



Hamilton

# OPENING A RESTAURANT IN HAMILTON

This food guide is presented by the City of Hamilton, as part of the Open for Business Initiative

## INTRODUCTION

Thank you for choosing Hamilton to open your restaurant! This guide is here to help you understand the steps you will take, and important people to connect with, to start your business. It provides a general overview of each step, appropriate department and contact details, as well as costs and timelines.

**PLANNING & ECONOMIC DEVELOPMENT DEPARTMENT**  
**GENERAL MANAGER'S OFFICE**

## STEP ONE: VISIT THE ONE-STOP

The One-Stop is a collaborative group consisting of Business Facilitation, Business Licensing and the Hamilton Business Centre (HBC).

It is a resource for business information, guidance, and professional services to assist in starting and running a successful business - for both start-up and growing businesses.

When opening a restaurant, there are many details that are critical to understand and research before moving forward. The One-Stop offers the opportunity for you to meet with business consultants, attend business development workshops, register your business, identify licensing and zoning requirements, and build a business plan that identifies information vital to the success of your business.

Types of market research that you should conduct to prove the viability and sustainability of your business:

- Industry & Competitors
- Customers/Target Market
- Business Licensing
- Location and Zoning
- Renovation, Leasehold or Building
- Permit Costs
- Pricing & Suppliers
- Start-Up Budget & Operational Costs
- Financing

Additional services that the Hamilton HBC can provide include:

- Register a Master Business Licence (MBL) through Service Ontario web site
- Set-up a meeting with a business consultant
- Attend business development workshops
- Provide assistance with business plan development

### THE ONE STOP LOCATION

Hamilton City Hall, 71 Main St. W., 1st floor.

ITEM	COST	TIMELINE***
<b>Master Business Licence (MBL)</b> (A MBL registers your business name with the Province of Ontario)	<b>\$60.00</b> <b>New Registration and Renewal**</b> (Sole Proprietorship & Partnership)	<b>Immediate (10-15 minutes)*</b> (If completed during regular business hours.)
<b>Master Business Licence Name Search</b>	<b>\$8.00</b> <b>Name search</b>	<b>Immediate (5-10 minutes)*</b> (If completed during regular business hours.)
<p>* If MBL registration completed outside of regular business hours, licence will be mailed in approximately 10 days.</p> <p>** Renew your Master Business Licence every 5 years through Service Ontario.</p> <p>*** Timelines may be delayed or services not available due to COVID-19.</p>		

### FOR MORE INFORMATION

About the One-Stop, visit [www.hamilton.ca/onestop](http://www.hamilton.ca/onestop)

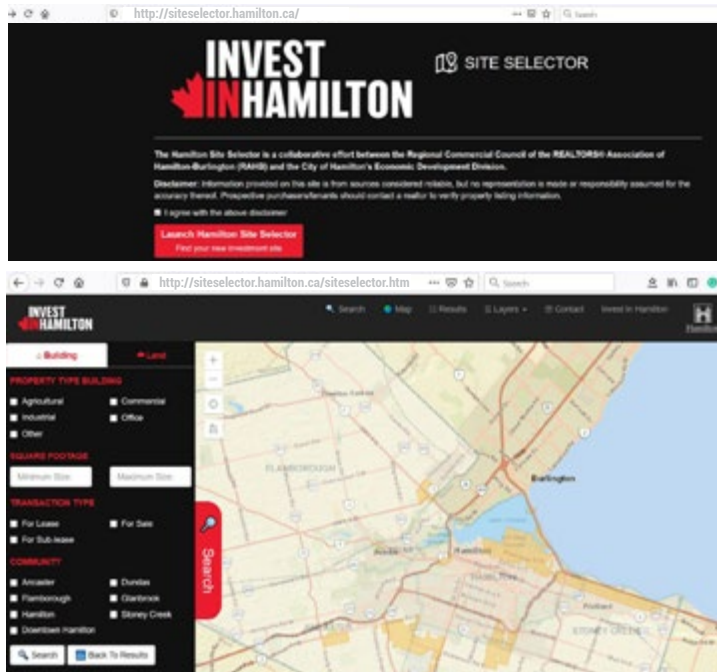
About Municipal Incentive Programs, visit <http://bit.ly/municipalprograms>

## STEP TWO: LOCATION AND ZONING

### Location. Location. Location.

It's all about location. It is important that you choose a location that fits the needs and wants of your industry, customers, budget, and is permitted within the applicable Zoning By-law.

The City of Hamilton offers tools and resources to assist in finding available locations for rent/lease or purchase, as well as identifying what uses are permitted.



## HOW DO I FIND A LOCATION?

1. The Site Selector tool is available online to search current properties that are for sale or lease within Hamilton. It is a collaborative effort between the Regional Commercial Network of the REALTORS® Association of Hamilton-Burlington (RAHB) and the City of Hamilton's Economic Development Division. Please visit [siteselector.hamilton.ca/](http://siteselector.hamilton.ca/) for a full listing.
2. Connect with an expert! We recommend working with a Commercial Real Estate agent to identify locations that fit your business' needs and budget. Contact the Regional Commercial Network of the REALTORS® Association of Hamilton-Burlington (RAHB) at [www.rahb.ca/](http://www.rahb.ca/)

## WHAT IS ZONING?

- Zoning determines the permitted uses of the property.
- You need to understand how a location is zoned and what the zoning regulations allow on that property **before** you sign a lease or buy a property. It is important to check the zoning **prior** to signing in order to ensure that the intended use is permitted on the property.
- By visiting the Business Facilitation group at the One-Stop, you can verify a potential location with a quick, verbal check done using our mapping to confirm that the zoning of the property permits the use for a restaurant. Before inquiring, ensure you have the complete address including street name and number, unit/suite, city, and postal code.



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- It is also encouraged that you follow-up with a **Zoning Verification**, which is a legal document from the City and indicates if the proposed use is permitted (or not) on that particular property and will also indicate what the legally recognized use of the property is. Home-based Food Businesses also require a Zoning Verification.
- Just because the zoning of the property permits a certain use, doesn't mean that it is permitted on that particular property as-of-right, as there are other zoning requirements that often need to be met. A zoning verification will confirm if all other zoning requirements (e.g. parking, loading, etc.) can be met on the property and will indicate if any additional approvals will be required. For more information, please contact 905-546-2424 ext. 2720 or [buildingzoning@hamilton.ca](mailto:buildingzoning@hamilton.ca).
- If the use of a restaurant is permitted but not recognized, a Change of Use Building Permit is required, even if no construction is proposed. For more information, please contact 905-546-2424 ext. 2720 or [buildingengineering@hamilton.ca](mailto:buildingengineering@hamilton.ca).
- If you would like to learn more about the zoning process or if rezoning is required, please visit the One-Stop which is located in Hamilton City Hall, 71 Main St. W., 1st floor.

## Additional Points of Interest:

1. Typically, most new restaurants find a location within an existing tenant space or building, but an applicant should be made aware that if a new build is proposed, a site plan application through the Development Planning Division will be required, as well as tenant fit up permits will be required by the Building Division. In addition, major renovations may also require site plan approval, depending on the nature of the renovations.
2. Likewise, if an applicant wants to establish a **new outdoor commercial patio** in conjunction with their restaurant, a site plan application through the Development Planning Division will be required prior to the outdoor patio being permitted to operate.

Note that "outdoor commercial patio" is any outdoor area used in conjunction with any establishment licenced under the Liquor Licence Act, where meals or refreshments are served to the public for consumption on the premises.

ITEM	COST	TIMELINE***
<b>Zoning Verification/ Addendum</b>	<b>\$254.00*</b> For commercial uses.	<b>10 business days</b> <b>OR</b> <b>2 business days</b> Express service is available through the Building Department only for \$384.00 (commercial use).
<b>Change of Use Building Permit</b>	Change of Use - No Construction <b>\$259.00 plus \$254.00 processing</b> (unless otherwise noted)* If construction is taking place, the fee is based on the Service Index.**	<b>20-30 business days</b> <b>depending on the size of the building</b>
* Fees subject to change without notice. ** Please visit <a href="http://www.hamilton.ca/smallbizpermitsinspections">www.hamilton.ca/smallbizpermitsinspections</a> *** Timelines may be delayed or services not available due to COVID-19.		

**Remember:** We're here to help you go through this process as efficiently as possible. To get started with General Zoning Inquiries, please contact **905-546-2424 ext. 2720** or [buildingzoning@hamilton.ca](mailto:buildingzoning@hamilton.ca)

## STEP THREE: BUILDING PERMITS

So, you've chosen a location and now want to do some renovations to improve the space and make it fit your business' needs. Before you make any changes, check with the City of Hamilton's Building Division to learn if you need a building permit.

Here are some popular reasons why you will need a building permit:

- Adding a patio
- Removing or adding interior walls
- Installing plumbing
- Installing a commercial cooking exhaust system
- Installing or modifying the sprinkler system
- Reconstructing or modifying the windows and/or doors
- Installing exit signs and an emergency lighting system
- Constructing a washroom or barrier-free washroom
- Installing a grease interceptor or backflow preventer
- Changing from one business use to a different business use

### FOR MORE INFORMATION ABOUT BUILDING PERMITS

Please visit [www.hamilton.ca/smallbizbuildingpermits](http://www.hamilton.ca/smallbizbuildingpermits)

## A) WHAT ARE THE STEPS TO APPLY FOR A BUILDING PERMIT FOR A NEW RESTAURANT (IN A NEW BUILDING OR IN AN EXISTING BUILDING)?

1. This **application** can be found at [www.hamilton.ca/smallbizbuildingpermits](http://www.hamilton.ca/smallbizbuildingpermits) under 'Apply for a Building Permit'.
2. Pay the appropriate **Permit fee**.  
Please note: this fee varies depending on whether the building is new or existing.
3. Provide **Drawings** of the location, construction or demolition.  
Please Note: The Ontario Building Code requires these to be prepared by the required design professional (BCIN, Architect, or Professional Engineer) depending on the size of the building and/or the number of seats in the restaurant.
4. A **Site Plan** showing, as a minimum, the lot size, dimensions of the property, parking spaces, landscaped areas and setbacks from the building to property lines and to other buildings.

### Additional Points of Interest:

- Prior to Licence issuance, all required building inspections must be completed and the building permit for the restaurant would be required to be closed by the building inspector.

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ITEM	COST	TIMELINE***
<b>Building Permit for a New Restaurant</b>	<p>If the restaurant is in a brand-new building, that has never had a tenant, the fee is \$24.18/m<sup>2</sup> minimum \$259.00*</p> <p>If the restaurant is in an existing building, that has had a tenant before, the fee is 1% of the cost of construction, minimum \$259.00*</p> <p>Either case the applicant may need to pay the applicable law review fee of \$254.00* (unless there was already a restaurant in the space then the fee would be waived.)</p>	<b>Time for 1st Review:</b> 20-30 business days depending on the size of the building.
<p>* Fees subject to change without notice.</p> <p>** For more information about <b>Building Permit Classes and Fees</b>, please visit <a href="http://www.hamilton.ca/buildingpermitfees">www.hamilton.ca/buildingpermitfees</a></p> <p>*** Timelines may be delayed or services not available due to COVID-19.</p>		

**Please Note:** If the sign promoting your restaurant is attached to an exterior wall of the building, and/or if you require a new frame for your sign, then you will need to apply for a Building Permit for a New Sign.

## B) WHAT ARE THE STEPS TO APPLY FOR A BUILDING PERMIT FOR A NEW SIGN FOR A RESTAURANT?

1. This **application** can be found at [www.hamilton.ca/smallbizbuildingpermits](http://www.hamilton.ca/smallbizbuildingpermits) under 'Apply for a Building Permit'.
2. Pay the appropriate **Permit fee**.  
Please note: this fee varies depending on how many signs are being installed and type of sign installed.
3. Provide **Drawings** showing the installation, construction and connection details of the signs, foundation details (if applicable), and elevations of the building showing where the sign is to be installed (if applicable).
4. A **Site Plan**.

### Additional Points of Interest:

- If you are just replacing the sign (plastic part) to indicate a new business name, and not replacing the frame, a permit is not needed.
- Prior to Sign Permit issuance, the use advertised on the sign must be the recognized use in the building to which the sign pertains.

ITEM	COST	TIMELINE***
Building Permit for a New Sign	This fee varies depending on whether the building is new or existing.*	Time for 1st Review: 10 business days
Mobile Sign**	\$90.00 for 14 days OR \$133.00 for 28 days	Approximately 48 hours to process (permit not to be submitted earlier than 28 days before)
A-Frame Sign**	\$103.00 / year OR \$162.00 / 3 years	Approximately 48 hours to process (permit not to be submitted earlier than 28 days before)
Banner Sign**	\$103.00 / 28 days OR \$202.00 / 7 consecutive days* (For example: used for a grand opening or promotional event)	Approximately 48 hours to process (permit not to be submitted earlier than 28 days before)

\* Fees subject to change without notice.

\* For more information related to Building Permit Classes and Fees, please visit [www.hamilton.ca/buildingpermitfees](http://www.hamilton.ca/buildingpermitfees)

\*\* For general inquiries or to apply for an A-frame sign, mobile sign or banner sign, contact the Licensing Section at [signpermits@hamilton.ca](mailto:signpermits@hamilton.ca) or 905-546-2782 Option 3.

\*\* When applying for an A-frame sign or banner sign, the applicant must provide proof of \$2 million in liability insurance.

\*\* If applying for a mobile sign, a permit is required from a licensed sign contractor. If you own your own sign, the application must be accompanied by a Certificate of Insurance that lists the City of Hamilton as Additional Insured.

\*\*\* Timelines may be delayed or services not available due to COVID-19.

**BUILDING DIVISION** If you have additional questions for the or to get started, please contact

905-546-2720 or [building@hamilton.ca](mailto:building@hamilton.ca) for inspections.

Once a permit has been issued, please direct your inquiries to 905-546-2424, ext. 7777.

## GRANT OPPORTUNITIES

Interested in grants that may be available for items such as kitchen exhaust/ventilation systems and new signage? Visit <http://bit.ly/municipalprograms>

## STEP FOUR: BUSINESS LICENCING

Research done. Check. Location found. Check. Permits submitted. Check. Now, it's time to stop by the One-Stop and apply for a municipal licence through Business Licensing.

All **NEW** food-based business - whether it be a caterer, restaurant, home-based, take-out, or food shop - require a municipal license through the City of Hamilton.

### WHAT ARE THE STEPS TO APPLY FOR A NEW RESTAURANT LICENCE?

1. Complete and submit a **Restaurant Licence Application Form and Food Questionnaire** along with:
  - a. A copy of the **Business Registration/Corporate Profile** dated within 1 year of application. (If registering a corporation, the operating name must be registered with the Province of Ontario and attached to the Corporation) – Licensing can obtain a Corporate Profile on the applicant's behalf for a cost of \$17.25\* (\$15.27 + H.S.T)
  - b. **Zoning Verification Certificate** or Addendum - Zoning Verification shows written verification of the recognized use(s), as well as any outstanding work orders.
  - c. **Fire Inspection** - required when applying for a new licence; every 3 years afterwards. Hamilton Fire Department, Fire Prevention Division - 905-546-2424 ext. 1380
  - d. **Health Inspection** - the Public Health Inspector will provide the owner with the "Green Card" if the premises passes the inspection. Public Health Services - 905-546-3570 or [WaterAndFoodSafetyAdmin@hamilton.ca](mailto:WaterAndFoodSafetyAdmin@hamilton.ca) and visit [www.hamilton.ca/foodpremiseinspections](http://www.hamilton.ca/foodpremiseinspections)
  - e. **Premise Plan** - can be done by property owner; must identify location of washrooms, entrances/exits, seating, and prep area.
  - f. **Traffic Inspection** (This inspection is remote and does not require an appointment.)
  - g. **Liquor Licence Application if applicable** (Restaurant with Liquor Service applications)
2. Pay the appropriate **Licence Fee**. This fee includes your licence and applicable inspections.

### WHAT ARE THE STEPS TO APPLY FOR A NEW RESTAURANT WITH LIQUOR SERVICE LICENCE?

1. Complete the above steps including submitting the City of Hamilton's **Restaurant Licence Application** and the required documents, as well as pay the appropriate **Licence Fee**.
2. Complete a **Liquor Licence Application** through the Licensing Section at [liquorlicense@hamilton.ca](mailto:liquorlicense@hamilton.ca) or 905-546-2782 Option 3.
3. Apply for a **New Sale Licence or Transfer Existing Licence** to new business through **AGCO**. This is a separate application from the City of Hamilton and takes approximately 8-12 weeks to process. Please visit the AGCO (Alcohol and Gaming Commission of Ontario) at [www.agco.on.ca](http://www.agco.on.ca) for more details.

**AGCO (ALCOHOL AND GAMING COMMISSION OF ONTARIO)** for all inquiries, please contact [www.agco.on.ca](http://www.agco.on.ca) or 1-800-522-2876.



## Additional Licensing Details:

- The City of Hamilton is only the commenting party for all liquor licence applications. We provide comments on life safety requirements; we do not issue or revoke liquor licenses.
- The AGCO will not provide a Liquor Licence until they confirm that the City of Hamilton has approved the application at a municipal level.
- If you fail to renew your municipal license on or before the annual expiry date, a late fee will be applied in addition to the renewal fee. As a courtesy, renewal notices are mailed out prior to expiry however, as per Licensing *By-law 07-170*, it is the license holder's responsibility to renew on time.
- **Remember:** Prior to License issuance all required inspections must be completed and satisfactory as per the applicable department, including any open building permit applicable to the location must be closed (by the Building Inspector).
- Once your inspections have been completed and passed, all reports will be sent to the Licensing Section for a Licensing Administrator to review and finalize. They will contact you when your license is ready which you are able to pick-up or have mailed.



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ITEM	COST	TIMELINE***
Restaurant Licence (New Application)	\$969.00*	30 days
Restaurant Licence (Renewal)	\$ 600.00* (Late Fee = \$ \$327.00 (289.38 + H.S.T) + Renewal Fee)	Immediate** (Licensing Counter or online at licensing@hamilton.ca)
Restaurant with Liquor Service Licence (New Application)	\$1021.00*	30 days
Liquor Licence (New Application or Change to Existing Licence through City of Hamilton)	\$1000.00*	Processed within 48 hours + 15 business days for circulation and commenting period
New Sale Licence through AGCO (Separate application process)	\$1,055.00 (2 year) or \$1,355.00 (4 year)* (public notice required) OR \$925.00 (2 year) or \$1,225.00 (4 year)* (public notice exempt)	8-12 weeks to process
Restaurant with Liquor Service Licence (Renewal)	\$ 652.00* (Late Fee = \$ \$327.00 (289.38 + H.S.T) + Renewal Fee)	Immediate** (Licensing Counter or online at licensing@hamilton.ca)
<p>* Fees subject to change without notice.</p> <p>** If all required documentation and payment have been submitted</p> <p>*** Timelines may be delayed or services not available due to COVID-19.</p>		

## ADDITIONAL INFORMATION

If you have questions about other City of Hamilton licences, such as Caterer's, Bar/Night Club, Bakeshop, or Food Service Vehicles, please visit [www.hamilton.ca/businesslicence](http://www.hamilton.ca/businesslicence) or contact a Licensing Administrator by phone at 905-546-2782 Option 3 or email at [licensing@hamilton.ca](mailto:licensing@hamilton.ca).



## STEP FIVE: OPEN AND LAUNCH YOUR BUSINESS

Congratulations! You are registered, licenced and verified to open your business.

Here is a checklist to guide you as you open your restaurant:

### STEP 1

- ☐ Pick up or download a copy of the “Opening a Restaurant in Hamilton” guide.
- ☐ Register your business—Master Business Licence or Corporation.
- ☐ Complete a business plan—required when applying for financing. Remember: a business consultant at the SBEC can review your business plan!
- ☐ Research financing available and create a start-up budget that lists required purchases and monthly operational costs.
- ☐ Research and acquire three quotes for Commercial General Liability insurance, as well as any other insurance related to your business.
- ☐ Research suppliers that fit your inventory needs.
- ☐ Apply for an HST number, if applicable. Call **1-800-959-5525** or visit Business Registration Online (BRO) at [www.canada.ca/business-number](http://www.canada.ca/business-number)

### STEP 2

- ☐ Create and implement an effective marketing strategy to ensure that potential customers know about your business and when you will open.
- ☐ Visit the One-Stop to verify potential location(s) for use as a restaurant.

### STEP 3

- ☐ Research and submit Building Permits, if applicable.
- ☐ Complete and submit a Licence Application to the Licensing Section.
- ☐ Complete and submit a Liquor Licence Application to the Licensing Section, if applying for a Restaurant with Liquor Service Licence.
- ☐ Contact the AGCO to apply for a New Sale Licence or transfer an existing licence.
- ☐ Complete Public Health, Fire and Traffic Inspections related to your licence application.

### STEP 4

- ☐ Post the Health “Green Card” provided by a Health Inspector in a visible area so that patrons know you passed your health inspection.
- ☐ Ensure all building permits are closed, if applicable.
- ☐ Licence Issuance.

# THANK YOU

## FOR CHOOSING HAMILTON TO OPEN YOUR BUSINESS!



# OPENING A RESTAURANT IN HAMILTON



## DO YOU REQUIRE MORE INFORMATION?



### IN PERSON

#### The One-Stop

Hamilton City Hall  
71 Main St. W  
1st Floor  
Hamilton, Ontario, L8P 4Y5

**MONDAY - FRIDAY**  
8:30 am - 4:30 pm



### PHONE

905-540-6400  
**MONDAY - FRIDAY**  
8:30 am - 4:30 pm



### E-MAIL

[mail@hamiltonsmallbusiness.ca](mailto:mail@hamiltonsmallbusiness.ca)



### WEB

[www.hamilton.ca/  
one-stop](http://www.hamilton.ca/one-stop)

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