



Introduction

A residential accessory building is a detached structure with a separate or secondary use to your house. It must be located on the same lot as your dwelling and cannot be used for commercial purposes or for habitation. Some examples of accessory buildings include garden sheds, gazebos and garages.

When is a Building Permit required to construct an accessory building?

A Building Permit is required for the construction of detached structures that are greater than 10 square metres (108 square feet) in area. Garages and carports attached to the principal dwelling, regardless of size, are considered to be additions and always require a Building Permit.

Note: Although a Building Permit may not be required for detached structures that are less than 10 square metres in area, all accessory buildings must meet Zoning By-Law requirements and other applicable provincial and municipal regulations.

Why is a Building Permit important?

Building Permits are necessary to ensure that fire, construction and structural safety standards are met. Permits also confirm that the project follows City Zoning By-laws. It is the owner's responsibility to ensure that a Building Permit is obtained **prior** to construction or demolition.



What are some basic tips for planning your project?

Contact the Building Services Division in the planning stages of your project to determine the specific zoning requirements for your property. A list of other important contacts is also included at the end of this brochure, as you may need to contact one or more of the organizations in order to obtain your Building Permit. Be sure to contact the appropriate one(s) prior to your application to the City.

Can I do my own drawing?

As the owner, you may design your own project and produce your own drawings. Libraries and home improvement stores carry books with standard details that could be referenced when creating drawings. Discuss your project with material suppliers to establish costs, sizes and spans. Examples of drawings can also be obtained from the Building Services Division to illustrate the quality of submission necessary for a permit application. However, if you are not familiar with various government regulations, by-laws and Ontario Building Code requirements, you may wish to hire a knowledgeable and qualified designer instead. Delays in the issuance of your permit can arise if your drawing and specification submissions are not complete or do not conform to the Building Code and/or Zoning By-Law.

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

Note: Most designs for Building Permits not completed by the owner will require a designer registered and/or qualified under Division C, Part 3, Section 3.2 of the Ontario Building Code. A designer is anyone who is responsible for the design, which may also include preparing the drawings for submission. You may wish to check with the Building Services Division to find out whether your project requires a qualified designer.

How do I know if a designer is qualified?

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

How do I apply for a Building Permit?

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

For a residential accessory building, you will be required to submit:

- 1) A **completed application form** with property address, owner/applicant and designer information. Building Permit fees are required to be paid in full at the time of application.
- 2) A **Site Plan** must also accompany your Permit application. A Site Plan identifies buildings and other features in relation to property boundaries. The Site Plan should show your existing house and the size and location of the proposed accessory structure. Please include the following information on your Site Plan:
 - Title, scale, north arrow, and property dimensions
 - Legal description including lot and plan number, street name and municipal address number
 - Setbacks to all property lines for the existing dwelling and the proposed accessory building (including roof/eave overhang)
 - Any right-of-ways and/or easements
 - Size and location of any other accessory buildings, porches, decks, or swimming pools
 - Front yard landscaping, such as a driveway or sidewalk
 - Location of existing septic system (if applicable)
- 3) Detailed construction drawings, usually in the form of floor plans and elevations, including:
 - Dimensions of proposed accessory building, including the height from grade to roof peak
 - Slab, foundation wall, or pier construction details including size, depth, and compressive strength of concrete
 - Width, location, and lintel size of all openings
 - Size, spacing, and grade of studs and any structural members
 - Roof framing: size, spacing, and grade of rafters, showing support details at all bearing points; or, if using trusses, the manufacturer's engineered drawings (request these from your truss supplier)

What are the zoning restrictions on accessory buildings?

Factors that are reviewed when applying for a Building Permit for an accessory structure include:

- Required setbacks from property lines;
- Which yard (front, rear, interior side or exterior side) the structure is to be placed in;
- Whether the property is a corner, through or interior lot (There may be different requirements and exceptions for corner lots and properties that are zoned Agricultural);
- Lot coverage; and
- height.

If your proposal does not comply with the current Zoning By-Law, you may apply to the Committee of Adjustment (www.hamilton.ca/committeeofadjustment) for a minor variance. Information about the application process and related fees can be obtained on the 4th floor of the City Centre or by calling 905.546.4221.

What other information should I be aware of?

- Please contact our Division in the planning stages of your project to determine the requirements for a Building Permit application, including the current fee schedule and any Zoning By-Law restrictions and requirements.
- Customer Service Representatives are available to answer your questions.
- During the review process you may be contacted by a plans examiner via phone or mail if there are any outstanding requirements. All outstanding information must be submitted prior to issuance of the Permit.
- Please read the Permit documents thoroughly before commencing construction. The construction of the addition must be in accordance with the approved plans and documents issued with your Permit.
- Several inspections are required during construction to ensure that all work is done as per the approved plans. Contact the Building Inspector before you start your project to find out which inspections are required.
- It is your responsibility, as the owner, to ensure that either you or your contractor contacts the City to request an inspection at least 48 hours before work proceeds from one inspection stage to the next. For inspections, call 905.546.3950 in the morning between the hours of 8:00 a.m. and 9:30 a.m., Monday to Friday.

How do I know if a contractor is licensed to work in Hamilton?

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

Important Contacts:

Call Before you Dig (24 hour service):
1.800.400.2255

**Committee of Adjustment
(Minor Variances from Zoning By-Law):**
905.546.4221

Conservation Authority:
Hamilton Region: 905.525.2181
Halton Region: 905.336.1158
Grand River: 519.621.2761
Niagara Peninsula: 905.788.3135

CP Rail:
1.800.766.7912

**Electrical Safety Authority
(Electrical permits/inspections):**
1.877.372.7233

Encroachments/Alley information:
905.546.2424 Ext. 4298

Historical Designations/Information:
905.546.2424 Ext. 1202 or Ext. 1220

Ministry of Transportation:
416.235.4081 or 416.235.4387

Niagara Escarpment Commission (NEC):
905.877.5191

Looking for additional brochures and applications?

All department brochures can be found at:
www.hamilton.ca/pedpublications

All department applications can be found at:
www.hamilton.ca/pedapplications

Information collected in the building permit application process, including personal information, is collected under the authority of the *Building Code Act*, 1992, S.O. 1992, Chap. 23 and is subject to the *Municipal Freedom of Information and Protection of Privacy Act*, R.S.O. 1990, c. M.56.
For more information, please call 905-546-2720 or email building@hamilton.ca

For more information contact:

Building Services Division

Planning and Economic Development Department
City Hall
71 Main Street West, 3rd Floor
Hamilton, Ontario, L8P 4Y5

Monday - Friday

8:30 a.m. - 4:30 p.m.
Phone: 905.546.2720
Email: building@hamilton.ca
Website: www.hamilton.ca/building



Hamilton

BUILDING SERVICES DIVISION
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT