
ACCESSORY DWELLING UNIT PERMIT APPLICATION & REGISTRATION GUIDE

An accessory dwelling unit is a self-contained second residential unit contained within a house. The unit may be in any part of the house, including the basement or above a garage. Second units provide an affordable housing option for many people in Markham.

A building permit is required to be obtained and the construction inspected when an accessory dwelling unit is created. The accessory dwelling unit is not legal unless it has been registered with the City. These requirements are intended to make units safe, legal and livable.

This guide explains the process and requirements for submitting a building permit application for the creation of an accessory dwelling unit within a house in greater detail.

BUILDING PERMIT APPLICATION

An Application for a Building Permit must include:

Building permit applications are broken down into 3 major requirements:

- Application Forms
- Documentation
- Drawings
- Permit Fees

All applications must be applied for online at www.markham.ca/eplanlogin

Application Forms**1. [Application for a Permit to Construct or Demolish](#)**

When submitting your application, you will be asked to enter all of the information requested on this form. All sections of the form must be completed, including the email address of the applicant and the Owner. Email will be the primary means of communication.

The permit applicant will be the primary contact for the project.

2. [Applicable Law Checklist](#)

The online [Property Details Search](#) can be used to confirm the Applicable Laws that apply to a property in Markham.

3. [Schedule 1 Designer Form](#)

This form is required when someone other than an Architect or Licensed Professional Engineer is taking responsibility for the design of a second dwelling unit. This person would be either:

- A registered designer with a Building Code Identification Number (BCIN) qualified in House or Small Buildings
- The homeowner taking legal responsibility for the design, provided that they understand and are willing to take responsibility for the applicable requirements of the Ontario Building Code.

4. [Plumbing Data Housing Form](#)

Sections A, B C, D and F must be completed.

Documents

1. Approval Documents required by Applicable Law

Drawings

1. **Fully Dimensioned Site Plan**

- a. Property lines referenced to a current survey
- b. Location of all proposed and existing structures on the property
- c. Overall dimensions of all structures (width / length)

2. **Existing Floor Layouts** for all levels of the house, with designated use of each room or space within the building.

3. **Proposed Floor Layouts**

- a. Determine which egress option applies
- b. Label use of each space, dimensions, ceiling height
- c. Show window and door location and sizes
- d. Show fire separations
- e. Clearly differentiate 'existing' and 'proposed' construction in the floor layout
- f. Show location of all heating supply outlets and return air grilles, exhaust air intakes and the location of duct-type smoke detectors, within the air handling system servicing the entire building
- g. Provide exhaust fans over ranges, within bathrooms and all rooms not equipped with a window providing natural ventilation to the outdoors.
- h. Show location of plumbing fixtures

- i. Show electrical lighting, control switches and outlets, interconnected smoke alarms, and when required, the location of battery powered emergency lighting units within common means of egress
4. **Elevations** showing Second Unit Entrance and Egress/Exit Windows
5. **Sections and Wall / Ceiling / Fire Separation Construction Details** including fire rated door assemblies
6. **Construction Details of Egress Windows**
7. **On-Site Sewage System** (for properties served by private systems)
 - a. System drawings and details for replacement system or calculations confirming that existing system is adequate for the additional fixtures proposed.

All drawings must be submitted electronically and meet our mandatory [ePLAN Submission Standards](#). All walls must be drawn as double lines (accurately showing wall thickness) and drawings must clearly differentiate between existing and proposed construction. Every page of the drawings shall include the project address and the following designer information:

- | | |
|--------------------------|--|
| Homeowner Design: | • Name of homeowner, signature and date |
| Qualified BCIN Designer: | • Name of designer, Individual / Firm (if applicable), BCIN Number(s), signature, and date |
| Architect / Engineer: | • Architect's or Professional Engineer's seal with a signature and date |

Permit Fees

A pre-application fee of \$100 is due at the time the submission is made in ePLAN. This is a non-refundable fee, which is credited towards the building permit fee assessed at application acceptance. The pre-application fee must be paid before the application package can be uploaded.

The submission will be screened by administrative staff to confirm the application package complies with our Submission Standards.

Once the submission is accepted as a permit application, a notice will be sent to the permit applicant and permit owner that provides the estimated permit fees for the project. These fees must be paid in full before the zoning and Building Code review of the application can begin. Current permit fee rates are available on the [Fee Schedule](#) section of Building Standards' website.

Building Violations

Creating an accessory dwelling unit is considered a change of use under the Building Code. Building permits are required to be obtained before construction begins and occupancy must be granted before using the space as an accessory dwelling unit.

Where an Order to Comply is issued for change of use or construction without a permit, additional fees apply to the permit application. Orders cannot be deemed in compliance until the building permit for the accessory dwelling unit is issued.

BUILDING PERMIT REVIEW

Once the permit application is submitted and all estimated permit fees are paid in full, the drawings are reviewed for compliance with the applicable zoning by-law and the Ontario Building Code.

ZONING COMPLIANCE

Accessory dwelling units are permitted in detached, semi-detached and townhouse dwellings, subject to zoning requirements and restrictions.

Under the Zoning By-law, the following conditions may apply to accessory dwelling units:

- Minimum parking requirements, minimum / maximum driveway width, and soft landscaping requirements. Refer to [Parking By-law 28-97](#), as amended, on the City of Markham website for parking, driveway, and associated soft landscaping requirements.
- Doors located in a wall facing the interior side lot line must be setback a minimum of 1.2 m.
- Minimum setbacks or yards to stairs (above or below grade), landings, porches or similar features.
- Dwelling unit restrictions for properties located outside of the urban area (i.e., agricultural or countryside properties).

To determine the zoning applicable to your property, use the [Property Details Search](#) tool on the City of Markham website. This free service will provide the zone designation, official plan designation, by-law number, and applicable law summary.

Additional Zoning information can be found on the [Zoning and Development By-law](#) page of the City's website. If the specific zoning by-law for your property is not online, you may view or purchase a copy of the by-law at the Development Services Counter (905-475-4861, dsc@markham.ca), or submit an online [Zoning Search](#) request to receive a written report containing permitted uses, development standards, and / or confirmation of use. The fee for a Zoning Search is \$75.

BUILDING CODE REQUIREMENTS

The Ontario Building Code sets out minimum construction requirements for building an accessory dwelling unit in your house. During review of your building permit application the drawings are assessed to confirm that the design meets the Building Code's minimum standards.

The Ontario Building Code includes criteria for each of these items:

- Minimum room sizes for sleeping, living, dining and kitchen spaces,
- Minimum ceiling heights,
- Minimum window sizes for living, dining and sleeping rooms,
- Required plumbing fixtures in washrooms and kitchens,
- Access to laundry facilities,
- Heating and ventilation,
- Lighting and electrical facilities,
- Fire separations between dwelling units and shared (common) spaces,
- Smoke alarms in bedrooms, common areas, outside sleeping areas, and on each level of the house,
- Carbon monoxide alarms,
- Direct access is provided for emergency response (Markham Fire and Emergency Services),
- Number and location of exits.

Different Building Code rules apply depending on the age of your house. Houses that are more than five years old have more flexibility under the Building Code when renovations are made. If your house is less than five years old, the renovation must meet the Building Code requirements for new construction.

BUILDING PERMIT ISSUANCE

1. Once your application is approved and any outstanding fees paid in full, your permit will be issued.
2. The approved permit package (including drawings, permit card and placard) must be downloaded from ePLAN.
3. One hard copy set (minimum sheet size of A3 [27.9 cm by 43.2 cm] of the approved drawings is required to be printed and kept on site at all times
4. The permit placard is required to be printed and posted in a visible location on the site.
5. Construction must be carried out in accordance with the approved permit drawings, including any required changes that are identified through the permit application review process.

INSPECTION REQUIREMENTS

1. You must submit online to arrange for all required inspections. The required inspections will be indicated on the permit card provided with the issuance of the permit. Inspections are booked by visiting www.markham.ca/eplanlogin
2. Typical Accessory Dwelling Unit inspections can include (depending on the scope of work):
 - Underground Plumbing
 - Above Ground Plumbing
 - Framing
 - Insulation & Air Barrier
 - HVAC Rough-in
 - Occupancy Building
3. Following the successful completion of all required inspections, an Occupancy Permit for the second unit will be issued.
4. Where construction has previously taken place without a building permit the construction may be required to be uncovered in order to verify compliance with the Ontario Building Code in accordance with the Building Code and Building Code Act.

ELECTRICAL SAFETY AUTHORITY

The Ontario Electrical Safety Code requires that most electrical work is reported to the Electrical Safety Authority (ESA). The person doing the electrical work must file a notification with the ESA and arrange for electrical inspections. Having a building permit isn't the same as filing an electrical notification. You may need both.

The purpose of the ESA review process and inspection is to ensure that the electrical wiring servicing the second unit is safe and properly installed.

For more information, to find a Licenced Electrical Contractor, or to file a notification of Work with ESA, contact the ESA Customer Service Centre at 1-877-ESA-SAFE (1-877-373-7233), or follow the links on the ESA website:

<https://esasafe.com/compliance/what-you-need-to-know/>

<https://esasafe.com/compliance/hiring-a-licensed-electrical-contractor/>

<https://findacontractor.esasafe.com/>

FINAL REGISTRATION

All accessory dwelling units must be registered with the City. Both the accessory dwelling unit and the main dwelling unit must be inspected by Markham Fire and Emergency Services. There is a fee for the registration and inspection of accessory dwelling units.

As part of the registration process, you will need to provide documentation of the following:

- home insurance stating coverage for two dwelling units, and
- general electrical inspection of the home.

After all documentation is provided and Markham Fire and Emergency Services completes the inspection, a letter of registration will be issued to you.

FOR MORE INFORMATION, CONTACT:

WHAT	WHO	HOW
Zoning	Zoning / Compliance	905-475-4743 buildingstandards@markham.ca
Permit Applications ePLAN Technical Support Building Inspections	Building Permit Administration	905-475-4870 buildingstandards@markham.ca
Registration of Accessory Dwelling Unit	Markham Fire & Emergency Services	905-415-7521 Fire-PreventionChiefs@markham.ca