



The information contained within this guide is provided to assist homeowner's, contractors and do-it yourselfers with the process of applying for and obtaining a building permit to construct an accessory apartment.

### **What is an accessory apartment?**

The Township of Cavan Monaghan Zoning By-law No. 2018-58, as amended, defines an accessory apartment as a separate dwelling unit, which is located within and subordinate to a detached, semi-detached, or townhouse dwelling.

A garden suite is a one-unit detached dwelling containing bathroom and kitchen facilities that is ancillary to an existing residential structure and that is designed to be portable. This is different than an accessory apartment. For information on garden suites, please see the Garden Suite Information Sheet.

### **Where are accessory apartments permitted?**

An accessory apartment is permitted in a detached, semi-detached or townhouse dwelling unit located in the following zones: (UR1), (UR2), (UR3), (RR), (HR), (CMU1), (CMU2), (CMU3), (A), (RU), (NL) & (NC) and the Oak Ridges Moraine Zones.

### **What other regulations apply to accessory apartments?**

- An accessory apartment may not be located within a separate accessory building such as a garage, workshop or barn (Section 11.4.2(a)).
- Only one accessory apartment is permitted per dwelling (Section 11.2).
- The maximum floor area used for an accessory apartment must not exceed 45% of the gross floor area of the building it is located in (S. 11.2). If the gross floor area exceeds that of the building it is located in, Development Charges will apply and a zoning by-law amendment (rezoning) application will be required.
- A minimum of 1 parking space must be provided for the accessory apartment in addition to the 2 parking spaces required for the detached, semi-detached or townhouse dwelling unit in which the accessory apartment is located or 1 parking space required for a dwelling unit in a mixed-use building in which the accessory apartment is located (S. 12.2.2, Table 12B).
- Parking spaces must be provided in accordance with Section 12.2 of By-law No. 2018-58, as amended.

### **Is a building Permit required?**

- Accessory apartments require a building permit which will also include the plumbing permit.
- An Electrical permit will also be required which will be available through a licensed electrician or the Electrical Safety Authority.

### **Why is a building permit required?**

- Accessory apartments must have a fire separation between the apartment and any other dwelling within the house (OBC 9.10. – multiple subsections and articles).
- Because this fire separation can be somewhat complex when installed in an existing dwelling, it should be designed by an Accredited Designer, Architect or Engineer.

In addition to the fire separation design, the following is required:

- HVAC system fire dampers (OBC 9.10.13.13; 9.24.3.7).
- Smoke alarms, C.O. alarms, strobes (OBC 9.10.19.1; 9.10.19.2; 9.10.19.3; 9.10.19.4; 9.10.19.5; 9.33.4.1; 9.33.4.2; 9.33.4.3).
- Minimum window areas as a ratio of room sizes (OBC 9.7.2.3).
- Means of egress – doors and/or windows (OBC 9.9.9.1; 9.9.9.2; 9.9.9.3; 9.9.10.1).

### **What information is required to be submitted for a building permit?**

Submission for a building permit shall include the following information:

- Complete building permit application form, including property location and description, value of proposed work, address of owner/applicant and relevant phone numbers and email.
- Permit application forms must be signed and dated.
- One copy of detailed construction drawings indicating all of the structural components of the proposed construction, plumbing layout and fire separation details.
- Permit or letter of permission from Peterborough County Health Department if a septic system has been installed in order to ensure it is of adequate size.
- A Site Plan showing parking spaces and proposed means of ingress and egress for the accessory apartment along with site drainage if required due to any proposed changes to the landscape.

Should you have any questions regarding the information contained within this guide or require additional information with regard to building permits or zoning, please contact the Building & Planning Departments:

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