



Additional (Secondary) Dwelling Units Information Guide

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1. What is an Additional Unit

Additional Residential Units are permitted within the Municipality of Brighton as passed by By-law # 105-2021 on the day of November 8, 2021.

An **Additional Residential Unit** is defined as:

A self-contained residential unit for human habitation designed with private cooking, plumbing and sanitary facilities; which is located within a principle dwelling unit or within a structure or building accessory to the principle dwelling unit.

Additional residential units are permitted within the zoning areas of: R1, R2, R3, R4, SHR, RR, HR, RU, and A. To verify your zoning, please refer to the Zoning By-laws Information as this link. <https://www.brighton.ca/en/municipal-services/by-laws.aspx>

2. Definitions

Dwelling Unit

Means a suite which functions as a housekeeping unit used or intended to be used as a domicile by one or more persons; containing cooking, eating, living, sleeping and sanitary facilities; and having a private entrance from outside the building or from a common hallway or stairway inside or outside the building.

Building

Means a structure occupying an area greater than 10 square metres consisting of any combination of a wall, roof and floor, or a structural system serving the function thereof, including all associated works, fixtures and service systems, but shall not include a travel trailer, truck camper, motor home or tent.

Structure

Means anything that is erected, built or constructed of parts joined together and attached or fixed permanently to the ground or any other structure. For the purpose of this By-law, a fence that has a height of 1.8 metres or less, a retaining wall that has a height of 1 metre or less, a light standard and a sign shall be deemed not to be structures.

Accessory Building

Means a separate building or structure, the use of which is customarily incidental, subordinate and exclusively devoted to a main use or main building located on the same lot. A temporary building or structure such as but not necessarily limited to temporary garages, temporary vehicle enclosures and tarpaulin garages shall be considered to be an accessory building. (amended by 548-2008)

3. By-law General Provisions

General Provision 4.9.3. to follow when creating an additional residential dwelling are as follows:

4.9.3 Additional Residential Units

In addition to the other provisions of this By-law, the following provisions shall apply to Additional Residential Units:

General Requirements for Additional Residential Units

- a) Additional Residential Units are permitted within a single detached dwelling, a semi-detached dwelling, a rowhouse and within an accessory building in the R1 Zone, R2 Zone, R3 Zone, R4 Zone, SHR Zone, HR Zone, CA Zone, RR Zone, RU Zone and A Zone.
- b) Additional Residential Units are permitted regardless of the date of construction of the primary residential unit or accessory building.
- c) A maximum of two (2) additional residential units shall be permitted per lot, including one (1) in the Main Building and one (1) in the Accessory Building.
- d) Additional Residential Units shall be of a size which is less than the Gross Floor Area of the Main Building.
- e) Additional Residential Units are subject to the availability of adequate servicing whether such servicing is provided via municipal services or private individual on-site services.
- f) A private amenity area with a minimum of 10 square metres shall be provided for exclusive use of the additional residential unit. The private amenity areas may be provided in the form of a balcony, deck, patio, terrace, at-grade garden, or yard.
- g) Additional Residential Units within a floodplain or wave uprush shall comply with Section 4.30.3 and 4.30.4 of the By-law respectively.
- h) Additional Residential Units are not permitted within 10 metres from an Environmental Protection Zone boundary, or 30 metres from a top-of-bank as defined in Section 2.0. of the By-law.
- i) Additional Residential Units shall not be accessed from a Private Road or Right-of-Way.
- j) Additional Residential Units shall comply with the requirements of the Ontario Building and Fire Code.
- k) Additional Residential Units shall be constructed in conformity with the Ontario Building Code to be suitable for habitation year-round.

Access:

- l) Access from a Public Street to an Additional Residential Unit shall be provided via an existing residential vehicle entrance; a second entrance to the lot will not be permitted for the Additional Residential Unit.
- m) Where an Additional Residential Unit is attached to the Main Building, the Additional Residential Unit shall have a separate exterior entrance located at the side or rear of the main building.

- n) The exterior entrance to an Additional Residential Unit that is within a Main Building and is located at the side or rear of the Main Building, shall be accessed by a minimum 0.90-metre-wide unobstructed walkway provided from the driveway.
- o) Access to an Additional Residential Unit in a detached Accessory Building shall be in accordance with the Ontario Building Code and Ontario Fire Code.

Parking for Additional Residential Units

- p) A minimum of one (1) off-street parking space shall be provided for an Additional Residential Unit, in addition to any parking space required by the By-law for the Main Building.
- q) A Tandem Parking Space shall be permitted to facilitate an Additional Residential Unit. A Parking Space for an Additional Residential Unit may be located in a permitted driveway that is within the front yard. The parking space for the Additional Residential Unit shall meet all other applicable provisions of this By-law.

Additional Provisions for Additional Residential Units in Detached Accessory Buildings:

- r) An Additional Residential Unit in a detached Accessory Building is not subject to the accessory building provisions of this By-law unless otherwise noted below, and will be permitted in accordance with Section 4.9.3 a) to q) and the following criteria:
 - i. An Additional Residential Unit in a detached Accessory Building shall comply with the minimum yard setbacks and maximum building height applicable to the Main Building in the zone in which such use is located.
 - ii. An Additional Residential Unit in a detached accessory building may be located within an interior side yard or rear yard, to a minimum setback of 1.83 metres (6 feet) from the interior side lot line and rear lot line, provided the additional residential unit does not exceed the maximum accessory building height of 4.5 metres and further provided that a solid privacy fence with a minimum height of 1.83 metres (6 feet) is established around the perimeter of the side and rear yard.
 - iii. Windows serving an Additional Residential Unit that face a window of a neighbouring home or neighbouring private amenity area shall be screened by a privacy fence or be placed at an elevation of more than 2 metres above an occupied floor of an Additional Residential Unit.
 - iv. An Additional Residential Unit shall be a minimum distance from the front lot line equal to the front yard requirement for the Main Building unless located in an existing Non-Complying Accessory Building. In the case of a Non-Complying Front Yard, the Additional Residential Unit shall comply with the established building line.
 - v. An Additional Residential Unit in a detached Accessory Building shall be a minimum distance from the exterior lot line equal to the exterior side yard requirement for the main building from the exterior side lot line.
 - vi. The Additional Residential Unit shall comply with the Minimum Distance Separation Formulae.

- vii. An Additional Residential Unit in a detached Accessory Building shall be located no closer than 2.0 metres to the Main Building on the lot.
- viii. An Additional Residential Unit in a detached Accessory Building cannot occupy more than 35% of the rear or interior side yard, including all other accessory buildings and structures.
- ix. An Additional Residential Unit located in a detached Accessory Building in the Rural (RU) Zone and the Agriculture (A) Zone shall be located no further than 30 metres (98 feet) from an existing residential building located within the existing farm cluster.
- x. An Additional Residential Unit shall comply with the Maximum Lot Coverage provisions of the applicable zone.
- xi. An Additional Residential Unit shall comply with the Maximum Landscaped Open Space provisions of the applicable zone. A minimum of 30% of the front yard shall be landscaped open space.

4.24 Standards for Accessory Building

See the Standards for the main building

4.24.1 Setbacks from lot lines

Accessory buildings shall be located:

- i. A minimum distance from the front lot line equal to the front yard requirement for the main building from the front lot line.
- ii. A minimum distance from an exterior side lot line equal to the exterior side yard requirement for the main building from the exterior side lot line.
- iii. A minimum of 1.2 metres from the interior side lot line.
- iv. A minimum of 1.2 metres from the rear lot line.
- v. Notwithstanding subsections (i) and (iv), in no case shall the wall of an accessory building be located closer than 2.0 metres to the main building.
- vi. Notwithstanding any other provisions of this By-law to the contrary, an additional residential unit which is located in an accessory building and is detached from the principle dwelling, is not permitted within 30 metres of the high water mark of any waterbody.

4.24.2 Encroachment of eaves, gutters and roof overhangs

Eaves, gutters and roof overhangs may encroach into any setback area required by Section 4.24.1 a distance of no more than 0.6 metres.

4.24.3 Maximum height

The maximum permitted height of any accessory building on a lot is 4.5 metres. Notwithstanding this provision, the maximum permitted height may be increased to 6.0 metres if the rear lot line abuts a public street from which no vehicular access to the lot exists and provided the entire rear wall of the accessory building is located between 1.2 metres and 3.0 metres from the rear lot line.

4. Building Introduction

The following guide has been developed to aid homeowners in the process of obtaining a building permit for the development of an additional 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 application section website:

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

5. Ontario Building Code and Additional Dwelling Units

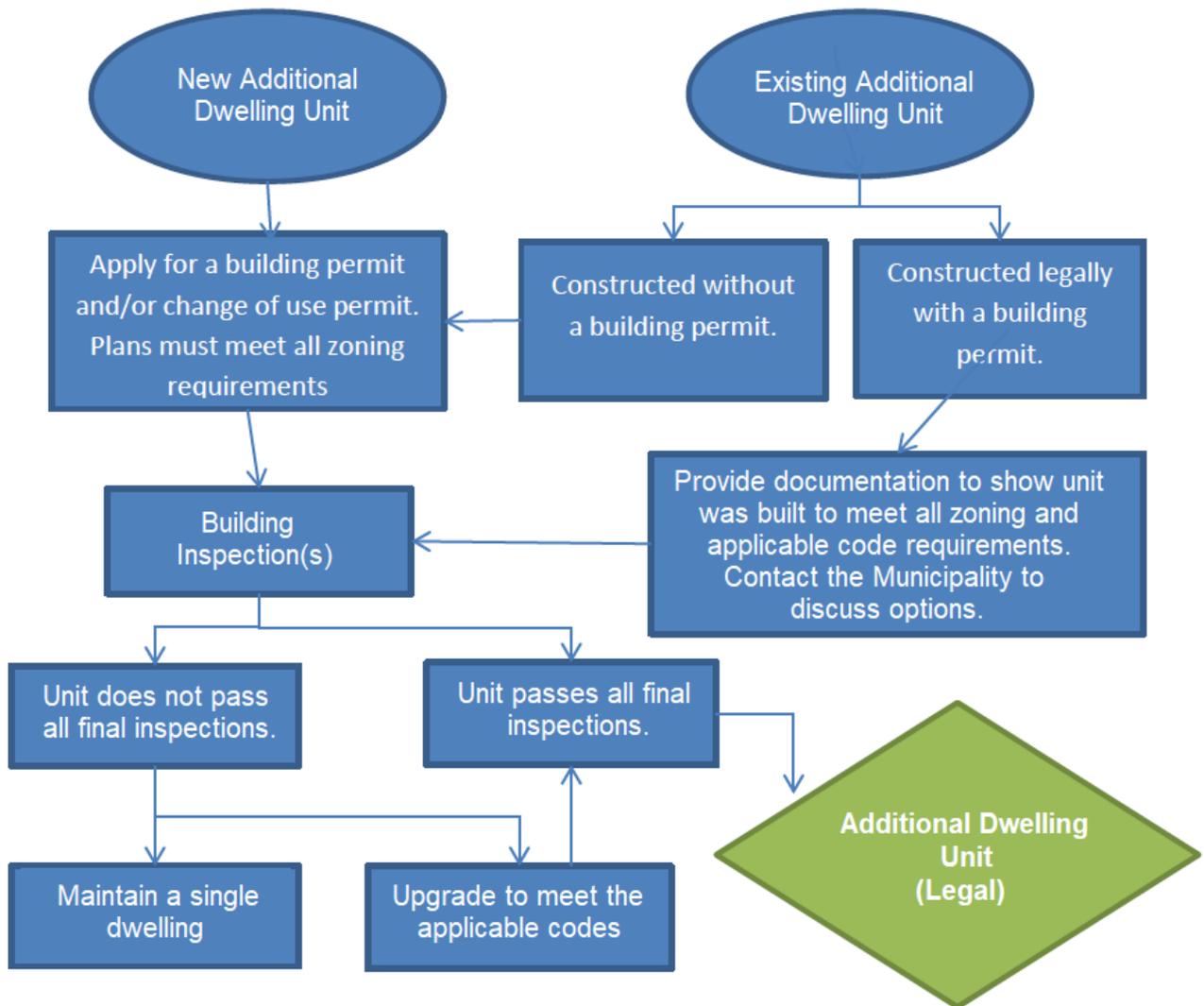
The Ontario Building Code provides the minimum construction requirements for all buildings in Ontario. It ensures that public health and safety, fire protection and structural integrity of buildings during construction, renovation, additions, and changes in use are upheld. Within the Municipality of 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 Additional 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.

6. How Do I Make My Additional Dwelling Unit Legal?

To have a legal Additional Dwelling Unit it must comply with the Municipality's Zoning By-Law and Ontario Building Code. The chart on the following page (Section 7) gives an overview of the process required to achieve Occupancy.

7. Process to Occupying Your Additional Dwelling Unit



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

Existing Additional 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. 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.

8. How Much Does It Cost?

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

Building Permit Fee	\$1.15 / square foot of finished floor space
Plumbing Permit Fee	\$150.00 + \$17.00 / fixture
Occupancy Permit Fee	\$120.00

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 an additional 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.

9. 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 by a **BCIN qualified designer or Engineer** 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 Site 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, the Chief 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's 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 Additional Dwelling Unit, you can contact Brighton’s Building Department.

10. 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 Additional Dwelling Units. Part 9 also applies to an addition to your home that is intended to contain all or a portion of your Additional 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 Additional 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.

10.1 Minimum Room Size Requirements

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

10.2 Minimum Required Ceiling Height

Rooms and Combined spaces	New Houses Less than 5 years old	Greater than 5 years old
Living Room	2.3 metres (7'-7") over at least 75% of the required floor area with a clear height of 2.1 metres (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 metres (7'-7") over at least 75% of the required floor area with a clear height of 2.1 metres (6'-11") at any point	
Dining Room if combined with other spaces		
Kitchen Area	2.3 metres (7'-7") over at least 75% of the required floor area with a clear height of 2.1 metres (6'-11") at any point	
Master Bedroom	Clear height of 2.1 metres (6'-11") at any point	
Bedroom	Clear height of 2.1 metres (6'-11") at any point	

10.3 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

10.4 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")

10.5 Smoke and Carbon Monoxide Alarms

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

10.6 Fire Separations between and within Units

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

10.7 Heating and Ventilation

New and Houses less than 5 years old	Houses greater than 5 years old***
<ul style="list-style-type: none"> • Principle and Additional 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. • Dampers on ductwork may be required. 	<ul style="list-style-type: none"> • 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. • Dampers are not required.

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)	<p>Except as permitted in C.A. C168, in a building 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.</p>
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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 cm², and
20 in² < 5" diameter = 19.62 in²

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

10.8 Minimum Plumbing Facilities

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

10.9 Egress Requirements

New and Houses less than 5 years old	Houses greater than 5 years old
<p>1. Dedicated Exit (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>Note: If the exit door 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"> • openable for the inside without tools, • provides an individual, unobstructed open portion having a minimum area pf 0.35 m² (3.8 ft²) with no dimension less than 380 mm (15") and does not require additional support to keep open, and • except for basement windows, has a maximum sill height of 1 meter. <p>Note: Only openable portion of slider can be used for these dimensions; removable panels are not accepted.</p>	<p>1. Dedicated Exit (not shared with other unit) with reasonable access to grade.</p> <p>2. Shared Exit with a fire resistance rating of 30 minutes, and smoke alarms in both units and common areas are interconnected, and if the bedroom is not at the same level, provide an egress window as listed for new houses.</p> <p>Note: 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>

11. 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

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.

12. Plumbing Inspections

In the Municipality of Brighton, plumbing inspections are completed by Inspectors with the County of Northumberland. Your plumbing contractor should be familiar with the inspection process. All dwellings on properties not serviced by Municipal sewers must have a Septic Approval. Approval for upgrading (if required) sewage systems need to be completed with the County of Northumberland.

For more information contact the County of Northumberland Plumbing Department directly at:

By phone: 1-800-354-7050 or 1-905-372-1929 extension 2551

County of Northumberland at 555 Courthouse Road, Cobourg, ON, K9A 5J6

Final Plumbing Inspection must be signed off prior to booking the Occupancy Inspection with the Brighton Building Department before an occupancy permit can be issued for your new additional suite.

For all plumbing inspections email: inspections@northumberlandcounty.ca

13. Lower Trent Conservation Authority

If the Additional Dwelling Unit is being **created with an addition to the existing home or with a new dwelling on the property**, Lower Trent Conservation must be consulted due to all the low-lying lands within the Municipality. Check with Lower Trent Conservation Authority to see if you require a permit and have in writing upon submission of your building permit. Construction or development proposed (if located near a watercourse, lake, stream, pond, canal, wetland, etc. or an erosion sensitive area or steep slopes).

Call 613-394-3915 or email: information@ltc.on.ca

LTCA office located at: 714 Murray Street, Trenton, ON, K8V 5P4.

14. 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