-style-type: none"> <li>• Principle and Second Dwelling Units may share heating / cooling system provide a smoke detector is installed in the supply or return air duct that would turn off the fuel supply and electrical power to the heating system when activate.</li> <li>• Dampers on ductwork may be required.</li> </ul>	<ul style="list-style-type: none"> <li>• Existing heating / cooling system may service both units provided a smoke detector must be installed in the supply or return air duct that would turn off the fuel supply and electrical power to the heating system when activated.</li> <li>• Dampers are not required.</li> </ul>

### \*\*\* FIRE DAMPERS 9.10.13.13 – Part 2 gives relief C167

Table 11.5.1.1.C.  
Compliance Alternatives for Residential Occupancies  
Forming Part of Article 11.5.1.1.

C167	9.10.13.13.(1)	Except as permitted in C.A. C168, in a veiling containing not more than four dwelling units, the existing heating or air-conditioning system may not be altered to serve more than one dwelling unit, provided smoke alarms are installed in each dwelling unit and provided a smoke detector is installed in the supply or return air duct system serving the entire building which would turn off the fuel supply and electrical power to the heating system upon activation of such detector.
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### 9.10.13.13. Fire Dampers

- (1) Except as permitted in Sentences (2) to (5) and Sentence 9.10.5.1.(4), a duct that penetrates an assembly required to be a fire separation with a fire-resistance rating shall be equipped with a fire damper in conformance with Articles 3.1.8.4. and 3.1.8.9.
- (2) A fire damper is not required where a non-combustible branch duct pierces a required fire separation provided the duct,
  - (a) has a melting point not below 760°C,
  - (b) has a cross-sectional area less than 130 cm<sup>2</sup>, and  
20 in<sup>2</sup> < 5" diameter = 19.62 in<sup>2</sup>

Table 3.1.8.4. Return Air Plenum 1 hour separation = 45 min. damper

## 7.8. Minimum Plumbing Facilities

Kitchen Sink	Hot and Cold water supply required
Laundry Facilities	<ul style="list-style-type: none"> <li>• Hot and Cold water supply connections required for washing machine;</li> <li>• Laundry may be located in a common (fire departed) area in the building;</li> <li>• Dryer exhaust must be vent directly outdoors.</li> </ul>
Bathroom with Lavatory, Toilet, Bathtub or Shower stall	<ul style="list-style-type: none"> <li>• Hot and Cold water supply required;</li> <li>• Provisions shall be made for the future installation of grab bars around the toilet and bath/shower area.</li> </ul>

## 7.9. Egress Requirements

New and Houses less than 5 years old	Houses greater than 5 years old
<p>1. <b>Dedicated Exit</b> (not shared with other unit) without having to go up or down more than 1 floor.</p> <p>2. Shared Exit with a fire resistance rating of 45 minutes (1 storey units) or 1 hour (2 storey units) must have a second and separate exit door. Egress window is NOT acceptable.</p> <p>*** if the exit <b>door</b> from the unit is not at the same floor level as the bedroom, an egress window is also required that is:</p> <ul style="list-style-type: none"> <li>• openable for the inside without tools,</li> <li>• provides an individual, unobstructed open portion having a minimum area of 0.35 m<sup>2</sup> (3.8 ft<sup>2</sup>) with no dimension less than 380 mm (15") and does not require additional support to keep open, and</li> <li>• except for basement windows, has a maximum sill height of 1 meter.</li> </ul> <p>*** only openable portion of slider can be used for these dimensions; removable panels are not accepted.</p>	<p>1. <b>Dedicated Exit</b> (not shared with other unit) with reasonable access to grade.</p> <p>2. <b>Shared Exit</b> with a fire resistance rating of 30 minutes, and smoke alarms in both units and common areas are interconnected, and of the bedroom is not at the same level, provide an egress window as listed for new houses.</p> <p>*** an egress window is not required where a door on the same floor level as the unit provides direct and separate access to the exterior.</p>

## 8. Electrical Safety and Inspections

In Ontario electrical safety compliance inspections are conducted by the Electrical Safety Authority. Your electrical contractor should be familiar with the electrical permitting and inspection process.

For more information contact the Electrical Safety Authority directly at:

By phone: 1-877-ESA-SAFE (372-7233)

On the web: [www.esasafe.com](http://www.esasafe.com)

A copy of the ESA final inspection report is required to be provided to the Municipality of Brighton Building Department before an occupancy permit can be issued for your new secondary suite.

## 9. Contact Information

For information regarding building permit applications and zoning by-law interpretation please contact the Building Department, Monday through Friday 8:30 am to 4:30 pm at:

67 Sharp Road, Brighton, ON, K0K 1H0

Phone: 613-475-1162 extension 100, for Building Information

Phone: 613-475-1162 extension 100, for Zoning Information