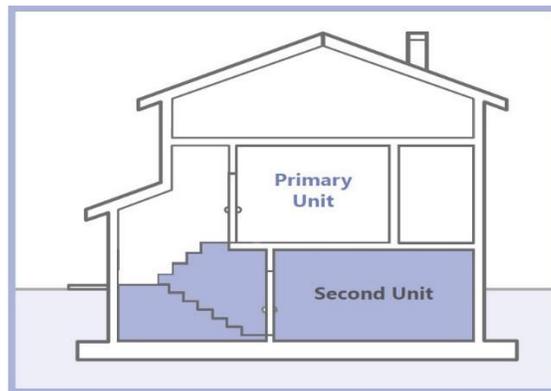


Accessory Apartment Building Permit & Approvals Guide



This guide has been developed for convenience purposes only. The Owner is responsible for ensuring compliance with all Town by-laws and other applicable regulations.

TOWN OF COLLINGWOOD

Planning & Building Department

Building Services Division

Telephone: (705) 445-1030 ext. 3243

Email: building@Collingwood.ca

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Introduction

The following guide has been developed to assist applicants in obtaining a building permit to allow the development for secondary suites, including accessory apartments and second suites within the town of Collingwood.

This guide should not be relied on in place of professional expertise. If you are unfamiliar with building construction procedures, the assistance of a qualified building contractor or architect can save you both time and money.

A building permit is required in the town of Collingwood for creating a new accessory apartment or within an existing dwelling, or a second suite within in a detached accessory structure. This guide provides a summary of information related to application preparation and the issuance of a building permit. If there is a difference between this reference document and the formal regulations and by-laws, the formal regulations will apply.

For an accessory apartment unit or second unit to qualify as authorized unit, it must meet:

- residential zoning requirements;
- property standards;
- occupancy standards;
- health and safety requirements; and
- fire and electrical codes.

If you are new to the process or are uncertain of the Town of Collingwood permit application process /requirements contact the Planning and Building Services Department - Building Services Division at (705) 445-1030 ext. 3243 or building@Collingwood.ca

The County of Simcoe Secondary Suites Grant Program

The County of Simcoe Secondary Suites Program provides financial assistance in the form of a 15-year forgivable loan of up to \$25,000 to create a secondary or garden suite.

Further information can be viewed on the [Simcoe County website](#).

Effect on Property Taxes

Your property taxes may be affected by the creation of an accessory apartment. Property taxes are based on the value of your property. Specific questions about your property taxes and how they are calculated should be directed to the [Municipal Property Assessment Corporation](#).

General Zoning By-Law Requirements

On March 26, 2018 the Council of the Corporation of the Town of Collingwood enacted By-law No. 2018-017 to amend Zoning By-law No. 2010-040, as amended, to permit accessory apartment and second units in certain areas of the Town. Provided that an Owner can meet all requirements of the By-law an Accessory Apartment can be constructed without further approvals from Council.

Definition of Accessory Apartment

“Accessory Apartment” means an independent and accessory secondary dwelling unit that is located within a main dwelling unit.”

- Although accessory apartment units often take the form of basement apartments, they may occupy an upper floor, or the back part of a house and they may also typically be called an accessory dwelling unit, basement apartment or in-law suite.
- An accessory apartment unit is a separate living space with kitchen, bathroom, sleeping and shared laundry facilities or a space with the required connections and hook-ups, that is located within the principal dwelling (detached or semi-detached).
- The property owner may live in the unit, family members may live in it, or it may be rented out. Although accessory apartment units often take the form of basement apartments, they may occupy an upper floor or the back part of a house

Summary of Zoning By-law Requirements for an Accessory Apartment

An accessory apartment is not permitted where a second unit already exist on the lot
A maximum of one accessory apartment unit is permitted inside a permitted single detached or semi-detached dwelling
A minimum lot frontage of 10.0 metres on a public street
A maximum floor area of 40% of the gross floor area of the dwelling – see example
An independent and direct access to the exterior of the dwelling is required; shared hallways are permitted

An accessory apartment is not permitted where a second unit already exist on the lot
Only permitted where the dwelling is connected to both a municipal water supply and sanitary sewer.
Where municipal services noted above are not available, building code compliant provisions are required to the satisfaction of the Chief Building Official.
Shall not cause the density limits to exceed this set out in Schedule “C” of the Towns’ Official Plan (Residential Density Plan)
Shall not cause the density limits to exceed this set out in Schedule “C” of the Towns’ Official Plan (Residential Density Plan)
A front yard may be used as a driveway with maximum entrance width of 6.5m or 56 % of the lot frontage whichever is lesser.
The balance of the front yard shall be used for landscaped open space and not more than 14% shall be covered with any ground surfacing material.

Calculating Gross Floor Area

The Zoning By-law requires that the Accessory Apartment shall be a maximum floor area of 40% of the gross floor area of the existing dwelling.

The following examples show how to calculate the gross floor area of the accessory apartment:

Example a Bungalow with Basement

1. Gross Floor Area Calculation

$$\text{Gross floor Area (GFA)} = \text{Main Floor} + (\text{Basement Floor Area} - \text{Service, Furnace Room Area})$$

$$\text{GFA} = 1,000 \text{ ft}^2 + (1,000\text{ft}^2 - 100\text{ft}^2)$$

$$\text{GFA} = 1,900\text{ft}^2$$

2. Maximum Floor Area of Accessory Apartment

$$\text{Maximum Floor Area} = \text{Gross Floor Area} \times 40\%$$

$$\text{Maximum Floor Area} = 1,900\text{ft}^2 \times 0.40$$

$$\text{Maximum Floor Area} = 760 \text{ ft}^2$$

The maximum area of the Accessory Apartment shall not be larger than 760 ft² or 70.6m²

Properties that Do Not comply with the Zoning By-law

If your property does not quite meet the basic zoning requirements, you may have the opportunity to apply for a minor variance or a zoning by-law amendment. Note that these processes can take time and may lead to some additional costs.

Variance or Zoning By-Law Amendment Process

Minor Variance Application

The minor variance process allows a property owner to seek relief from specific provisions of the Town's Zoning By-law. The Town of Collingwood Committee of Adjustment is an independent body appointed by Council and has authority under the Planning Act to consider approval of a minor variance application. Additional details and an application form are on the Town's website here: [Committee of Adjustment](#)

Zoning By-Law Amendment

If the relief sought from provisions of the Zoning By-law is not determined to be minor, a site-specific zoning by-law amendment may be required, subject to Council approval. Please contact the Town's Planning Services department at (705) 445-1030 ext. 3269 for further information.

Important Dates

July 14, 1994

An accessory apartment existing prior to July 14, 1994 is reviewed under Section 9.8 of the Ontario Fire Code (OFC). Please note, major alterations (such as relocating partitions and/or plumbing, enlarging/adding windows, etc.) require review under the OBC, see permit requirements for accessory apartments [more than five years old](#).

November 16, 1995

Accessory apartment units used or occupied on/or before November 16, 1995 are not required to meet the zoning requirements as Section 76(1) of the Planning Act "grandfathers" these dwelling units, however, a building permit is required.

November 17, 1995 to April 12, 2010

Accessory apartment units used or occupied during the period between November 17, 1995 and March 26, 2018 must provide documentation verifying existence of a second suite between those dates and that the use is continued as a second suite to present date.

Examples of accepted documentation/proof:

- Utility Billings (gas/hydro/phone/cable)
- Owner(s) Affidavit, Assessment Records
- Third Party Affidavit (tenant, neighbour)
- Building Permit
- Town Records (fire/property standard)
- Bank Mortgage / Loan Records
- Rent Cheques / Receipts / Lease Agreements
- House Insurance Records

Please note, if a review of the existing accessory apartment unit reveals that an interruption in use occurred, the current Zoning By-Law provisions shall apply.

- During the period October 1, 1990 to June 26, 1995, apartments in a two-unit dwelling were legalized due to Bill 120, the Residents Rights Act as proclaimed by the N.D.P. government. This permitted second units in houses, if Health and Fire safety standards were met, the use was a permitted use, the property was connected to full municipal services and the house only has two dwelling units.
- On May 22, 1996, Bill 20 came into effect which **prohibited new apartments** in houses created **after May 22, 1996**. Existing apartments in houses that were used or occupied on or before November 16, 1995 were "grandfathered", provided they conformed to the requirements of the original Bill 120.

Fire Safety Requirements

This section outlines the Ontario Fire Code requirements for existing accessory apartments.

Section 9.8, Ontario Fire Code

Fire safety requirements for an existing suite are found in the Ontario Fire Code (OFC), Section 9.8, “Two Unit Residential Occupancies” (Regulation 385/94).

Any existing second suite requires a general inspection for Fire Code compliance, to be carried out by the Town’s Fire Services Department. You should conduct your own initial assessment before calling for an inspection. Check the Fire Code to determine if anything needs to be upgraded in your home to meet code requirements.

- Please note, major alterations (such as relocating partitions and/or plumbing, enlarging/adding windows, etc.) require review under the OBC. See permit requirements for accessory apartments.
- Accessory apartments reviewed under Section 9.8 of the OFC are not required to meet the zoning requirements as Section 76(1) of the Planning Act "grandfathers" houses with two dwelling units **used or occupied** on/or before November 16, 1995.
- When a second dwelling unit has been added and occupied as a second unit on or before July 14, 1994, and the second unit did not meet Ontario Building Code requirements, then the building must minimally comply with the Ontario Fire Code. To determine if the apartment was constructed prior to July 14, 1994 an inspection performed by a Fire Prevention Inspector is required.
- Once completed a Notice of Violation Report is provided to the property owner outlining the required remedial construction – a building permit application ([9.8 OFC requirements](#)) is required to be submitted and a building permit obtained through Building Services Division.
- For more information regarding accessory apartments reviewed under the OFC please contact the Town of Collingwood Fire Services Department at (705) 445-1030.

Electrical Safety Requirements

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

The ESA will conduct a visual inspection to see if the existing wiring and electrical service are safe. In addition to ensuring that electrical installations meet the requirements of the Ontario Electrical Safety Code, the inspector will check to see whether these installations are in good shape. This review includes:

- ensuring electrical plugs are grounded, and not reversed in polarity, as well as ensuring proper use of extension cords;
- ensuring exterior and bathroom plugs meet Ground Fault Circuit Interruption (GFCI) requirements for all installations of exterior plugs as of 1977 and all bathroom plugs installations as of 1983;
- checking all electrical receptacles and devices, ensuring that receptacles have proper covers and fit within the established standards (that is, that the size and the spacing apart is enough and that they lead to a proper amp service – less than nine receptacles per circuit will likely be approved if all else is adequate;
- more than 12 receptacles will be refused);
- reviewing the way in which electrical conductors are used and
- ensuring there is no deterioration or exposed wiring;
- misuse can often be detected if there are loose or hot wires and any insulation that is deteriorated will be dry or brittle;
- ensuring main service is in good working order and that existing breaker devices are properly connected; this involves checking for discoloration or indications of moisture or overheating to any wiring, seeing if the right fuse amp is in the socket (generally 15 amps/socket), and checking for evidence of peripheral damage from a blow out; and
- checking that electrical equipment used in the home is approved for use in Ontario.

For more information contact the Electrical Safety Authority directly:

By phone: 1-877-ESA-SAFE (372-7233) or the [ESA Website](#)

Ontario Building Code Requirements

The Ontario Building Code (OBC) requirements vary according to the age of the accessory apartment and dwelling unit. You will be required to provide documentation to confirm the age of your dwelling.

Dwellings More Than Five Years Old

- When the dwelling unit is older than five years, the accessory apartment is reviewed under Part 11, Division B of the OBC.
- The majority of accessory apartments constructed in the Town of Collingwood fall into this category

Dwellings Less Than Five Years Old

When the dwelling unit is less than five years old, the accessory apartment is reviewed under Part 9, Division B of the OBC; the construction requirements of the OBC are more restrictive.

Typical Building Code requirements are as follows:

- Minimum window areas for light are 10% of the floor area for living/dining rooms, and 5% of the floor area for bedrooms
- 45 minute fire separation
- Separate heating systems
- Hard-wired, interconnected smoke alarms located within each dwelling unit and all shared areas
- Carbon monoxide detectors, within each dwelling unit adjacent to each sleeping area

Summary of Ontario Building Code Requirements

Ontario Building Code Requirement	A New	B 5 Years or Older	C 5 Years or Older Existing Finished Basement
Smoke Alarms			
Applies to only the new accessory apartment	Yes	Yes	Existing unit and new
Interconnection between units	Not Required	Not Required	Required
Smoke alarms are required on every floor level, in every bedroom, and in hallways serving a bedroom. All smoke alarms within a dwelling unit shall be	Required	Required	Required

Ontario Building Code Requirement	A New	B 5 Years or Older	C 5 Years or Older Existing Finished Basement
interconnected and have a visual signaling component (strobe light).			
Carbon Monoxide Alarms			
Required where a fuel burning appliance is installed or an attached garage	Yes	Yes	Yes
Shall be located adjacent to sleeping areas and installed as per manufacturer's specifications	Yes	Yes	Yes
Carbon monoxide alarms may be battery operated or plugged into an electrical outlet	No	Yes	Yes
Floor Fire Separation between Units			
Minimum Fire Resistance Rating	45 minutes	30 minutes	15 minutes *
Minimum Sound Rating (STC)	50 STC	43 STC	Not Required
Wall Fire Separation between Units			
Minimum Fire Resistance Rating	45 minutes	30 minutes	30 minutes
Minimum Door Fire Protection Rating	20 FPR	20 FPR	20 FPR
Minimum Sound Rating (STC)	50 STC	43 STC	Not Required
HVAC Systems			
Independent Heating System Required	Yes	No	No
Duct type Smoke Detector Required	No	Yes	Yes
Fire Dampers Required	Yes	No	No
Exit Requirements			
A door directly to exterior and access to ground level	Yes	Yes	Yes
Entrance Through Attached Garage	No	No	No
Entrance Through a Garage with a Separate Door and Fire Rated Egress	Yes	Yes	Yes
Access to exit from one dwelling leads through another dwelling	No	Yes	Yes
Door Sizes (Minimum)		Width	Height
Dwelling Unit Entrance or Utility Room		32"	78"
Bedroom or Rooms not mentioned elsewhere		30"	78"
Bathroom, Washroom, and Walk-in closets		24"	78"
Doors may be lesser heights to suit ceiling heights	No	Part 11	Part 11

Ontario Building Code Requirement	A New	B 5 Years or Older	C 5 Years or Older Existing Finished Basement
Ceiling Heights			
All Rooms - over entire floor area	6'-11"	6'-5"	6'-5"
Minimum Height under beams or HVAC duct	6'-5"	6'-5"	6'-5"
Minimum Room Sizes	Area ft ²	Area ft ²	Area ft ²
Living Room	145 (13.5)	145	145
Living Area combined with a kitchen and dining space (not > 2 persons)	118 (11)	118 (11)	118 (11)
Dining Area combined with another space	35 (3.25)	35 (3.25)	35 (3.25)
Dining Area not combined with another space	75 (7)	75 (7)	75 (7)
Kitchen	45 (4.2)	45 (4.2)	45 (4.2)
Kitchen – not > 2 persons and not > one bedroom	40 (3.7)	40 (3.7)	40 (3.7)
Master Bedroom (unit must contain one)	105.5 (9.8)	105.5 (9.8)	105.5 (9.8)
Master Bedroom with a built-in closet	95 (8.8)	95 (8.8)	95 (8.8)
Other Bedrooms	75 (7.0)	75 (7.0)	75 (7.0)
Bedrooms with a built-in closet	65 (6.0)	65 (6.0)	65 (6.0)
Bedrooms combined with any other space	45 (4.2)	45 (4.2)	45 (4.2)
Window Requirements for Natural Light			
Laundry room, kitchen, bathroom - not required	n/a	n/a	n/a
Living and Dining Rooms (% of floor area)	10%	5%	5%
Bedrooms and other finished areas	5%	2.5%	2.5%
Required Plumbing Fixtures			
A kitchen, lavatory, bath tub or shower and water closet	Yes	Yes	Yes
Laundry hookups shall be provided in each suite or be in a common area used by both units	Yes	Yes	Yes

Note: * This only applies to dwellings that existed in 1995 or older

General Design Requirements

- Carbon monoxide alarms are required adjacent to all sleeping rooms
- Each unit shall have access to common laundry facilities or have connections within each unit for the connection of laundry appliances

An accessory apartment unit may be permitted on a privately serviced lot (individual well and septic) but the applicant will be required to demonstrate that the existing system has sufficient capacity for the secondary unit. The capacity and design of a private septic system is regulated by the Ontario Building Code.

Note: This guide does not cover all of the building code requirements for accessory apartments. The person taking responsibility for the design should refer to the Ontario Building Code for a detailed listing of all requirements.

The most current Building Code is available at [E-laws Ontario](#)

Submitting an Application to Obtain a Building Permit

To submit your application to the Building Services Division with the Town of Collingwood, a complete Building Permit Application along with 2 sets of drawings showing the proposed work.

Refer to the [Permit Application Guide](#) available on our Town website.

Required Drawings

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

A drawing of the property demonstrating the location of all structures on the property including their dimensions and relationship 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 property lines
- Proposed changes to existing grade.

- Parking requirements including dimensions of driveways
- Entrances and Pathways serving both dwelling units to ensure that safe access is available to both.

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, this will assist in evaluating fire safety between floors and around exits
- Grade level
- Exterior Cladding (i.e., siding materials)
- Roof Shape, slope and finishing material
- Exterior lighting

Floor Plans

Floor plans to show 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 of Rooms and spaces (e.g. Bath room, Kitchen, bedroom, etc.)
- Room and space dimensions
- 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
- Notes on material specification
- Heating system details and calculations
- Fire separation details
- Location of plumbing fixtures

- Location of bulkheads enclosing ductwork

Section Drawings

Drawings to show 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
- Details of footings, foundations, walls, floors, and the roof
- Attic and crawl space ventilation
- Fire separation details

Operating and Maintaining a Rental Unit

- The rights and responsibility of a landlord are outlined in the Residential Tenancies Act. This information for landlords in Ontario is available from the [Landlord and Tenant Board](#).
- All property owners must also follow the Town's Zoning By-Law and Ontario Building Code and Fire Code provisions, as well as the Town's Property Standards By-law, which establishes standards for the maintenance of properties and buildings, such as snow removal and yard maintenance.

Next Steps

Once the Application is received a Building Inspector will review the application. If the application is complete, the reviewer will either issue a permit or request additional information necessary within **15 business days**. Once the project has been approved and started you will require a series of building inspections to be completed. On the day of your 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 approved by the Town. The inspector may ask you to fix items that do not meet the requirements and may require you to book a re-inspection. When booking an inspection, the booking may be up to 48 hours after your request is made.

For further information on permit requirements for Accessory Apartment Units, please contact:

Planning & Building Services Department, Building Services

Telephone: (705) 445-1030 ext. 3243 or Email: building@Collingwood.ca