
Accessory Apartment Guide

Introduction

An accessory apartment means a dwelling unit that is accessory to a principal dwelling unit and may be located within the same building as the principal dwelling unit or within an accessory structure.

Prior to the commencing of construction of an accessory apartment, a building permit is required to be obtained and the construction inspected when an accessory apartment is created. The accessory apartment is not legal unless it has been registered with the By-Law Division at the Town.

This guide is intended to advise homeowners and contractors about the requirements for submitting a building permit and is for informational purposes only. Details and requirements may vary depending on site and building conditions. It is the responsibility of the Applicant/Designer to review the Ontario Building Code and ensure all information is complete, accurate and up to date.

Additional information may be required during the review of the building permit application.

Designer Qualifications

An Architect, Professional Engineer or qualified BCIN Designer is permitted to take responsibility for the design.

The homeowner is permitted to prepare and take responsibility for the design, provided they understand the applicable requirements of the Ontario Building Code.

Zoning Requirements

Before applying for a building permit, you must contact the Planning Department to ensure the Zoning By-Law allows for an accessory apartment. They can be reached at planning@whitby.ca

Building Permit Application

An application for a building permit must include:

- a. Completed Application for a Permit to Construct or Demolish
- b. Schedule 1: Designer Information
- c. Professional Engineer Commitment to General Review Form (applicable to basement walkout construction)

- d. Acknowledgement by Applicant of Incomplete Application (if applicable)
- e. Letter of Authorization (if applicant other than Owner)
- f. Accessory Apartment Checklist
- g. Approval Documents required by Applicable Law (ie: CLOCA)
- h. Building Permit Fee pursuant to the current Town of Whitby Building By-Law - \$9.96/sq.m.
- i. Accessory Apartment registration fee - \$250.00
- j. Construction drawings to scale (2 copies to be provided if submitting hard copies)

Drawings

Site Plan Requirements

A comprehensive site plan or copy of the property survey showing:

- a. Dimensions of property
- b. Distance from dwelling to property lines
- c. Location of all proposed and existing structures on the property
- d. Location of accessory apartment entrance and main dwelling entrance
- e. Location and dimensions of available parking areas

Drawing Requirements

Construction Drawings showing:

- a. Existing floor layouts for all levels of the dwelling, with designated each room or space within the dwelling
- b. Proposed floor layout of the accessory apartment with all rooms labelled and dimensioned
- c. Elevations where new exterior windows or doors will be provided
- d. Complete dimensions/sizes of all new and existing windows and doors
- e. Location of all smoke alarms and carbon monoxide detectors
- f. Location of laundry facilities for the main dwelling and the accessory apartment
- g. Kitchen layout
- h. Location of plumbing fixtures
- i. Mechanical ventilation in kitchen and bath areas
- j. Details and specifications for the rated fire separations and fire rated doors
- k. Construction notes detailing framing members and insulation values
- l. Egress window dimensions and location
- m. Location of stairs
- n. Locations of existing beams and ducts and the headroom heights
- o. Basement walkout details (if applicable) to be stamped by a Professional Engineer
- p. Provide clarification on any items that are not typical

Additional Approvals and Information

- a. Clearance from CLOCA Conversation Authority (if applicable)

- b. Approval from Electrical Safety Authority to confirm the electrical complies (This is to be submitted to the By-Law Division for the registration)
- c. If the occupancy of the original dwelling is less than 1 year at time of application, please contact the Treasury Department to enquire if Development Charges apply, by emailing developmentcharges@whitby.ca

The Ministry of Municipal Affairs and Housing has prepared the following guides (as reference tools only)

[Adding a Second Unit in an Existing House](#)

[Build or Buy a Tiny Home](#)

[Building a Laneway House](#)

Homeowners should contact a qualified designer to assist with the required building permit drawings to ensure that the accessory apartment within the main building or within an accessory structure complies with the Ontario Building Code requirements.

Application Process

Drawings, application, forms and payment (payment can be made by cheque, cash or debit), may be submitted in person to:

Town of Whitby
Attn: Building Division
3050 Garden St. Unit 102
Whitby, ON
L1R 2G7

Alternatively, if you wish to email your submission, you may email all documents to buildingpermits@whitby.ca Refer to the Building Permit Submissions Standards for instructions on the email process.

An email advising of either deficiencies or permit issuance will be sent to the applicant, within 2-3 weeks. The permit fee covers plans review, issuance of permit and inspections that follow.