



## Building Services

### Creation of Accessory Dwelling Units & Registration of Two-Unit Houses Guide

Please note that some parts of this guide may not accurately reflect recent changes to land use planning rules under the [More Homes Built Faster Act, 2022](#). We are working to update the guide to include these changes.



Town of Halton Hills  
1 Halton Hills Drive  
Halton Hills ON L7G 5G2

General Inquiries: 905-873-2600 Ext. 2925

Website: [www.haltonhills.ca](http://www.haltonhills.ca)

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## Introduction

Accessory dwelling units are often referred to as secondary suites, basement apartments, or accessory apartments. They can be created by converting part of an existing dwelling or they can be constructed as part of a new house.

**Accessory dwelling unit** means a second dwelling unit that is created within a single detached house, semi-detached house, or row house (townhouse). Each dwelling unit contains cooking, eating, living, sleeping, and sanitary facilities that are used only by the occupants living in that unit.

In the Town of Halton Hills, a **Two-Unit House** means a detached house, semi-detached house, or row house (townhouse) on one lot containing two dwelling units, one of which is an accessory dwelling unit.

The Town of Halton Hills “**Two-Unit House Registration**” **By-law No. 2016-0005**, as **amended** requires all houses containing accessory dwelling units to be **registered** through a one-time application process. The By-law states that “**no person shall operate or permit the occupancy of an accessory dwelling unit in a Two-Unit house unless the house is registered in accordance with this By-law**”. A copy of the current Two-Unit House Registration By-law is included in the Attachment Section of this Guide.

The registration process is designed to **protect** the owner and the inhabitants of the Two-Unit house from unnecessary hazards. The registration of a Two-Unit house **legalizes** its existence and makes both accessory dwelling unit and two-unit house **safe from a structural, health, and fire safety** perspective. Periodical post-registration inspections by the Fire Department ensure that **all safety measures** established under the registration process will be **maintained**.

All registered Two-Unit Houses are listed on **the Public Registry of Two-Unit Houses** in the Town of Halton Hills. The Public Registry can be found at the Town of Halton Hills website: <https://www.haltonhills.ca/BuildingPermits/index.php>

This Guide contains detailed information respecting the procedures:

- **to legalize the existing accessory apartment and register the existing two-unit house,**
- **to obtain a building permit for the new accessory units within the existing single dwelling house and register the newly created two-unit house, and**
- **to obtain a building permit to construct and register a new Two-Unit House.**

The Building Permit Application and Two-Unit House Registration processes are **consolidated into a single application stream**. The Building Services Division of the

Transportation & Public Works Department administers both building permit and registration processes for the Accessory Dwelling Units and Two-Unit Houses.

The **drawings/design documentation** required to be submitted in support of the applications for the registration and issuance of building permits may be **prepared by property owners or designers registered** with the Ministry of Municipal Affairs and Housing.

Contact the Town's Building Permit Intake Analyst at 905-873-2600 ext. 2324 for more information.

## Zoning and Other Approvals

Prior to making an application to **create a new** accessory dwelling unit **or legalize the existing** accessory dwelling unit and register the two-unit house, the property owner needs to confirm that the **Town of Halton Hills Zoning By-law** permits two-unit houses as a land use for their property **or** that the existence of the two-unit house can be legalized under the less stringent provisions of **Bill 120/20**.

The Town's current **Zoning By-law** 2010-0050, as amended, allows accessory dwelling units providing that:

- an accessory dwelling unit is created within **a single detached, semi-detached, or row house (townhouse)** and located in **Urban Residential Zones, Urban Commercial Zones, and Non-Urban Zones** in which the said house types are permitted,
- accessory unit does **not** occupy **more than 40% or 110 m<sup>2</sup> of floor area**, whichever is lesser, **OR the floor area of a basement** within permitted dwelling types,
- **one parking space** (minimum dimensions 2.75m x 5.5m) for accessory dwelling unit is provided **in addition** to the requirements for the single detached, semi-detached, or townhouse dwelling unit; typically, a total of 3 parking spaces are required (2 for the main dwelling and 1 for the accessory dwelling unit).

Provisions of **Bill 120/20** grant the legal-nonconforming status to the accessory dwelling units/two-unit houses that existed **on or before November 16, 1995** with respect to compliance with the **zoning** requirements **and** also allow the accessory dwelling units/two-unit houses that existed **on or before July 14, 1994** to comply with the provisions of the Ontario Fire Code Retrofit 9.8.

In order to prove the existence of the two dwelling units on or before the said date(s), the owner of the house must submit applicable documentation to the Zoning Officer.

The following documentation may be considered acceptable:

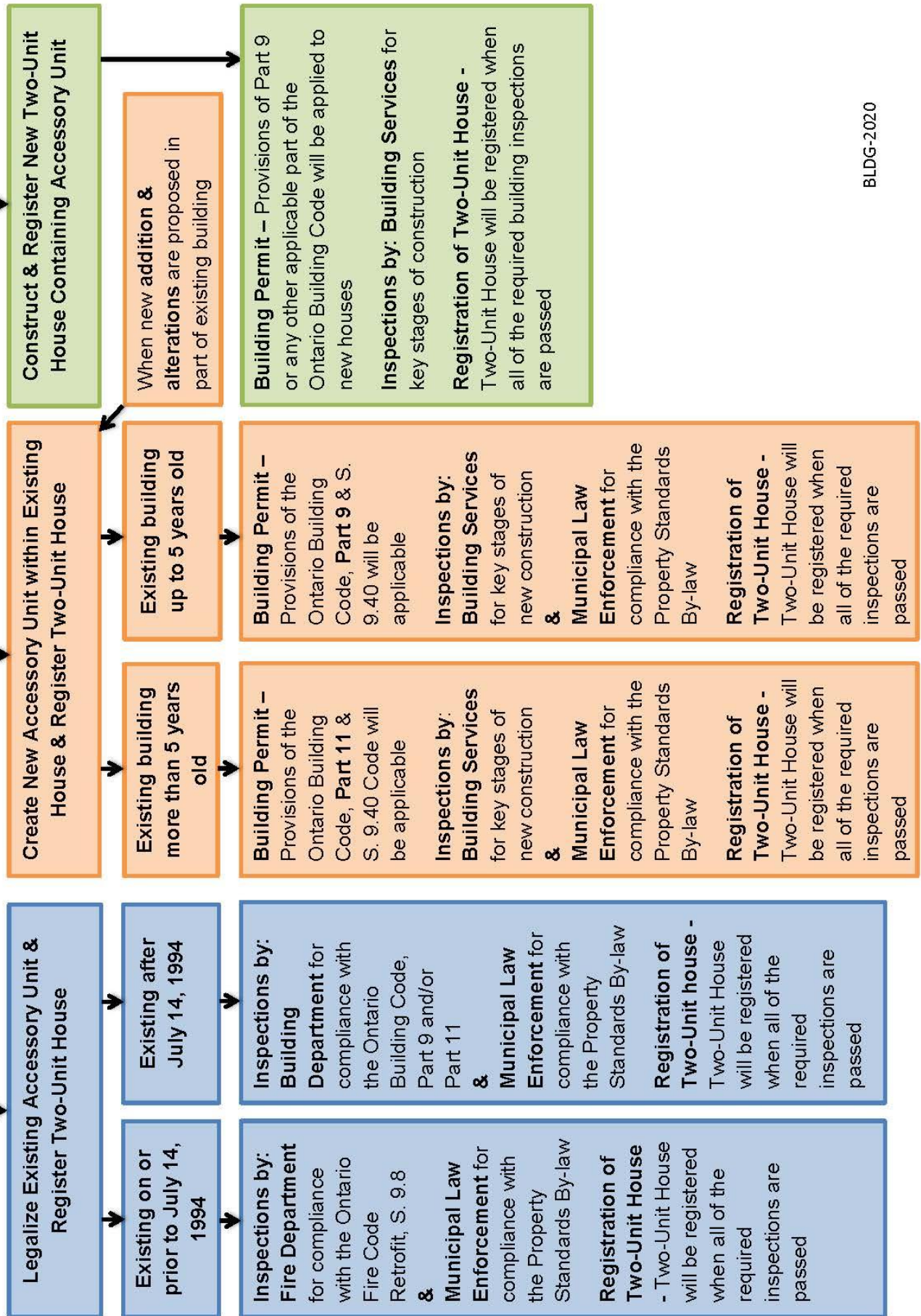
- Affidavits from the tenants who occupied the units at that time describing the details of their tenancy,
- A copy of a tenancy agreement and pertinent cancelled rental cheques,
- Tax statement of rental income and/or assessment information, showing that two dwelling units existed on that date(s),
- Building permit issued for the second unit,
- Statements from accountants and/or lawyers.

Some **other applicable** (By-law or Applicable Law) **approvals** may be required before an accessory unit is added.

Contact the Town's Zoning Officer at 905-873-2600 ext. 2320 for more information.



# Accessory Units & Two-Unit Houses - Compliance Paths



BLDG-2020

# Procedures to Legalize Existing Accessory Dwelling Units and Register Existing Two-Unit Houses

**Existing illegal accessory dwelling units may be legalized** through the established **registration process** providing that they comply with the requirements set out in the Registration By-law (and listed below).

The process starts by having an application submitted to the Town's Building Services Division by the **registered owner** of the property (**or a person authorized** by the owner). The following are complete application requirements:

1. Completed **Application to Register Two-Unit House form**
2. **Owner's Authorization** where the applicant is not the registered owner of the house
3. **Two (2) copies of:**
  - **site plan drawing** showing:
    - lot configuration
    - location of the house and all other structures (including septic system location, if applicable)
    - parking spaces in the driveway including one unobstructed space for the second unit in addition to the requirement for the single detached dwelling unit, with a minimum width of 2.75 meters, and a minimum length of 5.5 meters
    - all exterior entrances to the house
  - **floor plan drawings for each unit** detailing the following:
    - ceiling heights in each room
    - room uses, dimensions, and areas (measurements are to be taken to the exterior side of each wall face)
    - the common areas of the building
    - the exterior dimensions of the second dwelling
    - the floor area of the second unit
    - the secured entrances to each dwelling unit
    - the total floor area in which the second unit is located
    - window locations, dimensions, and areas (including all window/floor area calculations)
    - locations and dimensions of doors
4. **Fee for Registration of a Two-Unit House**

Payment of the applicable fee by cash, cheque, or debit is required at the time of application.

- Two-Unit House **Registration fee** for 2020 is **\$1107**.

Copies of the Application to Register Two-Unit House form and Owner's Authorization form are included in the Attachment Section of this Guide.

After the above listed application items have been submitted, reviewed, and accepted by the Registrar, the required **pre-registration inspections** will be scheduled with the applicant. Every applicant will ensure that the Two-Unit House is available for inspection by the appropriate Town staff.

**Municipal Law Enforcement Officers** will determine compliance with the **Property Standards and Zoning By-laws**.

**Fire Inspectors** will determine compliance with the **Fire Code** if the accessory unit **existed before July 14, 1994**.

**Building inspectors** will ensure compliance with the **Building Code** if the accessory unit was **created after July 14, 1994**.

As result of the above-referenced inspections, the owner/applicant may be required to make some changes to upgrade the building in order to comply with minimum Building or Fire Code and/or By-law requirements. A **Building Permit** (the cost of which is separate from the fee paid for the registration of a Two-Unit house) **may** be required prior to making these upgrades/modifications, or for the work completed without a building permit. **Building Inspections** of the work covered by these building permits will have to be conducted and passed prior to registration.

**Once all of the required registration inspections (Property Standards, Fire, and/or Building) have been passed**, the house will be registered and included in the **Two-Unit House Registry**. The owner will be sent a letter stating that the building is registered as a Two-Unit House.

Contact the Town's Building Permit Intake Analyst at 905-873-2600 ext. 2324 for more information.

## **Procedures to Create a New Accessory Dwelling Unit within the Existing House & Register Newly Created Two-Unit House**

Property owners who want to create a **new accessory dwelling unit** within the existing house will apply for a **building permit** for the proposed work. Registration of the newly created two-unit house has been made part of the building permit application process with a reduced fee.

Building permit and registration application may be made by the **registered owner** of the property or a **person authorized by the owner**. The following is a list of the complete application requirements:



1. Completed **Building Permit Application form**
2. Completed **Registration of Two-Unit Houses form**
3. **Owner's Authorization** where the applicant is not the registered owner of the house
4. **Two (2) copies of construction drawings:**
  - **Fully dimensioned site plan drawing** showing:
    - lot configuration
    - house location and setbacks
    - location of all buildings and structures and, where applicable, location of on-site sewage disposal system
    - parking spaces in the driveway including one unobstructed space for the second unit in addition to the requirement for the principal dwelling unit
    - exterior entrances to both units, including walkout stairs, if applicable
    - egress window and window well, if applicable
  - **Existing floor plans for each floor level (basement, main floor, second floor)** showing:
    - Room uses, dimensions, and areas (measurements are to be taken to the exterior side of each wall face)
    - Interior stairs
    - Location of the existing furnace
    - Common areas of the building
    - Floor area (in m<sup>2</sup>) for each floor level
    - Locations, dimensions, and areas of the existing doors and windows
  - **Proposed Floor plans** (for the proposed accessory dwelling unit and for any changes to other floor areas, if applicable) showing:
    - Room uses, dimensions, and areas
    - Common areas of the building
    - Floor area of the accessory dwelling unit
    - Total floor area in which the second unit is located
    - Ceiling heights in each room within the future accessory unit, including ceiling height at the lowest point of bulkheads
    - Locations, dimensions, and areas of the windows and doors for the proposed accessory unit
    - Location of plumbing fixtures
  - **Elevations** (showing doors, windows, window wells, accessory unit entrance)

- **Sections and construction details** (walls, ceiling, fire separations, window wells, egress and escape windows)
- **HVAC system** design or information about the proposed changes to the existing system (including location of the furnace, number and location of the supply and return air openings, location of the supply and return air ducts related to the ceiling membrane)
- **Size of water service line** (calculation)
- **Assessment of the existing on-site sewage disposal system (septic system)**, where applicable. Remedial work may be required if the Assessment report shows that the existing on-site sewage disposal system is not adequate to service both the existing and the accessory dwelling units.

## 5. Permit and Registration fees:

- Building permit fee: **\$9.21** x floor area in m<sup>2</sup> of work involved
- Registration fee: **\$232**

Payment of both fees is done at time of application (by cash, cheque, or debit)

A **pre-registration inspection** by a Municipal Law Enforcement Officer to determine compliance with certain provisions of the **Property Standards and Zoning By-laws** will be scheduled with the applicant. The applicant will ensure that the house is available for the inspection. If the Municipal Law Enforcement Officer determines that remedial work resulting from their inspection requires a building permit, the matter will be included in the current building permit application.

Upon the issuance of the **building permit** for the new accessory unit, **Building Inspectors** will **inspect key stages of construction**.

Once all of the above-referenced inspections are conducted and passed, the **occupancy permit** for the accessory dwelling unit will be issued and the two-unit house will be **registered**. The property will be included in the **Two-Unit House Registry**. The owner will be sent a letter stating that the building is registered as a Two-Unit House.

Contact the Town's Building Permit Intake Analyst at 905-873-2600 ext. 2324 for more information.

Copies of the Building Permit Application form, Registration form, and Owner's Authorization form are included in the Attachment Section of this Guide.

## Procedures to Construct and Register New Two-Unit House Containing an Accessory Dwelling Unit

A building permit is required for the construction of a two-unit house. Registration of the new two-unit house has been made part of the building permit application process. An application for a **building permit to construct and register** a new two-unit house may be made by the **registered owner** of the property or a **person authorized by the owner**. The following is a list of the complete application requirements:

1. Completed **Building Permit Application form**
2. Completed **Registration of Two-Unit Houses form**
3. **Owner's authorization** where the applicant is not the registered owner of the house
4. **Two (2) copies of construction drawings** (See the Town's Building Permit Application Guide for information respecting the building permit documentation requirements)
5. **Building Permit and Registration fees:**
  - Building permit fee: **\$17.78/m<sup>2</sup>** of the proposed floor area
  - Registration fee: **\$232**

Payment of both fees is at the application time (by cash, cheque, or debit).  
Note: the \$17.78/m<sup>2</sup> rate will increase if the area of the future house is more than 325m<sup>2</sup>; depends on the actual design, additional fees may be applicable.

Upon the issuance of the **building permit** for the new two-unit house, **Building Inspectors** will **inspect key stages of construction** to ensure that the construction complies with the building permit documentation and the applicable Zoning By-law and Ontario Building Code requirements.

Once all of the inspections are conducted and passed, the **occupancy permit** for the two-unit house will be issued and the two-unit house will be **registered**. The property will be included in the **Two-Unit House Registry**. The owner will be sent a letter stating that the property is registered as a Two-Unit House.

Contact the Town's Building Permit Intake Analyst at 905-873-2600 ext. 2324 for more information.

Copies of the Building Permit Application form, Registration form, and Owner's Authorization form are included in the Attachment Section of this Guide.

## Applicable Legislation

The Town of Halton Hills “**By-law to provide for the Registration of Two-Unit Houses**” No. 2016-0005, as amended, requires that the entire property comply with various requirements contained in the **Ontario Fire Code**, **Ontario Building Code**, **Zoning By-law No. 2010-0050, as amended** and the Town of Halton Hills **Property Standards By-law 2008-0137, as amended**. The By-laws are available on the Town’s website at [www.haltonhills.ca](http://www.haltonhills.ca).

### Ontario Building Code Requirements for Two-Unit Houses

Accessory units and two-unit houses created/constructed after July 14, 1994 have to comply with the **Ontario Building Code**. The applicable Code requirements depend on the age of the house within which the accessory units are created.

Depending on the scenario under which an accessory unit is created the following provisions of the Ontario Building Code would apply:

- when constructing a new two-unit house, or adding an accessory unit to an existing house that has been in existence five years or less, requirements of Part 9 will be applicable.
- when adding an accessory unit to an existing house that has been in existence for more than five years, the accessory unit may comply with the less restrictive requirements of Part 11, Division B of the Ontario Building Code.

Contact the Town’s Building Permit Intake Analyst at 905-873-2600 ext. 2324 for more information.

The list of the applicable Ontario Building Code requirements is included in the Attachment Section of this Guide.

### Ontario Fire Code Requirements for Two-Unit Houses

Accessory units created prior to July 14, 1994 have to comply with the provisions of the Ontario Fire Code, Retrofit, S. 9.8 related to the required fire separations between units, exiting, smoke alarms & CO detectors, and electrical safety.

Contact the Fire Department at 905-877-1133 for more information.

A copy of the Ontario Fire Code, Retrofit, S. 9.8 is included in the Attachment Section of this Guide.

## Property Standards Requirements for Two-Unit Houses

The scope of a pre-registration inspection by Municipal Law Enforcement Officers for the properties where accessory units were created prior to July 14, 1994 will include interior areas and spaces within the accessory apartment, common areas, and the exterior elements of the house as well as parking spaces to ensure compliance with the Property Standards By-law 2008-0137, as amended. In cases where the accessory units within the existing houses are created after the said date, the scope of the property standards inspections will be limited to the parking areas and the exterior parts/elements of the house.

Contact Enforcement Services at 905-873-2600 ext. 2330 for more information.

The list containing the Property Standards By-law requirements applicable to the pre-registration inspections is included in the Attachment Section of this Guide.

## Illegal Accessory Dwelling Units/Two-Unit Houses

Illegal accessory dwelling units/two-unit houses are subject to joint inspection by Fire, Building, and Enforcement staff.

If evidence of an illegal accessory dwelling unit/two-unit house is found, a notice of violation will be issued by a Municipal Law Enforcement Officer requesting the owner:

- to **apply for registration, or**
- to **cease the use of the accessory apartment** and change the house back to a single dwelling unit.

The Building staff will address the construction and change of use without a permit.

The Fire staff will address the imminent safety of the building.

**Homeowners who do not register** their accessory units with the Town of Halton Hills and continue to permit occupancy may be subject to **a fine of up to \$50,000 for individuals** and \$100,000 for a corporation.

# Two-Unit House Registration Application



1 Halton Hills Drive, Halton Hills, L7G 5G2  
905-873-2600 | 1-877-712-2205  
haltonhills.ca

## Application for Registration of a Two-Unit House

| For use by Principal Authority |   |                       |
|--------------------------------|---|-----------------------|
| Application Number:            | Application: Abandoned <input type="checkbox"/> Cancelled <input type="checkbox"/> Refused <input type="checkbox"/> |                       |
| Date Received:                 | Registration Approved <input type="checkbox"/>  | Date of Registration: |

Application submitted to **Town of Halton Hills, Building Services**

| A. Property Information  |                |   |                        |                               |                |
|--|----------------|---|------------------------|-------------------------------|----------------|
| Building number, street name   |                |   |                        |                               | Lot/con.       |
| Municipality   |                | Postal Code                                   |                        | Plan number/other description |                |
| Floor area of Principal dwelling unit  | m <sup>2</sup> | floor area in which accessory unit is created | m <sup>2</sup>         | Floor area of Accessory unit  | m <sup>2</sup> |
| B. Applicant   |                |   |                        |                               |                |
| Last name  |                | First name                                    |                        | Corporation or partnership    |                |
| Street address   |                |   | Unit number            | Lot/con.                      |                |
| Municipality   |                | Postal code                                   |                        | Province                      |                |
| E-mail   | Tel. number    |   | Fax                    | Cell number                   |                |
| C. Owner (if different from applicant)   |                |   |                        |                               |                |
| Last name  |                | First name                                    |                        | Corporation or partnership    |                |
| Street address   |                |   | Unit number            | Lot/con.                      |                |
| Municipality   |                | Postal code                                   |                        | Province                      |                |
| E-mail   | Tel. number    |   | Fax                    | Cell number                   |                |
| D. Description of Existing & Proposed Conditions   |                |   |                        |                               |                |
|  |                |   |                        |                               |                |
| E. Declaration of applicant  |                |   |                        |                               |                |
| I _____ (print name) _____ certify that:   |                |   |                        |                               |                |
| 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. I have authority to bind the corporation or partnership (if applicable).  |                |   |                        |                               |                |
| Date   |                |   | Signature of applicant |                               |                |

Personal information is collected under the authority of the Municipal Act 2001, S.O. 2001 c.25 and will be used for the process and issuance of Building Permits, in accordance with the collection, use and disclosure of personal information governed by the Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c.M.56.



# Building Permit Application

## 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: _____<br>(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 <sup>2</sup> )             |   |
| B. Purpose of application   |   |  |   |
| <input type="checkbox"/> New construction   | <input type="checkbox"/> Addition to an existing building | <input type="checkbox"/> Alteration/repair | <input type="checkbox"/> Demolition <input type="checkbox"/> Conditional Permit |
| Proposed use of building  |   | Current use of building                    |   |
| Description of proposed work  |   |  |   |
| C. Applicant  |   |  |   |
| Applicant is: <input type="checkbox"/> Owner or <input type="checkbox"/> 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                                |   |

| <b>E. Builder (optional)</b>  |             |                        |  |                             |
|---|-------------|------------------------|--|-----------------------------|
| 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            |  |                             |
| <b>F. Tarion Warranty Corporation (Ontario New Home Warranty Program)</b>   |             |                        |  |                             |
| 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.  |             |                        | <input type="checkbox"/> Yes               | <input type="checkbox"/> No |
| ii. Is registration required under the <i>Ontario New Home Warranties Plan Act</i> ?  |             |                        | <input type="checkbox"/> Yes               | <input type="checkbox"/> No |
| iii. If yes to (ii) provide registration number(s): _____   |             |                        |  |                             |
| <b>G. Required Schedules</b>  |             |                        |  |                             |
| 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.   |             |                        |  |                             |
| <b>H. Completeness and compliance with applicable law</b>   |             |                        |  |                             |
| 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).<br>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. |             |                        | <input type="checkbox"/> Yes               | <input type="checkbox"/> 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> .   |             |                        | <input type="checkbox"/> Yes               | <input type="checkbox"/> 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.   |             |                        | <input type="checkbox"/> Yes               | <input type="checkbox"/> No |
| iv) The proposed building, construction or demolition will not contravene any applicable law.   |             |                        | <input type="checkbox"/> Yes               | <input type="checkbox"/> No |
| <b>I. Declaration of applicant</b>  |             |                        |  |                             |
| I, _____ declare that:<br>(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.

## Schedule 1: Designer Information

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

|   |             |   |        |   |          |
|---|-------------|---|--------|---|----------|
| <b>A. Project Information</b>   |             |   |        |   |          |
| Building number, street name  |             |   |        | Unit no.  | Lot/con. |
| Municipality  | Postal code | Plan number/ other description  |        |   |          |
| <b>B. Individual who reviews and takes responsibility for design activities</b>   |             |   |        |   |          |
| Name  |             |   | Firm   |   |          |
| Street address  |             |   |        | Unit no.  | Lot/con. |
| Municipality  | Postal code | Province  | E-mail |   |          |
| Telephone number  | Fax number  | Cell number   |        |   |          |
| <b>C. Design activities undertaken by individual identified in Section B. [Building Code Table 3.5.2.1. of Division C]</b>  |             |   |        |   |          |
| <input type="checkbox"/> House<br><input type="checkbox"/> Small Buildings<br><input type="checkbox"/> Large Buildings<br><input type="checkbox"/> Complex Buildings  |             | <input type="checkbox"/> HVAC – House<br><input type="checkbox"/> Building Services<br><input type="checkbox"/> Detection, Lighting and Power<br><input type="checkbox"/> Fire Protection |        | <input type="checkbox"/> Building Structural<br><input type="checkbox"/> Plumbing – House<br><input type="checkbox"/> Plumbing – All Buildings<br><input type="checkbox"/> On-site Sewage Systems |          |
| Description of designer's work  |             |   |        |   |          |
| <b>D. Declaration of Designer</b>   |             |   |        |   |          |
| I _____ declare that (choose one as appropriate):<br><div style="text-align: center;">(print name)</div> <p>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>Individual BCIN: _____</p> <p>Firm BCIN: _____</p> <p>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>Individual BCIN: _____</p> <p>Basis for exemption from registration: _____</p> <p>The design work is exempt from the registration and qualification requirements of the Building Code.</p> <p>Basis for exemption from registration and qualification: _____</p> <p>I certify that:</p> <ol style="list-style-type: none"> <li>1. The information contained in this schedule is true to the best of my knowledge.</li> <li>2. I have submitted this application with the knowledge and consent of the firm.</li> </ol> <div style="display: flex; justify-content: space-between; margin-top: 20px;"> <div>_____</div> <div>_____</div> </div> <div style="display: flex; justify-content: space-between; margin-top: 5px;"> <div>Date</div> <div>Signature of Designer</div> </div> |             |   |        |   |          |

**NOTE:**

1. For the purposes of this form, "individual" means the "person" referred to in Clause 3.2.4.7(1) (c) 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 practice, 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.

## Schedule 2: Sewage System Installer Information

|   |             |  |             |          |
|---|-------------|--|-------------|----------|
| <b>A. Project Information</b>   |             |  |             |          |
| Building number, street name  |             |  | Unit number | Lot/con. |
| Municipality  | Postal code | Plan number/ other description             |             |          |
| <b>B. Sewage system installer</b>   |             |  |             |          |
| Is the installer of the sewage system engaged in the business of constructing on-site, installing, repairing, servicing, cleaning or emptying sewage systems, in accordance with Building Code Article 3.3.1.1, Division C?   |             |  |             |          |
| <input type="checkbox"/> Yes (Continue to Section C) <input type="checkbox"/> No (Continue to Section E) <input type="checkbox"/> Installer unknown at time of application (Continue to Section E)  |             |  |             |          |
| <b>C. Registered installer information (where answer to B is "Yes")</b>   |             |  |             |          |
| Name  |             |  | BCIN        |          |
| Street address  |             |  | Unit number | Lot/con. |
| Municipality  | Postal code | Province                                   | E-mail      |          |
| Telephone number  | Fax         | Cell number                                |             |          |
| <b>D. Qualified supervisor information (where answer to section B is "Yes")</b>   |             |  |             |          |
| Name of qualified supervisor(s)   |             | Building Code Identification Number (BCIN) |             |          |
|   |             |  |             |          |
| <b>E. Declaration of Applicant:</b>   |             |  |             |          |
| <p>I _____ declare that:</p> <p style="text-align: center;">(print name)</p> <p>I am the applicant for the permit to construct the sewage system. If the installer is unknown at time of application, I shall submit a new Schedule 2 prior to construction when the installer is known;</p> <p><u>OR</u></p> <p>I am the holder of the permit to construct the sewage system, and am submitting a new Schedule 2, now that the installer is known.</p> <p>I certify that:</p> <ol style="list-style-type: none"> <li>1. The information contained in this schedule is true to the best of my knowledge.</li> <li>2. If the owner is a corporation or partnership, I have the authority to bind the corporation or partnership.</li> </ol> <p>_____</p> <p style="display: flex; justify-content: space-between;"> <span>Date</span> <span>Signature of applicant</span> </p> |             |  |             |          |

# Owner's Authorization



1 Halton Hills Drive, Halton Hills, L7G 5G2  
905-873-2600 | 1-877-712-2205  
haltonhills.ca

## Owner's Authorization

Property Owner(s) to complete the Owner's Authorization form to allow the Agent/Applicant to prepare, submit and act on behalf of the Property Owner(s) with respect to this application.

Property Address: \_\_\_\_\_

Project Description: \_\_\_\_\_

I/We \_\_\_\_\_ the Owner(s) of the  
land being subject of this Application do hereby authorize and appoint  
\_\_\_\_\_ as my/our Agent to **make**  
**this application** on my/our behalf and to conduct all communications on my/our behalf  
respecting same.

\_\_\_\_\_  
Name of Property Owner (please print)

\_\_\_\_\_  
Signature of Property Owner

\_\_\_\_\_  
Date of Signature

The personal information on this form is collected under the authority of Section 11 of the Municipal Act, as amended, and in accordance with the Municipal Freedom of Information and Protection of Privacy Act. The information is used for the purpose of processing this document. Questions regarding the collection of this information should be directed to Building Services at 905-873-2600 ext. 2300.

### Office use only:

- ☐ Picture Identification – Administration Verified Name
- ☐ Picture Identification – Administration Verified Picture
- ☐ Vailtech – Administration Verified

# Ontario Building Code Requirements for Two-Unit Houses

| <b>Ontario Building Code Requirements*</b><br><b>For Buildings Less than 5 Years</b><br><b>(Code Reference)</b>  | <b>Requirements for</b><br><b>Existing Buildings</b><br><b>5 Years Old or Greater</b><br>Refer to Div. B Part 11, Table 11.5.1.1.C. for Compliance<br><b>Alternatives</b>   |
|--|---|
| <b>Smoke Alarms (9.10.19.)</b>   |   |
| Smoke Alarms shall have both audible and visual signaling components.<br>(9.10.19.1. & 9.10.19.2.)   | Same  |
| Smoke Alarms must be located so that there are minimum: <ul style="list-style-type: none"> <li>• 1 on every storey</li> <li>• 1 in every sleeping room</li> <li>• 1 in a location between the sleeping rooms and the remainder of the storey</li> <li>• 1 in each shared means of egress or common space</li> </ul> (9.10.19.3.) | Required  |
| Smoke alarms shall be installed with permanent connection to an electrical circuit and shall be provided with a battery as an alternative power source.<br>(9.10.19.4.)  | Smoke alarms may be battery operated<br>(C175)  |
| Smoke alarms must be interconnected when more than one smoke alarm is required in the dwelling unit.<br>(9.10.19.5.)   | Same  |
| <b>Carbon Monoxide Alarms (9.33.4.)</b>  |   |
| Carbon monoxide alarms are required where a fuel burning appliance is installed in a building and/or the building has an attached garage   | Same  |
| Carbon monoxide alarms are to be located adjacent to each sleeping area in a suite   | Same  |
| Carbon monoxide alarms must be permanently connected to an electrical circuit  | May be battery operated or plugged into an electrical outlet<br>(C197)  |
| <b>Fire Separations Between Units (9.10.9.14.)</b>   |   |
| Dwelling units in the house shall be separated from each other and common areas by a fire separation having a fire resistance rating (FRR) not less than 45 minutes.<br><br>Fire resistance rating may be waived if the house is sprinklered.  | <ul style="list-style-type: none"> <li>• 30 Minute FRR acceptable and</li> <li>• Horizontal fire separation may be 15 min FRR where smoke alarms are installed in accordance with 9.10.19. and are interconnected</li> <li>• Fire resistance rating may be waived if the house is sprinklered<br/>(C152)</li> </ul> |
| A ceiling membrane forming part of fire rated assembly may be pierced by openings leading to ducts within a ceiling space provided that the requirements of s.9.10.5.1.(4) are met.  | <ul style="list-style-type: none"> <li>• Existing openings in existing wall or ceiling membranes may remain or may be moved within the same wall or ceiling providing that the aggregate area of the openings does not increase<br/>(C144)</li> </ul>   |



| <b>Ontario Building Code Requirements*<br/>For Buildings Less than 5 Years<br/>(Code Reference)</b>   | <b>Requirements for<br/>Existing Buildings<br/>5 Years Old or Greater</b><br>Refer to Div. B Part 11, Table 11.5.1.1.C. for Compliance<br>Alternatives   |
|---|--|
| <b>Sound Control (9.11.)</b>  |  |
| Vertical and horizontal separations separating units are required to have a minimum 50 sound Transmission Class Rating (STC).   | STC rating is not required for an existing assembly to achieve the required fire resistance rating (however it is recommended for better quality of life)  |
| <b>Doors, Dampers and other Closures in Fire Separations (9.10.13.)</b>   |  |
| Openings in required fire separations shall be protected by closures having min 20 minutes FRR. (9.10.13.1 & Table 9.10.13.1.)  | Existing functional closures acceptable (C155)   |
| Solid core wood doors can be used as 20 min closures provided they: <ul style="list-style-type: none"> <li>• are minimum 45mm thick</li> <li>• conform to CAN/ULC-S113 standard</li> <li>• are mounted in a wood frame that is minimum 38mm thick.</li> </ul> (9.10.13.2.)  | Existing acceptable<br>Provided they are minimum 45mm solid core doors or metal clad (C156 & C157)   |
| Door latches are required for every swing type door in a fire separation. (9.10.13.10.)   | Existing operable latches acceptable (C163)  |
| Fire dampers are required when a duct penetrates an assembly required to be a fire separation with a fire-resistance rating. (9.10.13.13.)  | Existing acceptable (C168)   |
| <b>Egress from Dwelling Units (9.9.9.)</b>  |  |
| Acceptable Means of Egress from a Dwelling Unit: <ul style="list-style-type: none"> <li>• a door that opens directly to the exterior from the dwelling unit in compliance with a 9.9.9.1. <ul style="list-style-type: none"> <li>○ a shared egress facilities providing that there is a second and separate means of egress (9.9.9.3.)</li> </ul> </li> </ul> | In a two-unit house, exit requirements are acceptable if at least one of the following conditions exists: <ol style="list-style-type: none"> <li>a door that opens directly to the exterior from a dwelling unit and has reasonable access to ground level and the dwelling units are equipped with smoke alarms in accordance with Subsection 9.10.19.</li> <li>exit through a shared means of egress that is separated from each dwelling unit by a fire separation with min 30 minute FRR and both dwelling units have smoke alarms installed in conformance with S.9.10.19. and are interconnected.</li> <li>Access to an exit from one dwelling unit leading through another dwelling unit where: <ol style="list-style-type: none"> <li>an escape window that conforms to the compliance alternative requirements is provided, or</li> </ol> </li> </ol> |

| <b>Ontario Building Code Requirements*<br/>For Buildings Less than 5 Years<br/>(Code Reference)</b>  | <b>Requirements for<br/>Existing Buildings<br/>5 Years Old or Greater</b><br><small>Refer to Div. B Part 11, Table 11.5.1.1.C. for Compliance Alternatives</small> |
|--|--|
|  | ii) the building is sprinklered and the dwelling units are equipped with smoke alarms installed as per S9.10.19. (C136)  |
| <b>Fire Protection of Exits (9.9.4.)</b>   |  |
| Every exit other than an exit doorway shall be separated from each adjacent floor area or from other exit by a fire separation having min 45min FRR (9.9.4.2.)   | 30 min FRR fire separation acceptable (C122)   |
| Openings near Exit Doors serving an individual dwelling when there is no second and separate exit from dwelling unit, as well as openings near Unenclosed Exit Stairs and Ramps and openings in Exterior walls of Exits shall be protected in conformance with a.9.9.4.4., a.9.9.4.5., and a.9.9.4.6.  | Same   |
| <b>Egress Windows for Bedrooms (9.9.10.1.)</b>   |  |
| <p>One egress window per floor level is required when there is no door on the same level as a bedroom that provides direct access to the exterior.</p> <p>Egress windows must be openable from the inside without the use of tools and shall have:</p> <ul style="list-style-type: none"> <li>• an open portion with a minimum area of 0.35m<sup>2</sup></li> <li>• no dimension less than 380mm</li> <li>• a maximum sill height of 1000mm (basement windows exempted)</li> </ul> <p>(9.9.10.1.(1))</p> <p>For egress windows opening into a window well there must be a minimum clearance of 550mm in front of the window. (9.9.10.1. (5))</p> | Existing acceptable, where there is a direct access to the exterior (C137)   |
| Important Note: Volume 2 of the OBC, Appendix A, A-9.9.10.1.(2) states: "It is recommended that sills of windows intended for use as emergency exits from basement bedroom areas be not higher than 1.5m above the floor. Sometimes it is difficult to avoid having higher sills and it is recommended that access to the window be improved by some means of built-in-furniture."   |  |
| Important Note: Volume 2 of the OBC, Appendix A, A-9.9.10.1(5) states: "Window Wells should be designed to provide sufficient clear space for a person to get out the window then out the well, taking into account potential snow accumulation."  |  |

| Ontario Building Code Requirements*<br>For Buildings Less than 5 Years<br>(Code Reference)   |  | Requirements for<br>Existing Buildings<br>5 Years Old or Greater<br>Refer to Div. B Part 11,Table 11.5.1.1.C. for Compliance<br>Alternatives |
|--|--|--|
| Doorway Sizes (9.5.11.)  |  |  |
| Location of Door   | Minimum<br>Dimensions<br>(Width x Height)                | Minimum Dimensions for Doors in<br>Existing Buildings  |
| Dwelling unit<br>(required entrance)<br>Vestibule or<br>Entrance Hall  | 810mm x 1980mm   | Doors may be lesser <b>heights</b> to suit ceiling<br>heights<br>(C103)  |
| Stairs to a floor level<br>that contains a<br>finished space All<br>Doors in at least one<br>line of passage from<br>the exterior to the<br>basement, Utility<br>rooms | 810mm x 1980mm   |  |
| Walk-in-closets  | 610mm x 1980mm   |  |
| Bathroom, water<br>closet room &<br>shower room  | 610mm x 1980mm   |  |
| Rooms located off<br>hallways that are<br>permitted to be<br>710mm wide  | 610mm x 1980mm   |  |
| Rooms not<br>mentioned above,<br>exterior balconies  | 760mm x 1980mm   |  |
| Hallway Width (9.5.10.1.)  |  |  |
| Minimum 860mm  |  | Same   |
| Room Sizes (9.5.4. – 9.5.9.)   |  |  |
| Room Type  | Minimum Area<br>(Same for new and Existing Buildings)    |  |
| Living Room  | 13.5m <sup>2</sup>                                       |  |
| Dining Room  | 7m <sup>2</sup>  |  |
| Kitchen  | 4.2m <sup>2</sup>  |  |
| Combined living, dining and kitchen areas (1<br>bedroom units)   | 11m <sup>2</sup>   |  |
| Master Bedrooms<br>(Minimum 1 required in each dwelling unit)  | 9.8m <sup>2</sup>  |  |
| Additional Bedrooms  | 7m <sup>2</sup>  |  |
| Bathrooms:<br>Enough space for a sink, toilet and shower or<br>bathtub   | Enough space for a sink, toilet and shower or<br>bathtub |  |
| Bachelor Units:<br>Combined sleeping, living, dining and Kitchen<br>areas  | 135m <sup>2</sup>  |  |

| Ontario Building Code Requirements*<br>For Buildings Less than 5 Years<br>(Code Reference)   |  | Requirements for<br>Existing Buildings<br>5 Years Old or Greater<br>Refer to Div. B Part 11, Table 11.5.1.1.C. for Compliance<br>Alternatives |
|--|--|---|
| Ceiling Heights (9.5.3.)   |  |   |
| Room Type  | Minimum Ceiling Height   | Minimum Ceiling Height for Existing Buildings   |
| Living room or space, dining room or space, kitchen or kitchen space                         | 2300mm over at least 75% of the required floor area with a clear height of 2100mm at any point over the required area  | Minimum 1950mm over the required floor area<br>(C102)   |
| Bedroom or bedroom space   | 2300mm over at least 50% of the required area or 2100mm over all of the required floor area. Any part of the floor having a clear height of less than 1400mm shall not be considered in computing the required floor area. | Minimum 1950mm over the required floor area<br>(C102)   |
| Basement Space   | 2100mm (6ft 11”) over at least 75% of the basement area except that under beams and ducts the clearance is permitted to be reduced to 1950 (6’5”)mm  |   |
| Bathroom, water closet room or laundry area above grade                                      | 2100mm in any area where a person would normally be standing   |   |
| Passage, hall or main entrance vestibule and finished rooms not specifically mentioned above | 2100mm   |   |
| Glazing Area – Natural Light Requirements (9.7.2.3.)   |  |   |
| Room Type  | Minimum Glazing Area   | Minimum Glazing Area  |
| Laundry, basement recreation room, unfinished basement                                       | Not Required   | Required values can be reduced by 50%<br>(C107)   |
| Water closet room  | 0.37m <sup>2</sup><br>(not required if providing electric lighting)  |   |

| Ontario Building Code Requirements*<br>For Buildings Less than 5 Years<br>(Code Reference)  |   | Requirements for<br>Existing Buildings<br>5 Years Old or Greater<br>Refer to Div. B Part 11, Table 11.5.1.1.C. for Compliance<br>Alternatives  |
|---|---|--|
| Glazing Area – Natural Light Requirements (9.7.2.3.)  |   |  |
| Room Type   | Minimum Glazing<br>Area   | Minimum Glazing Area   |
| Kitchen   | 10% of Area Served<br>(not required if<br>providing electric<br>lighting) | Required values can be reduced by 50%<br>(C107)  |
| Living rooms and<br>dining rooms  | 10% of Area Served  |  |
| Bedrooms and other<br>finished rooms not<br>mentioned above   | 5% of Area Served   |  |
| Stairs (9.8.2. – 9.8.4.7.)  |   |  |
| Stair widths shall be minimum 900mm<br>(9.8.2.1.)   |   | Existing stairs shall be exempt from these<br>provisions provided they have:<br><br>a) A minimum width of 700mm and<br>b) A minimum clear height over tread<br>nosing or landing of 1800mm<br>(C110) |
| Height <u>over</u> stairs shall be minimum 1950mm<br>(9.8.2.2.)   |   |  |
| Height <u>of</u> stairs shall be maximum 3.7m<br>(9.8.3.3.)   |   |  |
| Step Dimensions shall comply with 9.8.4.1.<br>Rise: Minimum 125mm – Maximum 200mm<br>Run: Minimum 210mm – Maximum 355mm<br>Tread Depth: Minimum 235mm – Maximum<br>355mm            |   |  |
| 9.8.6. Landings   |   |  |
| Landings are required at the top and bottom of<br>each flight of interior and exterior stairs.<br>(9.8.6.2.)  |   | Same   |
| Landing widths shall be at minimum the<br>required width of the stair.<br>Landing lengths shall be minimum 900mm.<br>(9.8.6.3.)   |   | Same   |
| The height over landings shall be minimum<br>1950mm.<br>(9.8.6.4.)  |   | Same   |
| 9.8.7. Handrails  |   |  |
| Interior Stairs: One handrail is required if stairs<br>have more than 2 risers<br><br>Exterior Stairs: One handrail is required if<br>stairs have more than 3 risers.<br>(9.8.7.1.) |   | Existing handrails acceptable unless<br>considered unsafe<br>(C113)  |

| Ontario Building Code Requirements*<br>For Buildings Less than 5 Years<br>(Code Reference)  | Requirements for<br>Existing Buildings<br>5 Years Old or Greater<br>Refer to Div. B Part 11, Table 11.5.1.1.C. for Compliance<br>Alternatives |
|---|---|
| 9.8.7. Handrails  |   |
| a) Doorways<br>b) Landings, or<br>Newel posts or changes in direction.<br>(9.8.7.2.)  | Existing handrails acceptable unless<br>considered unsafe<br>(C113)   |
| Handrails shall be minimum 865mm and<br>maximum 965mm in height.<br>(9.8.7.4.)  |   |
| 9.8.8. Guard Requirements   |   |
| Guards are required where there is a difference<br>in elevation of more than 600mm between the<br>walking surface and the adjacent surface.<br>(9.8.8.1.)   | Existing guards acceptable unless<br>considered unsafe<br>(C114)  |
| Height of Guards: Guards within dwelling units<br>shall be minimum 900mm in height  |   |
| 9.8.8. Guard Requirements   |   |
| Exterior guards where the walking surface is not<br>more than 1800mm above adjacent ground<br>level shall be minimum 900mm in height. Where<br>the walking surface is more than 1800mm<br>above adjacent ground level, guards shall be<br>minimum 1070mm in height.<br>(9.8.8.3.) | Existing guards acceptable unless<br>considered unsafe<br>(C114)  |
| Openings in guards shall be maximum 100mm<br>wide. (9.8.8.5.)   |   |
| Guards designed not to Facilitate Climbing<br>(9.8.8.6.)<br>No member attachment or opening between<br>140mm and 900mm of the walking surface will<br>facilitate climbing.  |   |
| Electrical & Lighting (9.34.) *Note that a separate electrical permit must be<br>obtained from the Electrical Safety Authority (ESA).*  |   |
| A light & switch is required in every room and<br>hallway.  | Same  |
| A switch controlling a fixture illuminating each<br>stair is required at the top & bottom of the stair  | Same  |
| Storage Rooms require a lighting outlet and<br>fixture as required.   | Same  |
| An exterior lighting fixture is required at every<br>entrance and shall be controlled by a switch<br>located within the building.   | Same  |



| Ontario Building Code Requirements*<br>For Buildings Less than 5 Years<br>(Code Reference)  | Requirements for<br>Existing Buildings<br>5 Years Old or Greater<br>Refer to Div. B Part 11, Table 11.5.1.1.C. for Compliance<br>Alternatives |
|---|---|
| <b>HVAC Requirements (9.33.1.1.)</b> *All HVAC to comply with Part 6 of the Ontario Building Code*  |   |
| A single HVAC system may serve both units providing that a duct type smoke detector is installed in the supply or return air duct system serving the entire house which would turn off the fuel supply and electrical power to the heating system upon activation of such detector. (6.2.4.7.(14))  | Same  |
| <b>Plumbing Requirements</b> *All Plumbing to comply with PART 7 of the Ontario Building Code*  |   |
| <b>Size of Water Pipe:</b><br>Every water distribution system shall be designed to provide peak demand flow but shall not be less than ¾" in size. (7.6.3.4.)   |   |
| <b>Shut-off Valves:</b><br>Shut-off valves shall be installed in every unit of residential occupancy as may be necessary to ensure that when the supply to one suite is shut off, the supply of the remainder of the building is not interrupted. (7.6.1.6.)  |   |
| <b>Back Water Valves:</b><br>Recommended to be installed. Refer to link below regarding further information.<br><a href="https://www.halton.ca/For-Residents/Water-and-Environment/Enhanced-Basement-Flooding-Prevention-Subsidy-Prog/Backwater-Valve-Installation-Subsidy">https://www.halton.ca/For-Residents/Water-and-Environment/Enhanced-Basement-Flooding-Prevention-Subsidy-Prog/Backwater-Valve-Installation-Subsidy</a>   |   |
| <b>Required Plumbing Fixtures (9.31.4.1.)</b>   |   |
| A dwelling unit with a water distribution system shall contain: <ul style="list-style-type: none"> <li>• A kitchen sink</li> <li>• A lavatory</li> <li>• A bathtub or shower stall</li> <li>• A water closet or a drainless composting toilet</li> </ul>  | Same  |
| <b>Laundry Facilities (9.31.4.2.)</b>   |   |
| Laundry Facilities are required for each dwelling unit, or a shared facility shall be provided in a location that is accessible to occupants of each dwelling unit.   | Same  |
| <b>On-Site Sewage Disposal System (Septic) – Div. B Part 8 of 2012 OBC</b>  |   |
| Where the building is serviced by an existing septic system then a septic system analysis completed by a qualified person, shall be submitted with the permit application for the two-unit dwelling. This shall be done for the purposes of confirming that the existing septic system has been designed to handle the added capacity from the additional dwelling unit. If it is determined that alterations to an existing septic system or installation of a new system is required, a building permit will have to be obtained for the remedial work. This building permit must be issued prior to the issuance of the permit for the second dwelling unit. |   |

\* Important Note: The above list includes the Building Code requirements especially applicable to the construction of two-unit houses. Other Code requirements are likely to be applicable for specific projects.

# Ontario Fire Code Requirements for Two-Unit Houses

## ONTARIO FIRE CODE RETROFIT SECTION 9.8 REQUIREMENTS PERTAINING TO REGISTRATION OF ACCESSORY RESIDENTIAL UNITS IN HOUSES

| ONTARIO FIRE CODE<br>REFERENCE  | ONTARIO FIRE CODE REQUIREMENTS<br>RETROFIT SECTION 9.8  |
|---|---|
| <p>Subsection 9.8.1<br/>Application</p> <p>Application<br/><b>9.8.1.1.</b></p> <p>Definitions<br/><b>9.8.1.2.</b></p> | <p>1. This section applies to a detached house, semi-detached house or row house containing 2 existing residential units, where:</p> <ul style="list-style-type: none"> <li>(a) the <b>building</b> is <b>3 storeys</b> or less in <b>building height</b>,</li> <li>(b) the <b>building area</b> does not exceed 600m<sup>2</sup>, and</li> <li>(c) one residential unit or a portion of a residential unit is situated above another residential unit, or two residential units side by side share a common interior means of escape.</li> </ul> <p>2. For the purposes of this Section:</p> <p><b>"1994 Building Code"</b> means Regulations 61 of the Revised Regulations of Ontario 1990, as it read on July 14, 1994;</p> <p><b>"existing"</b> means in existence on July 14, 1994;</p> <p><b>"row house"</b> means a residential structure which:</p> <ul style="list-style-type: none"> <li>(a) is one of the group of three or more horizontally attached residential structures, and</li> <li>(b) is separated vertically from one or two of the other structures by common walls which do not provide for internal access from the living space in one structure to another, and</li> </ul> <p><b>"Semi-detached house"</b> means a residential structure which:</p> <ul style="list-style-type: none"> <li>(a) is one of two horizontally attached residential structures, and</li> <li>(b) is separated vertically from the other residential structure by a common wall which does not provide for internal access from the living space in one structure to the other.</li> </ul> |
| <p>Subsection 9.8.2.<br/>Containment</p> <p>General requirements for fire separations<br/><b>9.8.2.1.</b></p>         | <p>1. <b>Fire separations</b> required to have a <b>fire-resistance rating</b> by this Section shall comply with Article 9.10.3.1. of the 1994 Building Code or the corresponding compliance alternatives in Part 11 of the 1994 Building Code.</p> <p>2. Except as permitted in Article 9.8.2.5., a wall or floor assembly required to be a <b>fire separation</b> shall be constructed as a continuous barrier against the spread of fire.</p>  |

| ONTARIO FIRE CODE<br>REFERENCE   | ONTARIO FIRE CODE REQUIREMENTS<br>RETROFIT SECTION 9.8  |
|--|---|
| <p>Subsection 9.8.2.<br/>Containment</p> <p>General requirements for<br/>fire separations<br/><b>9.8.2.1.</b></p>                                  | <p>3. Where a 30-min <b>fire-resistance rating</b> is required, existing wall assemblies and floor assemblies consisting of membranes of lath and plaster or gypsum board shall be deemed to be in compliance with Sentence (1).</p> <p>4. Where a 15-min <b>fire-resistance rating</b> is required, existing wall assemblies and floor assemblies consisting of membranes of plaster board with a plaster skim coat shall be deemed to be in compliance with Sentence (1).</p>   |
| <p>Fire separations between<br/>residential units<br/><b>9.8.2.2.</b></p> <p>Existing fire separations<br/>with sprinklers<br/><b>9.8.2.2.</b></p> | <p>1. Subject to Article 9.8.2.3., each residential unit shall be separated from other rooms and areas by a <b>fire separation</b> having a 30-min <b>fire-resistance</b> rating conforming to Article 9.8.2.1. or shall comply with Sentence (2) or (3).</p> <p>2. Subject to Article 9.8.2.3., each residential unit shall be separated from other rooms and areas by a <b>fire separation</b> having a <b>fire-resistance</b> rating not less than 15-min and be equipped with interconnected <b>smoke alarms</b> conforming to Article 9.8.4.1.</p> <p>3. Existing <b>fire separations</b> are deemed to be in compliance with Sentence (1) where the detached house, semi-detached house, or row house is <b>sprinklered</b> in accordance with Article 9.8.5.1.</p> |
| <p>Alternative protection for<br/>ceilings<br/><b>9.8.2.3.</b></p>   | <p>The <b>fire-resistance rating</b> of the <b>fire separation</b> above a room containing a fuel-fired <b>appliance</b> is not required where the room is <b>sprinklered</b>, providing a minimum average density of 6.5 L/min/m<sup>2</sup> over the room area.</p>   |
| <p>Combustion Air<br/><b>9.8.2.4.</b></p>  | <p>Where a room containing a fuel-fired <b>appliance</b> is enclosed to satisfy other provisions of this Section in a manner that restricts the supply of combustion air, sufficient combustion air shall be brought directly from the outside for the proper combustion and safe operation of the <b>appliance</b>.</p>  |
| <p>Protection of openings in<br/>fire separations<br/><b>9.8.2.5.</b></p>  | <p>1. Openings in <b>fire separations</b> required by Sentences 9.8.2.2.(1) and (2) and 9.8.3.3.(1) shall be protected with <b>closures</b> conforming to Articles 9.10.13.2. and 9.10.13.10. of the 1994 Building Code.</p>  |



| ONTARIO FIRE CODE<br>REFERENCE   | ONTARIO FIRE CODE REQUIREMENTS<br>RETROFIT SECTION 9.8   |
|--|--|
|  | <p>2. Despite Sentence (1), existing 45 mm solid core wood, hollow metal or kalamein doors equipped with self-closing devices, installed in hollow metal or solid wood frames, are acceptable.</p> <p>3. Despite Sentence (1), <b>fire dampers</b> or <b>fire-stop flaps</b> are not required in ducts at penetrations of a <b>fire separation</b>.</p>  |
| <p>Subsection 9.8.3. Means of Egress</p> <p>Requirements for means of escape<br/><b>9.8.3.1.</b></p> | <p>Each residential unit shall be provided with a means of escape conforming to Article 9.8.3.2., 9.8.3.3., 9.8.3.4. or 9.8.3.5.</p>   |
| <p>One means of escape<br/><b>9.8.3.2.</b></p>   | <p>1. Each residential unit shall be served by at least one means of escape consisting of a door that:</p> <ul style="list-style-type: none"> <li>(a) serves only that residential unit,</li> <li>(b) opens directly to the exterior from that residential unit, and</li> <li>(c) has direct access to ground level.</li> </ul>  |
| <p>One means of escape<br/><b>9.8.3.3.</b></p>   | <p>1. Each residential unit shall have direct access to at least one means of escape that may be shared if:</p> <ul style="list-style-type: none"> <li>(a) the means of escape is separated from the remainder of the <b>building</b> by a <b>fire separation</b> having a 30-min <b>fire-resistance rating</b>,</li> <li>(b) the <b>flame-spread rating</b> of interior wall and ceiling finishes within the means of escape does not exceed 150, and</li> <li>(c) the means of escape does not involve entering another residential unit or other <b>occupancy</b> and leads directly to the exterior with direct access to ground level.</li> </ul> <p>2. Where a means of escape provided by Sentence (1) serves a residential unit situated entirely on the third <b>storey</b>, the detached house semi-detached house or row house shall be equipped with interconnected <b>smoke alarms</b> conforming to Article 9.8.4.1.</p> |

| ONTARIO FIRE CODE<br>REFERENCE                              | ONTARIO FIRE CODE REQUIREMENTS<br>RETROFIT SECTION 9.8  |
|---|---|
| Two means of escape<br><b>9.8.3.4.</b>                      | <ol style="list-style-type: none"> <li>1. Each residential unit shall be served by at least two means of escape arranged in such a manner that:               <ol style="list-style-type: none"> <li>(a) one means of escape shall be through a door which may lead through another residential unit, and</li> <li>(b) the second means of escape shall be through a window if,                   <ol style="list-style-type: none"> <li>i. the window conforms to Sentence (2) or (3), and</li> <li>ii. the detached house, semi-detached house or row house is equipped with interconnected <b>smoke alarms</b> conforming to Article 9.8.4.1.</li> </ol> </li> </ol> </li> <li>2. A window may serve as a second means of escape if               <ol style="list-style-type: none"> <li>(a) the sill is not more than 1 m above or below the adjacent ground level,</li> <li>(b) the window can be opened from the inside without the use of tools,</li> <li>(c) the window has an individual, unobstructed open portion having a minimum area of 0.38 m<sup>2</sup> with no dimension less than 460 mm,</li> <li>(d) the sill height does not exceed 900 mm above the floor or fixed steps,</li> <li>(e) where the window has a window-well, a clearance of at least 1 m is provided in the window-well in front of the window, and</li> <li>(f) where the window has a window-well, the window opens into the residential unit and does not interfere with escape.</li> </ol> </li> <li>3. A window may serve as a second means of escape if:               <ol style="list-style-type: none"> <li>(a) the window is of a casement type,</li> <li>(b) the window is not less than 1060 mm high and 560 mm wide,</li> <li>(c) the sill of the window is not more than 900 mm above the inside floor, and</li> <li>(d) the sill of the window is not less than 1 m and not more than 5m above the adjacent ground level.</li> </ol> </li> </ol> |
| Existing means of escape with sprinklers<br><b>9.8.3.5.</b> | An existing means of escape, not conforming to Article 9.8.3.2., 9.8.3.3. or 9.8.3.4., is acceptable if the detached house, semi-detached house or row house is <b>sprinklered</b> in accordance with Article 9.8.5.1.  |

| ONTARIO FIRE CODE<br>REFERENCE  | ONTARIO FIRE CODE REQUIREMENTS<br>RETROFIT SECTION 9.8  |
|---|---|
| <p>Subsection 9.8.4. Fire Alarm and Detection</p> <p>Interconnected Smoke Alarms<br/>9.8.4.1.</p> | <ol style="list-style-type: none"> <li>Interconnected <b>smoke alarms</b> required in Sentences 9.8.2.2.(2) and 9.8.3.3.(2) and Clause 9.8.3.4.(1)(b) shall be installed on or near the ceiling in each: <ol style="list-style-type: none"> <li><b>Storey</b> within a residential unit, including every <b>basement</b>, and</li> <li>Shared means of escape.</li> </ol> </li> <li><b>Smoke alarms</b> referred to in Sentence (1) shall be: <ol style="list-style-type: none"> <li>Electrically interconnected so that the activation of any <b>smoke alarm</b> will sound a similar signal in each of the interconnected devices,</li> <li>Installed in accordance with the manufacturers' instructions, and on floor levels containing bedrooms or sleeping areas, the required <b>smoke alarms</b> shall be installed between such bedrooms and the remainder of the residential unit, such as in a hallway or corridor serving such room or areas,</li> <li>Connected to an electrical circuit with no disconnect switch between the overcurrent device and the <b>smoke alarms</b>,</li> <li>Listed for use in an interconnected installations, and</li> <li>Audible in bedrooms when the intervening doors are closed.</li> </ol> </li> </ol> |
| <p>Smoke Alarms<br/><b>9.8.4.2.</b></p>   | <ol style="list-style-type: none"> <li><b>Smoke alarms</b> shall be installed in each residential unit in accordance with Sentences 3.2.4.21.(1) to (4) of the 1994 Building Code.</li> <li>Battery operated <b>smoke alarms</b> shall be deemed to be in compliance with Sentence 3.2.4.21.(4) of the Building Code.</li> <li><b>Smoke Alarms</b> shall meet the requirements of: <ol style="list-style-type: none"> <li>CAN/ULC-S531, "Standard of Smoke Alarms", and</li> <li>CAN/ULC-S553, "Standard for the Installation of Smoke Alarms".</li> </ol> </li> <li>REVOKED: O.Reg. 256/14. S.405(2).</li> <li>When interconnected <b>smoke alarms</b> are installed in accordance with Article 9.8.4.1., the <b>smoke alarms</b> referred to in Sentence (1) of this Article are not required.</li> </ol>   |



| ONTARIO FIRE CODE<br>REFERENCE   | ONTARIO FIRE CODE REQUIREMENTS<br>RETROFIT SECTION 9.8   |
|--|--|
| <p>Subsection 9.8.5.<br/>Suppression</p> <p>Sprinkler systems<br/><b>9.8.5.1.</b></p>                  | <p>Sprinkler protection required in this Section shall be designed and installed in conformance with NFPA 13D, "Standard for the Installation of Sprinkler Systems in One- and Two-Family Dwellings and Manufactures Homes".</p>   |
| <p>Subsection 9.8.6.<br/>Electrical</p> <p>Electrical inspections<br/>required<br/><b>9.8.6.1.</b></p> | <ol style="list-style-type: none"> <li>1. Each detached house, semi-detached house and row house regulated by this Section shall be subjected to a general inspection by the Electrical Safety Authority, as defined in the <b>Electricity Act, 1998</b>, and inspection fees shall be paid by the <b>owner</b>.</li> <li>2. Electrical hazards identified during an inspection required by Sentence (1) shall be repaired in accordance with the <b>Electrical Safety Code</b> made under the <b>Electricity Act, 1998</b>.</li> <li>3. The letter of compliance from the Electrical Safety Authority, as defined in the <b>Electricity Act, 1998</b>, shall be made available to the <b>Chief Fire Official</b> upon request.</li> </ol> |

# Property Standards Requirements for Two-Unit House

## PROPERTY STANDARDS BY-LAW REQUIREMENTS PERTAINING TO REGISTRATION OF ACCESSORY DWELLING UNITS IN HOUSES

Asterisks areas denote inspections required with Fire Prevention Officers

| BY-LAW REFERENCE  | BY-LAW REQUIREMENTS   |
|---|---|
| <b>Structural soundness &amp; maintenance</b><br>23.1; 24.1; 25.2 – 25.6; 28.1 – 28.5 | <ol style="list-style-type: none"> <li>1. Every part of a building shall be maintained in a structurally sound condition and in good repair.</li> <li>2. Foundation walls, piers, basement and cellar floors to be free of cracks or breaks that may create a hazardous condition.</li> <li>3. Habitable rooms must have a floor of concrete or other floor finishes permitted by the Building Code.</li> <li>4. Roof, chimneys, smoke &amp; vent stacks to be maintained in good repair.</li> </ol>  |
| <b>*Room sizes</b><br>21.5; 21.2; 21.3  | <ol style="list-style-type: none"> <li>1. Max. number of occupants: one person per 9m<sup>2</sup><br/>Bedrooms: 6m<sup>2</sup> (used by only one person, min. dim. 2m); 4m<sup>2</sup> per person (used by two or more persons)</li> </ol>  |
| <b>*Doors &amp; Windows</b><br>26.1 – 26.9  | <ol style="list-style-type: none"> <li>1. Every door &amp; window shall be maintained in good repair, in a weather-tight condition, protected by a screen, no missing components; child-proof device may be required by the By-Law.</li> <li>2. A door shall be provided at each entrance to a dwelling unit and must be lockable.</li> <li>3. A door between an attached garage and a dwelling unit shall provide an effective barrier against the passage of gases and exhaust fumes and must not be located in a sleeping room.</li> </ol> |
| <b>*Ceiling Heights</b><br>21.4   | <ol style="list-style-type: none"> <li>1. Minimum room height not less than 1.95m (6 feet 5 inches) over the required floor area and in any location that would be normally used as a means of egress, or a minimum room height of not less than 2.03 (6 feet 8 inches over minimum 50% of required floor area provided that minimum height is 1.40m (4 feet 7 inches) shall not be considered in computing the required floor area.</li> </ol>   |

| BY-LAW REFERENCE   | BY-LAW REQUIREMENTS  |
|--|--|
| <b>*Natural light</b><br>35.1  | <ol style="list-style-type: none"> <li>Minimum window glass area:               <ol style="list-style-type: none"> <li>5% of a living or dining room floor area</li> <li>2.5% of a bedroom floor area &amp; other finished rooms. (except for kitchen, laundry, water closet &amp; basement recreation rooms)</li> </ol> </li> </ol>   |
| <b>*Exterior Stairs, Handrails, Guards &amp; Ramps</b><br>27.1; 27.2 | <ol style="list-style-type: none"> <li>Stairs, Handrails, Guards &amp; Ramps shall be maintained free of any defects that may constitute a safety or accident hazard.</li> <li>Every exterior Guard and handrail shall be installed and maintained in accordance with the Ontario Building Code.</li> </ol>  |
| <b>*Interior Floors, Stairs and Landings</b><br>29.1; 29.2           | <ol style="list-style-type: none"> <li>Floors, landings, interior guards and handrails must be installed and maintained in good repair.</li> <li>Every interior Guard and handrail shall be installed and maintained in accordance with the Ontario Building Code.</li> </ol>  |
| <b>*Kitchens</b><br>30.1 – 30.4                                      | <ol style="list-style-type: none"> <li>Every kitchen shall have a sink with hot and cold potable water.</li> <li>Shall have a suitable food storage area excluding the area under the sink of not less than 0.23 cubic metres (8 cubic feet).</li> <li>Every sink, supplied kitchen appliance and kitchen cabinet shall be maintained in Good Repair.</li> <li>Every kitchen counter shall have a backsplash and a drain board made of material impervious to water.</li> </ol>  |
| <b>*Washrooms</b><br>31.1 - 31.3                                     | <ol style="list-style-type: none"> <li>Every Dwelling Unit shall contain at least one Washroom comprised of a toilet, washbasin and bathtub or shower.</li> <li>Every Washroom shall:               <ol style="list-style-type: none"> <li>be enclosed,</li> <li>have a water resistant floor,</li> <li>have a door that can be secured from the inside, and</li> <li>have a door that can be opened from the outside in an emergency.</li> </ol> </li> <li>No toilet, urinal or bidet shall be located in a room used for, or intended to be used for, sleeping or preparing, consuming or storing food.</li> </ol> |

| BY-LAW REFERENCE                       | BY-LAW REQUIREMENTS   |
|--|---|
| <b>*HVAC</b><br>33.1; 33.3             | <ol style="list-style-type: none"> <li>1 Every heating and air conditioning system, unit or part thereof shall be maintained in Good Repair.</li> <li>2 Heat shall be provided in a Dwelling Unit and maintained so that the room is at least 21 degrees Celsius.</li> </ol>  |
| <b>*Plumbing</b><br>32.1 – 32.4        | <ol style="list-style-type: none"> <li>1. All plumbing must be maintained in good repair.</li> <li>2. Hot water (minimum 45 degrees C) and cold water required.</li> <li>3. Every fixture shall have the hot water control on the left and cold water control on the right.</li> </ol>  |
| <b>*Ventilation</b><br>36.1-36.6       | <ol style="list-style-type: none"> <li>1. Every Habitable space in a Dwelling shall have openings for ventilation providing an unobstructed free flow of air of at least 0.28 square metres (3 sq. feet) or an approved system of mechanical ventilation.</li> </ol>  |
| <b>*Electrical</b><br>34.2; 34.3; 35.4 | <ol style="list-style-type: none"> <li>1. All wiring, fixtures, switches, receptacles, interior and exterior lighting and connections shall be maintained in a safe and complete condition and in Good Repair.</li> <li>2. Extension cords shall not be used as a permanent wiring system.</li> <li>3. An exterior lighting outlet with fixture controlled by a wall switch located within the Building shall be provided at every entrance to Buildings of residential occupancy.</li> </ol> |
| <b>Zoning Code</b>                     | <ol style="list-style-type: none"> <li>1. Verify parking space has been provided.</li> </ol>  |



## By-law No. 2016-0005



### BY-LAW NO. 2016-0005

A By-law to provide for the Registration of Two-Unit Houses and Appointing a Registrar to Register Two-Unit Houses in a Public Registry and to repeal the Town of Halton Hills By-law No. 96-174

**WHEREAS** Section 8 of the Municipal Act, 2001, S.O. 2001, C.25, as amended (Municipal Act, 2001) provides that the powers of a municipality under any Act shall be interpreted broadly so as to confer broad authority on municipalities to enable them to govern their ability to respond to municipal issues;

**AND WHEREAS** Section 11 of the Municipal Act 2001 authorizes municipalities to pass by-laws respecting the health, safety and well-being of persons; the economic, social and environmental well-being of the municipality; and the protection of person and property;

**AND WHEREAS** Council of the Corporation of the Town of Halton Hills deems it necessary to enact a by-law

- (a) Providing for the registration of Two-Unit Houses, and the revocation of registrations; and
- (b) Appointing a Registrar to register Two-Unit Houses in a Public Registry, to revoke registrations and to perform such other duties related thereto as may be set out in the by-law;

**AND WHEREAS** such a by-law may specify standards which must be met to register a Two-Unit House.

**NOW, THEREFORE, BE IT RESOLVED THAT THE COUNCIL OF THE CORPORATION OF THE TOWN OF HALTON HILLS ENACTS AS FOLLOWS:**

#### DEFINITIONS

1. In this By-law,

- Amended by By-law 2019-0058
- (a) "Accessory Dwelling Unit" means a second dwelling unit that is created within a single detached house, semi-detached house or row house (townhouse);
  - (b) "Applicant" means a person applying for the registration of a Two-Unit House;

- (c) "Application" means an application for registration of a Two-Unit House;
- (d) "Council" means the Council of The Corporation of the Town of Halton Hills;

Amended  
by By-law  
2019-0058

- (e) "Dwelling unit" means a suite that:
  - (i) is used or intended to be used by one or more persons living together,
  - (ii) is operated as one housekeeping unit in which an occupant has exclusive possession of any part of that unit,
  - (iii) contains cooking, eating, living, sleeping and sanitary facilities that are used only by the occupants of the unit;
- (f) "Inspector" means a person authorized to conduct inspections within the Town pursuant to the provisions of the Building Code Act, S.O. 1992, c. 23, as amended, and regulations thereunder; the Fire Protection and Prevention Act, S.O. 1997, c. 4, as amended, and regulations thereunder; and the Town of Halton Hills Property Standards By-law 2008-0137, as amended;
- (g) "Operate" means to rent, lease, license or endorse an occupancy and includes arrangements in the nature of sub-rentals and sub-leases;
- (h) "Owner" means the registered owner of a house which is the subject matter of an Application or a person authorized in writing to act as agent for the registered owner of house;
- (i) "Person" includes, but is not limited to, a firm, corporation, partnership, proprietorship or association;
- (j) "Public Registry" means a list of Two-Unit Houses registered in accordance with the provisions of By-law;
- (k) "Registrar" means the Chief Building Official, his or her designate, or any person specifically appointed as such by Council;
- (l) "Registration" means the registration of a Two-Unit House pursuant to the provisions of this By-law;

Amended  
by By-law  
2019-0058

- (m) "Two-Unit House" means a detached house, semi-detached house, or row house (townhouse) containing two dwelling units, one of which is an accessory dwelling unit.

## TITLE

- 2. This By-law may be cited as the "Two-Unit House Registration By-law".

## PROHIBITION

3. No person shall operate or permit the occupancy of an accessory dwelling unit in a Two-Unit House unless the house is registered in accordance with the requirements of this By-law.

## ADMINISTRATION AND ENFORCEMENT

4. (1) The Registrar shall,
  - (a) receive and process all Applications;
  - (b) administer the registration of Two-Unit Houses pursuant to the provisions of this By-law;
  - (c) maintain and keep records of all Applications and Registrations, including Public Registry of Two-Unit Houses in the Town of Halton Hills;
  - (d) refuse to accept any Application which does not comply with the requirements of this By-law;
  - (e) refuse any Application if, after four months of the acceptance of an Application, the necessary inspections have revealed non-compliance with any of the applicable standards listed in section 6.(1) hereof and the rectification of that non-compliance has not been seriously pursued;
  - (f) revoke the Registration of any Two-Unit House which ceases to meet the requirements of this By-law;
  - (g) revoke any Registration which was obtained on mistaken, false or incorrect information, and
  - (h) revoke any Registration that was completed in error.
- (2) The Registrar may designate such persons as are deemed necessary to administer this By-law.
- (3) The Registrar may deem an Application abandoned, if all requirements of Registration pursuant to this By-law have not been fulfilled to the Registrar's satisfaction four (4) months from the date the Registrar received the application.



- (4) Any Inspector shall be responsible for inspecting Two-Unit Houses in respect of which an Application has been received, in order to determine, before Registration, if they comply with the standards specified in this By-law.
- (5) Any Municipal Law Enforcement Officer appointed by Council under the Municipal Act, 2001 shall be responsible for the enforcement of this By-law.
- (6) The decision of the Registrar to refuse an Application or to revoke a Registration is subject to an appeal to the Ontario Court (General Division) and the decision of the Court is final.

#### APPLICATION FOR REGISTRATION

- 5.
  - (1) An Application will be submitted by an Owner;
  - (2) An Application shall be completed on the forms provided by the Town and shall be accompanied by,
    - (a) a one-time registration fee determined in accordance with the Town of Halton Hills User fees By-law, as amended from time to time;
    - (b) owner's authorization where the applicant is not the registered owner of the house; and
    - (c) two (2) sets of required drawings, details, calculations, design details and specifications for Two-Unit House.
  - (3) Every applicant shall ensure that the Two-Unit House is available for inspection by Inspectors, subject to the provisions of Section 6. hereof.
  - (4) The Registrar shall accept an Application unless:
    - (a) the Application is incomplete;
    - (b) the Application contains mistaken, false or incorrect information;
    - (c) the fees due in respect of the Application have not been paid; or
    - (d) the Two-Unit House disclosed in the Application contravenes any of the provisions of this by-law, any other applicable By-law of the Town or any applicable statute or regulation.

#### INSPECTIONS AND REGISTRATION

- 6.
  - (1) Upon acceptance of an Application, the Registrar shall direct Inspectors to conduct such inspections of the Two-Unit House as are necessary to determine

if the Two-Unit House complies with the applicable standards set out in:

- (a) the Ontario Building Code;
- (b) the Fire Code;
- (c) the Town of Halton Hills Property Standards By-law 2008-0137, as amended;
- (d) the Town of Halton Hills Zoning By-Law 2010-0050, as amended; and
- (e) this By-Law.

Amended  
by By-law  
2019-0058

(2) Notwithstanding subsection 6. (1) of this By-law:

- (i) pre-registration inspections for the purpose of compliance with the Ontario Building Code shall not be required where a building permit has been issued for the construction of a new accessory unit or a new two-unit house providing that the registration is approved no later than three months after the time when all inspections associated with that building permit have been conducted and passed;
- (ii) pre-registration inspections for the purpose of compliance with the Fire Code shall not be required unless an accessory dwelling unit has been constructed prior to July 14, 1994;
- (iii) pre-registrations inspection for the purpose of compliance with the Property Standards By-law shall not be required where a building permit has been issued for the construction of a new two-unit house providing that the registration is approved no later than three months after the time when all inspections associated with that building permit have been conducted and passed.

(3) An Inspector acting pursuant to this By-law may, at any reasonable time, and upon producing proper identification may enter and inspect any property, for the purpose of carrying out an inspection to determine whether there is compliance with any one or all of the following:

- (a) the requirements of this By-law;
- (b) an order made pursuant to this By-law.

(4) Except under the authority of a search warrant issued under the authority of the Municipal Act, 2001, as amended, an Inspector shall not enter any room or place

actually used as a dwelling without requesting and obtaining the consent of the occupier, having first informed the occupier that the right of entry may be refused and entry made under the authority of a search warrant.

- (5) No person shall hinder or obstruct an Inspector or attempt to hinder or obstruct an Inspector who is performing a duty under this By-law;
- (6) Any person who provides false information to an Inspector shall be deemed to have hindered or obstructed the Inspector in the execution of his or her duties.
- (7) In the event that all necessary inspections disclose that the Two-Unit House complies with the applicable standards set out in Paragraph 6 (1) of this by-law, the Registrar shall register the Two-Unit House in a Public Registry of Two-Unit Houses in the Town of Halton Hills.

#### REFUND OF APPLICATION FEE

- 7. (1) In respect of an Application for which the prescribed registration fee has been paid, if the Application is withdrawn by the Applicant, or is refused by the Registrar the applicant shall be refunded the portion of the fees, as follows:
  - (a) 35% of the registration fee where the administrative functions and any of the required inspections were carried out;
  - (b) 75% of the registration fee where the administration functions only were carried out.

#### NOTIFICATION

- 8. (1) Where the Registrar refuses or cancels an Application or revokes a Registration he or she shall notify the Applicant and provide a brief explanation of the reasons for refusal/cancellation/revocation.
- (2) Service of any document, including reasons for refusal or a notice of revocation or an order under this By-law, may be given in writing in any of the following ways and is effective:
  - (a) when a copy is delivered to the registered owner of the house;
  - (b) on the seventh (7<sup>th</sup>) day after a copy is sent by registered mail to the owner's last known address; or
  - (c) where service is unable to be effected as above, notice may be given by posting a document in a conspicuous place on the property to which the document is related.

## PENALTIES

9. (1) Every person who contravenes any of the provisions of this By-law, and every director or officer of a corporation who knowingly concurs in the contravention by the corporation is guilty of an offence and upon conviction is liable to a fine not exceeding Fifty Thousand Dollars (\$50,000.00) as provided for in the *Municipal Act, 2001*, as amended;
- (2) Where a corporation is convicted of an offence under this By-law, the maximum penalty that may be imposed on the corporation is One Hundred Thousand Dollars (\$100,000.00) as provided for in the *Municipal Act, 2001*, as amended;
- (3) Notwithstanding subsection 9.(1), every person who is guilty of a continuing offence, on conviction is liable to a fine of no less than five hundred dollars (\$500.00), and no more than ten thousand dollars (\$10,000.00) for each day or part of a day that each offence continues, and the total of all fines for each offence is not limited to one hundred thousand dollars (\$100,000.00) as provided for in the *Municipal Act, 2001*, as amended;

## TRANSITION RULES

10. After the date of passing of this By-law, the By-law 96-174 applies only to the properties in respect to which an application for registration of a Two-Unit House has been made, or an order has been issued prior to the date of the passing of this By-law.

## REPEAL

11. Except for the purpose as set out in section 10. of this By-law, By-law 96-174 is hereby repealed.

**BY-LAW** read and passed by the Council for the Town of Halton Hills this 1<sup>st</sup> day of February, 2016.

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MAYOR – Rick Bonnette

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TOWN CLERK – Suzanne Jones