

Additional Residential Unit (ARU) – Detached Building

The following guide has been developed to aid homeowners in the process of obtaining a building permit for the development of a detached additional residential unit within the County of Brant. If there is a difference between this reference document and the formal regulations and by-laws, the formal regulations will apply.

Zoning Bylaw definition of an **Additional Residential Unit**:

Means a second residential dwelling unit self-contained that is either located within or attached to the primary dwelling unit or located within a detached accessory structure to the primary dwelling unit. An Additional Residential Unit is subordinate to the primary dwelling unit.

An additional residential 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 can be in a free-standing structure, and can be attached to or above an accessory structure.

An “Additional Residential Unit” located in a detached building may also be commonly referred to as:

- Accessory Dwelling Unit
- Garden Suite
- Tiny Home
- Carriage House

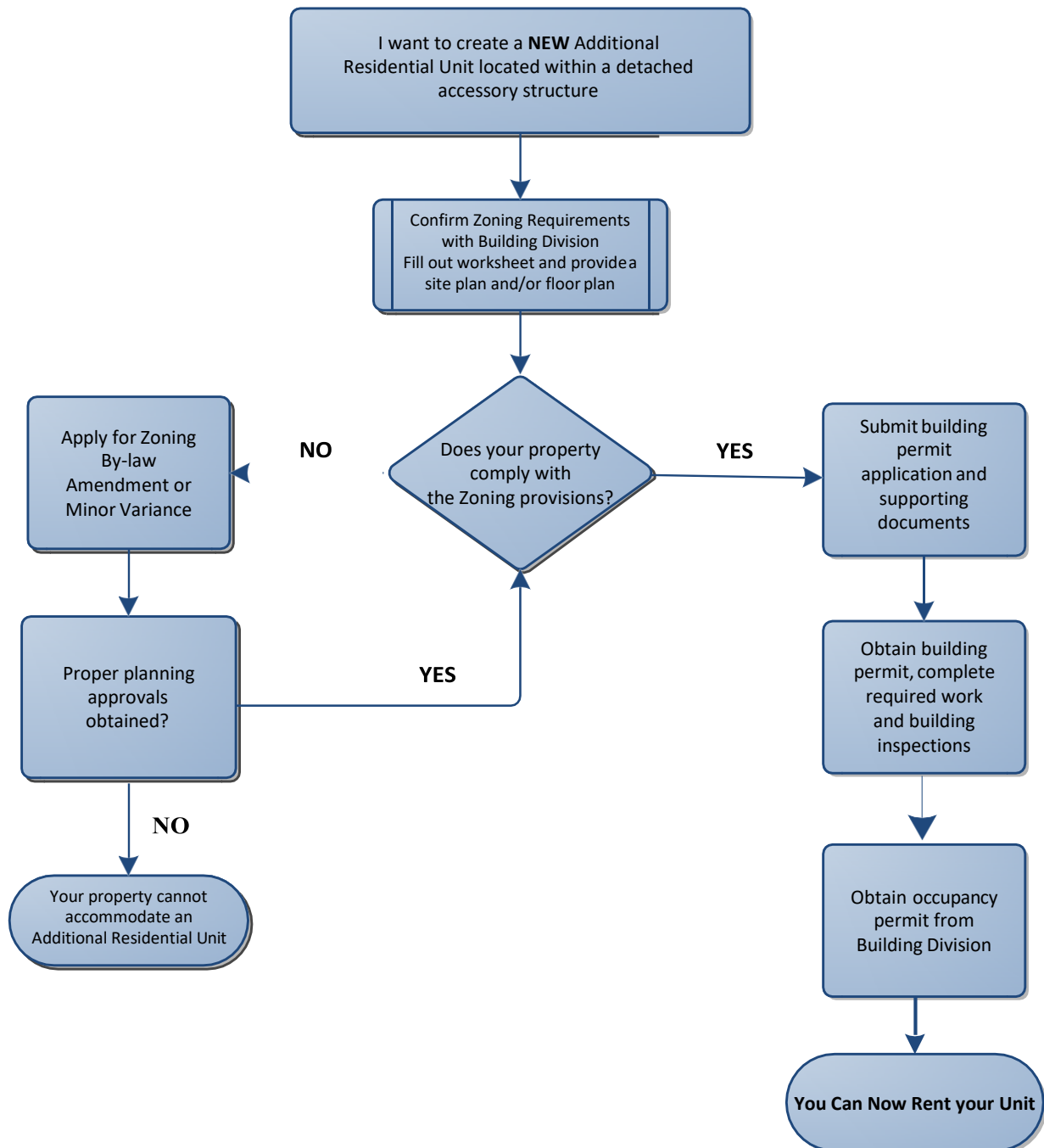
Please note that tiny homes is not a defined term in the Ontario Building Code or the County of Brant Zoning By-law. If you are considering building a small home in your backyard, this would be considered a detached **Additional Residential Unit**. The Ontario Building Code regulates the minimum dwelling unit size. Further, the Zoning By-law does not permit a mobile home or recreational vehicle.

All building permit applications for Additional Residential Units (ARU’s) must comply the Ontario Building Code and [applicable laws](#), including the County of Brant’s current Zoning By-law. Please refer to the [ARU Guide](#) for additional information requirements.

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 County of Brant, the Building Division in Development Services Department is responsible for reviewing building permit applications to ensure that applications meet these minimum requirements.

To begin construction on your detached Additional Residential Unit you must obtain a building permit. A completed application including all information and drawings must be submitted to the Building Division. A list of documents required at submission is listed further on in this guide.

Overview of the Approval Process: CREATING A NEW ADDITIONAL RESIDENTIAL UNIT located within a detached accessory structure





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Ontario Building Code Requirements

The Ontario Building Code (OBC) requirements vary according to the age of the building. You will be required to provide documentation to confirm the age.

Buildings Less Than Five Years Old

When the building is less than five years old, the additional unit must comply with all requirements of Part 9, Division B of the OBC; the construction requirements of the OBC are more restrictive.

Buildings More Than Five Years Old

When the building is older than five years design requirements may have compliance alternatives under Part 11, Division B of the OBC.

The below tables may not be a complete list of requirements of the Ontario Building Code. It is the responsibility of the designer to ensure that any/all submitted documents comply with the Ontario Building Code.

The most current Building Code is available at [E-laws Ontario](http://www.e-laws.gov.on.ca).

General Design Requirements

DOOR SIZES		Minimum Width	Minimum Height
Dwelling Unit Entrance or Utility Room		32"	78"
Bedroom or Rooms not mentioned elsewhere		30"	
Bathroom, Washroom, and Walk-in closets		24"	
CEILING HEIGHTS			
All Rooms	6'-11" over entire floor 6'-5" under beam/duct	6'-5" over all required room areas and any location normally used as a mean of egress	
ROOM SIZES			
Separate Spaces	Min. Area ft ² (m ²)	Combined Spaces	Min. Area ft ² (m ²)
Living Room	145 (13.5)	Living Room (> 1 bedroom)	145 (13.5)
Dining Room	75 (7.0)	Living Room (1 bedroom)	118 (11.0)
Kitchen (> 1 bedroom)	45 (4.2)	Dining Room	35 (3.25)
Kitchen (1 Bedroom only)	40 (3.7)	Kitchen (> 1 bedroom)	45 (4.2)
Master Bedroom (with closet)	95 (8.8)	Kitchen (1 bedroom)	40 (3.7)
Master Bedroom (without closet)	105 (3.0)	Bedrooms	45 (4.2)
Other Bedroom (with closet)	65 (6.0)		
Other Bedroom (without closet)	75 (7.0)	Bachelor	
Bathroom	Sufficient space for fixtures	Living, Dining, Bedroom and Kitchen	145 (13.5)

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BUILDING-SPECIFIC DESIGN REQUIREMENTS	Building Condition		
	A New	B 5 years or older	C 5 years or older Finished basement
FLOOR FIRE SEPARATION (Including Supporting Structure)			
Minimum Floor Fire Resistance Rating (FRR)	45 min or sprinklered	30 min FRR or sprinklered	15 min FRR OR sprinklered
Minimum Floor Sound Transmission Class (STC)	50 STC	Existing acceptable	Existing acceptable
WALL FIRE SEPARATION			
Minimum Wall Fire Resistance Rating (FRR)	45 min FRR	30 min FRR	30 min FRR
Minimum Door Fire Protection Rating (FPR) (Note: door requires a self-closing device)	20 min FPR	20 min FPR	20 min FPR
Permitted Wall Sound Transmission Class (STC)	50 STC	Existing acceptable	Existing acceptable
HVAC SYSTEMS			
Independent Heating System Required	No	No	
Duct type Smoke Detector Required	Yes	Yes. Existing heating systems may serve both units provided a Smoke Detector is installed in the supply or return air duct system which will completely turn off fuel and electrical supply to the heating system upon activation of such detector(s).	
SMOKE ALARMS			
Applies to	Only the new residential unit		The existing unit and new unit
Interconnected between Units	Not Required		Required
Required locations and general requirements	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 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 per manufacturer's specifications	Yes	Yes	Yes
Carbon monoxide alarms may be battery operated or plugged into an electrical outlet	No	Yes	Yes
NATURAL LIGHT			
Living and Dining Rooms	10% of area served		5% of area served
Bedrooms and other Finished Rooms	5% of area served		2.5% of area served
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

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Private Services

An additional residential unit may be permitted on a privately serviced lot (individual well and septic).

Septic System

The capacity and design of a private septic system is regulated by the Ontario Building Code, Part 8, Division B.

If tying into an existing septic system, the applicant will be required to demonstrate that the existing system has sufficient capacity for the additional unit. The existing system will need to be evaluated to determine if it has the capacity to accommodate the additional load that could be imposed upon it by the proposed additional unit.

Additional bedrooms, size of second unit or additional plumbing fixtures could require an upgrade to the existing septic system. If required, the design must be prepared by a qualified sewage system designer and provided along with a permit application. Additional fees will be required.

Any changes to the sewage system required as a result of the proposed unit must also be identified and detailed in the construction drawings prepared by the sewage system designer.

Private Well

Information and rules for residential well owners for the proper location, construction, maintenance is regulated by the [Ministry of Environment, Conservation and Parks](#).

Municipal Services

An additional residential unit is permitted on a municipal serviced (water and sanitary sewer) lot by the County of Brant Development Engineering Division reviewing and approving the unit for meeting municipal servicing capacity.

If any works are to be constructed in the municipal right away, including but not limited to connection to the watermain or municipal sanitary sewer, a permit may be required through the County of Brant Public Works Department, pwpermits@brant.ca.



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Additional Information

Electrical Safety and Inspections

In Ontario, electrical safety compliance inspections are conducted by the Electrical Safety Authority (ESA) and they may require a permit be taken out for electrical work being completed. 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 Building Inspector before an occupancy permit can be issued for your new additional residential unit.

Effect on Property Taxes & Insurance Considerations

Additional residential units may impact property tax; however the County of Brant cannot provide specific information relating as to how a property's current value assessment may be affected. If you would like more information on possible changes to your property tax, please contact the [Municipal Property Assessment Corporation \(MPAC\)](#).

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This checklist provides a summary of the Building Permit documents required for permit submission for an Additional Residential Unit (ARU) involving interior renovation or a new detached accessory building.

Required approvals from other agencies:

In many instances before a building permit application can be processed and a permit issued, there are other approvals from other agencies that are required. These approvals are not administered by the Building Division. Please ensure all required approvals are complete using the applicable law checklist prior to applying for a building permit. These approvals are required as part of a complete building permit application package.

This checklist has been developed for convenience purposes only. The property owner is responsible for ensuring compliance with all County of Brant By-laws, other applicable laws, and the Ontario Building Code

- Permit applications to be filled out and signed
- Authorization form (if applicable)
- [Applicable Law Checklist](#)
- Schedule 1 – Designer Information form
 - Designer’s name and BCIN must appear on all drawings submitted for application
- Site plan, should include;
 - The address or roll number (beginning with 2920...) of the property
 - All property lines and surrounding streets labelled, with proposed distance from all property lines
 - Unobstructed access to the proposed additional unit, minimum setback of 0.9m to other buildings
 - Parking spaces and size indicated on the site plan
 - Indicate location of window wells, air conditioning unit, and gates
 - Location of septic system (if applicable) and provide distance to proposed building
- Complete set of construction drawings, drawn to scale (1:75 or 3/16"=1') including;
 - **Foundation plans** (incl. size of walls, footings, and piers)
 - **Floor plans** (overall dimensions, room names, plumbing fixtures, structural information, door and window sizes, smoke and CO detectors)
 - **Building elevations** from all sides showing grade location, floor height above grade, wall height, roof height, roof slope, cladding material, roofing material and window and door location and sizes
 - **Cross sections** (1 min) through the wall from footings to roof noting all materials in the foundation, wall and roof assembly
 - **Other details may be required:**
 - Location of existing building details on all drawings
 - Truss layout
 - Engineered product specifications and layouts (ie: LVL or TJI Joists)

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- A letter from a heating contractor (if applicable) stating:
 - The size of the existing HVAC system and whether the existing system will accommodate the addition or renovation
 - Heat loss/gain calculations and mechanical ventilation design summary/layout, may be required
- Energy efficiency design summary form
- A letter from a licensed installer or professional engineer verifying the location of the existing septic system, tile bed size and capacity of existing tank, can accommodate the addition or renovation (if applicable)
 - Alterations to the septic bed or tank to accommodate a renovation will require a separate permit
 - A new septic system will require a permit, refer to [New Septic System Permit Package](#)
- **Good Forestry Practices By-law 70-21**
 - If you are planning to injure or destroy trees that do not comply with By-law 70-21, a Clear Cutting permit will be required before obtaining a building permit, please contact treeconservation@brant.ca or visit [Tree Conservation and Regulations](#) for more information.
 - [Tree Conservation Worksheet](#) (if applicable)

Next steps:

- Submit the complete permit application and supporting documents to the Building Division either electronically by emailing building@brant.ca or hard copies can be dropped off at the Pairs Customer Service Office
- The application is reviewed for completeness, compliance with the zoning by-law, applicable laws, lot grading approval and building code. Application review comments are provided during review to identify any outstanding requirements and to summarize permit fees.
- The permit is issued when all review is complete, and all fees are paid.
- Once the permit is issued, construction begins, and inspections are scheduled. Building inspectors review major phases of construction until occupancy and/or final is complete.

Need help? If you have any questions, please feel free to contact us at any time and we will assist you through the process! Telephone 519.44BRANT or email us at building@brant.ca

Application for a Permit to Construct or Demolish

This form is authorized under subsection 8(1.1) of the *Building Code Act, 1992*

For use by Principal Authority				
Application number:		Permit number (if different):		
Date received:		Roll number:		
Application submitted to: _____ (Name of municipality, upper-tier municipality, board of health or conservation authority)				
A. Project information				
Building number, street name			Unit number	Lot/con.
Municipality	Postal code	Plan number/other description		
Project value est. \$		Area of work (m ²)		
B. Purpose of application				
New construction	Addition to an existing building	Alteration/repair	Demolition	Conditional Permit
Proposed use of building		Current use of building		
Description of proposed work				
C. Applicant				
		Applicant is:	Owner or	Authorized agent of owner
Last name		First name	Corporation or partnership	
Street address			Unit number	Lot/con.
Municipality	Postal code	Province	E-mail	
Telephone number		Fax		Cell number
D. Owner (if different from applicant)				
Last name		First name	Corporation or partnership	
Street address			Unit number	Lot/con.
Municipality	Postal code	Province	E-mail	
Telephone number		Fax		Cell number

E. Builder (optional)				
Last name		First name	Corporation or partnership (if applicable)	
Street address			Unit number	Lot/con.
Municipality		Postal code	Province	E-mail
Telephone number		Fax		Cell number
F. Tarion Warranty Corporation (Ontario New Home Warranty Program)				
i. Is proposed construction for a new home as defined in the <i>Ontario New Home Warranties Plan Act</i> ? If no, go to section G.			Yes	No
ii. Is registration required under the <i>Ontario New Home Warranties Plan Act</i> ?			Yes	No
iii. If yes to (ii) provide registration number(s): _____				
G. Required Schedules				
i) Attach Schedule 1 for each individual who reviews and takes responsibility for design activities.				
ii) Attach Schedule 2 where application is to construct on-site, install or repair a sewage system.				
H. Completeness and compliance with applicable law				
i) This application meets all the requirements of clauses 1.3.1.3 (5) (a) to (d) of Division C of the Building Code (the application is made in the correct form and by the owner or authorized agent, all applicable fields have been completed on the application and required schedules, and all required schedules are submitted). Payment has been made of all fees that are required, under the applicable by-law, resolution or regulation made under clause 7(1)(c) of the <i>Building Code Act, 1992</i> , to be paid when the application is made.			Yes	No
ii) This application is accompanied by the plans and specifications prescribed by the applicable by-law, resolution or regulation made under clause 7(1)(b) of the <i>Building Code Act, 1992</i> .			Yes	No
iii) This application is accompanied by the information and documents prescribed by the applicable by-law, resolution or regulation made under clause 7(1)(b) of the <i>Building Code Act, 1992</i> which enable the chief building official to determine whether the proposed building, construction or demolition will contravene any applicable law.			Yes	No
iv) The proposed building, construction or demolition will not contravene any applicable law.			Yes	No
I. Declaration of applicant				
I _____ declare that: (print name)				
1. The information contained in this application, attached schedules, attached plans and specifications, and other attached documentation is true to the best of my knowledge.				
2. If the owner is a corporation or partnership, I have the authority to bind the corporation or partnership.				
_____		_____		
Date		Signature of applicant		

Personal information contained in this form and schedules is collected under the authority of subsection 8(1.1) of the *Building Code Act, 1992*, and will be used in the administration and enforcement of the *Building Code Act, 1992*. Questions about the collection of personal information may be addressed to: a) the Chief Building Official of the municipality or upper-tier municipality to which this application is being made, or, b) the inspector having the powers and duties of a chief building official in relation to sewage systems or plumbing for an upper-tier municipality, board of health or conservation authority to whom this application is made, or, c) Director, Building and Development Branch, Ministry of Municipal Affairs and Housing 777 Bay St., 2nd Floor. Toronto, M5G 2E5 (416) 585-6666.



Permit Applicant Authorization

This form must be completed for all building permit applications where the applicant is the Owner's Agent

A. Project Information			
Property Address		Unit number	Lot/con.
Municipality County of Brant	Postal Code		
B. Property Owner(s)			
Last name	First name	Corporation or partnership	
Street address		Unit number	
Municipality	Postal code	Province	E-mail
Telephone number		Cell number	
C. Party to be Authorized			
Last name	First name	Corporation or partnership	
Street address		Unit number	
Municipality	Postal code	Province	E-mail
Telephone number		Cell number	
D. Declaration of Property Owner(s)			
<p>I _____, hereby Name of Property Owner(s) (please print)</p> <p>authorize and appoint the party stated in Section C of this form as my agent for the purposes of the submitted permit application. I understand that all communications and correspondence regarding this application shall be directed to the applicant.</p> <p>_____ Date _____ Signature of Property Owner(s)</p>			

Note:

1. The Ontario Building Code states that "owner includes, in respect of the property on which the construction or demolition will take place, the registered owner, a lessee or mortgagee in possession".

Personal information contained in this form is collected under the authority of Subsection 8(1.1) of the *Building Code Act, 1992*, and will be used in the administration and enforcement of the *Building Code Act, 1992*.

Schedule 1: Designer Information

Use one form for each individual who reviews and takes responsibility for design activities with respect to the project.

A. Project Information			
Building number, street name	Unit no.	Lot/con.	
Municipality	Postal code	Plan number/ other description	
B. Individual who reviews and takes responsibility for design activities			
Name	Firm		
Street address	Unit no.	Lot/con.	
Municipality	Postal code	Province	E-mail
Telephone number ()	Fax number ()	Cell number ()	
C. Design activities undertaken by individual identified in Section B. [Building Code Table 3.5.2.1. of Division C]			
<input type="checkbox"/> House	<input type="checkbox"/> HVAC – House	<input type="checkbox"/> Building Structural	
<input type="checkbox"/> Small Buildings	<input type="checkbox"/> Building Services	<input type="checkbox"/> Plumbing – House	
<input type="checkbox"/> Large Buildings	<input type="checkbox"/> Detection, Lighting and Power	<input type="checkbox"/> Plumbing – All Buildings	
<input type="checkbox"/> Complex Buildings	<input type="checkbox"/> Fire Protection	<input type="checkbox"/> On-site Sewage Systems	
Description of designer's work			
D. Declaration of Designer			
<p>I _____ declare that (choose one as appropriate):</p> <p style="text-align: center;">(print name)</p> <p><input type="checkbox"/> I review and take responsibility for the design work on behalf of a firm registered under subsection 3.2.4. of Division C, of the Building Code. I am qualified, and the firm is registered, in the appropriate classes/categories.</p> <p style="padding-left: 40px;">Individual BCIN: _____</p> <p style="padding-left: 40px;">Firm BCIN: _____</p> <p><input type="checkbox"/> I review and take responsibility for the design and am qualified in the appropriate category as an "other designer" under subsection 3.2.5. of Division C, of the Building Code.</p> <p style="padding-left: 40px;">Individual BCIN: _____</p> <p style="padding-left: 40px;">Basis for exemption from registration: _____</p> <p><input type="checkbox"/> The design work is exempt from the registration and qualification requirements of the Building Code.</p> <p style="padding-left: 40px;">Basis for exemption from registration and qualification: _____</p> <p>I certify that:</p> <ol style="list-style-type: none"> 1. The information contained in this schedule is true to the best of my knowledge. 2. I have submitted this application with the knowledge and consent of the firm. <p style="margin-top: 20px;">_____</p> <p style="display: flex; justify-content: space-between; width: 80%; margin: 0 auto;"> Date Signature of Designer </p>			

NOTE:

1. For the purposes of this form, "individual" means the "person" referred to in Clause 3.2.4.7(1) d) of Division C, Article 3.2.5.1. of Division C, and all other persons who are exempt from qualification under Subsections 3.2.4. and 3.2.5. of Division C.
2. Schedule 1 is not required to be completed by a holder of a license, temporary license, or a certificate of authorization, issued by the Ontario Association of Architects. Schedule 1 is also not required to be completed by a holder of a license to practise, a limited license to practise, or a certificate of authorization, issued by the Association of Professional Engineers of Ontario.