



ADDITIONAL RESIDENTIAL UNITS

Guide to Building Additional Residential Units and Legalizing Existing Units



PENDANT
LAMP

KITCHEN
CABINETS

SINK

GAS
STOVE

How to Use This Guide

This guide provides an overview of Additional Residential Units (ARUs) regulations and guidelines. This guide can help you assess whether your lot is eligible for an additional residential unit, and help you understand the permit application process.

Disclaimer: The design examples and sample drawings in this guide are not advice nor do they address all the requirements for legally establishing an ARU. It is each property owner's responsibility to ensure compliance with all current applicable law including the Ontario Building Code, the City of Peterborough By-law, and any other provisions or regulations applicable to ARUs. A copy of the Ontario Building Code (Ontario Regulation 332/12 made under the Building Code Act, 1992) is available online through the e-Laws website. A copy of the Comprehensive Zoning By-law is available online at peterborough.ca/zoning.



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NEW ARUs

What is an Additional Residential Unit (ARU)?

An ARU is a self-contained residential unit with a private kitchen, bathroom facilities, and sleeping areas within dwellings or within structures ancillary to a dwelling. Additional Residential Units are also referred to as second units, basement apartments, accessory apartments, granny flats, in-law apartments, or nanny suites.

Why Additional Residential Units?

The City of Peterborough is permitting the creation of ARUs to achieve the following objectives:

To provide housing for a variety of users including aging family members, adult children, caregivers etc.

To increase the supply of rental housing and improve rental affordability

To alleviate the cost of homeownership

To make efficient use of infrastructure, housing stock, land and resources

To facilitate residential intensification, mitigate climate change, and reduce greenhouse gas emissions

BUILDING A NEW ADDITIONAL RESIDENTIAL UNIT

Where are ARUs permitted?

Subject to compliance with Zoning By-law 1997-123, ARUs are permitted:

- Configuration 1
 - One (1) ARU within a permitted single detached dwelling, semi-detached dwelling or a row dwelling; and
 - Up to one (1) ARU within a building that is accessory to one of these permitted dwellings
- OR Configuration 2
 - Two (2) ARUs within a permitted single detached dwelling, semi-detached dwelling or a row dwelling
- The principal dwelling must be a permitted land use in a residential district in the City's Comprehensive Zoning By-law 97-123; and
- Maximum floor area for an ARU must be less than the Floor Area of the Principal Dwelling Unit; and
- Maximum of 2 bedrooms in an ARU and
- The ARU must be serviced by public water distribution and wastewater collection facilities unless municipal water distribution and wastewater collection services are not otherwise required by the Zoning By-law for the Principal Dwelling Unit, then the use of private services to support the ARU will be permitted; and
- The ARU must not be located in a floodway as defined in the Provincial Policy Statement, 2020 or any successor thereof
- To check location of your property relative to the floodway, visit [Otonabee Region Conservation Authority Property Inquiry](http://otonabeeconservation.com/property-inquiry-ticket) page and submit an electronic ticket at otonabeeconservation.com/property-inquiry-ticket

Zoning By-law Regulations: Detached ARUs

Zoning regulations for ARUs located in detached accessory buildings:

Number of principal dwelling units on lot	Minimum distance to rear of principal dwelling	Minimum distance from side or rear lot line	Maximum height	Maximum combined lot coverage accessory buildings ¹
1 or 2	1.2m (3.9 ft)	0.6m (2 feet)	4.3m (14.1 ft)	10%

¹ Cumulative lot coverage of all accessory buildings (e.g. ARU, sheds, detached garages, etc.). All structures, including the Principal Dwelling, must comply with the maximum building area regulation of the applicable residential zoning district.

BUILDING A NEW ADDITIONAL RESIDENTIAL UNIT

Access Route

- Exterior access to Additional Residential Units shall:
 - be clear and unobstructed (including utilities protruding from the building);
 - be constructed of a hard and stable surface;
 - minimum width of no less than 0.9m;
 - cross-fall: 2% min - 5% max;
 - longitudinal slope 2% min – 8% max;
 - wherever feasible, stairs shall be avoided;
 - drainage function of swales, typically located on property lines, shall be maintained;
 - external pass-through sheet drainage across access walkways are not permitted;
 - where minimum access requirements are shared across property lines between multiple properties, registered easements on title shall be required.
- An access route from a fire hydrant to a pumper vehicle plus an unobstructed path of travel for a firefighter from the vehicle to the primary entrance of a ARU must not exceed 90 metres (295 feet), and,
- An unobstructed path of travel for a firefighter from a pumper vehicle to the primary entrance of a ARU must not exceed 45 metres (147.6 feet).
- Where these distances can not be achieved, an alternative firefighting or access solution is required that promotes public safety to the satisfaction of the Peterborough Fire Services and the City of Peterborough Building Services Division.

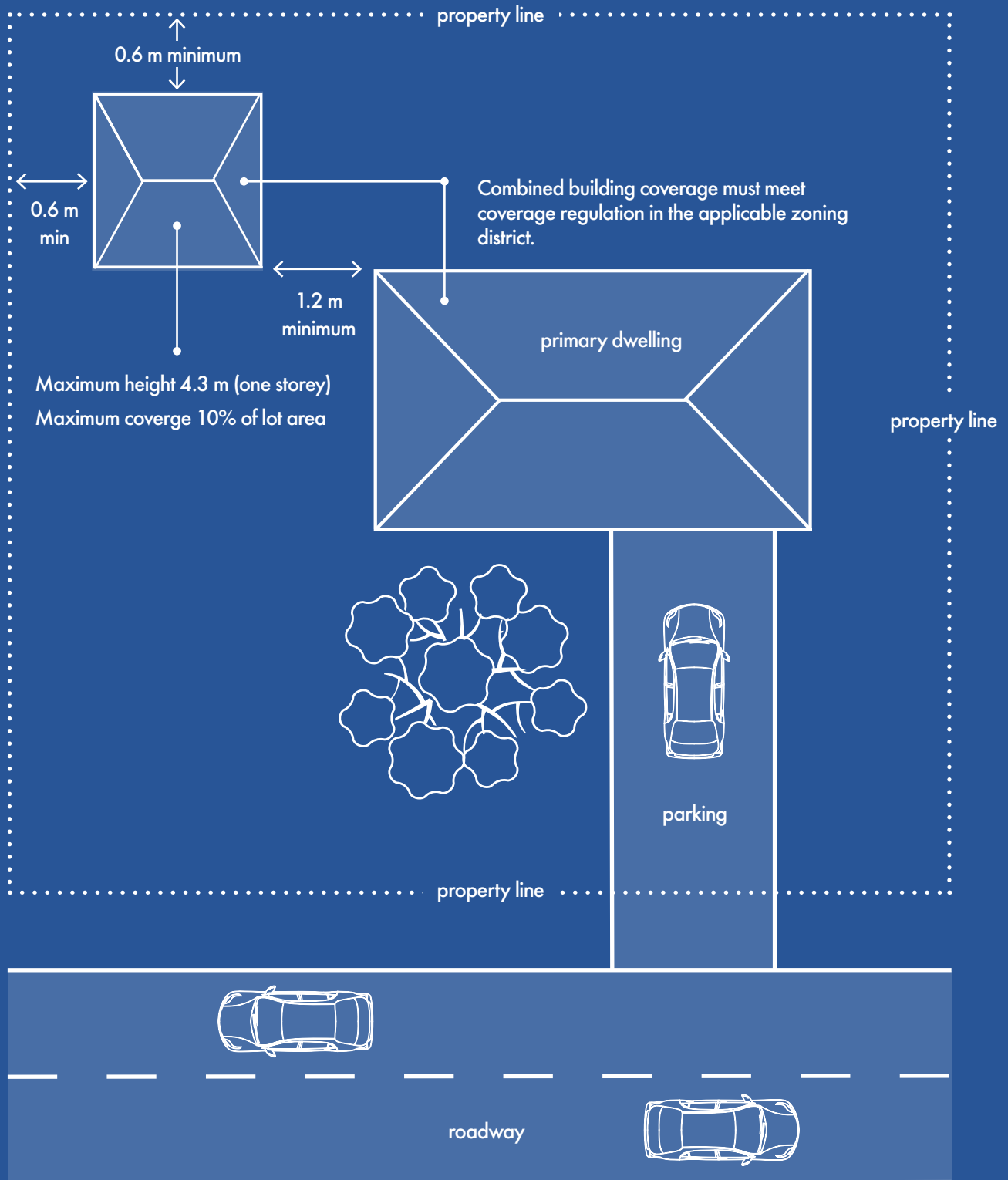
Parking Requirements

Parking inside a garage can count toward fulfilling the required parking provided the garage interior meets the minimum parking space size requirement outlined below. Parking spaces are not permitted in the road right of way. A survey may be required to confirm the location of the proposed spaces meets the minimum requirements. Parking must be located on the property in accordance with the by-law requirements outlined below:

Principal dwelling type	Parking area 1	Parking area 2	Parking area 3
Single Detached	1 space for principal dwelling unit, 0 spaces for ARU	1 space for principal dwelling unit, 1 space for ARU	2 spaces for principal dwelling unit, 1 space for ARU
Semi-detached	1 space for principal dwelling unit, 0 spaces per ARU	1 space for principal dwelling unit, 1 space for ARU	2 spaces for principal dwelling unit, 1 space for ARU
Row or Townhouse	1 space for principal dwelling unit, 0 spaces per ARU	1.5 spaces per principal dwelling unit, 1 spaces per ARU	1.75 spaces per principal dwelling unit, 1 space per ARU

Tandem parking for an ARU is permitted in all parking areas. Where the required number of parking spaces results in a fraction, the parking requirement is rounded up to the nearest whole number.

DETACHED ARU SETBACK REGULATIONS



BUILDING A NEW ADDITIONAL RESIDENTIAL UNIT

Parking Areas

To identify which Parking Area applies to your property, please use our interactive map tool:

1. Enter the address of the property in the search bar.
2. Click anywhere in the highlighted property box (the map will identify the parking area for the property).

Additional Parking and Driveway Regulations

1. Minimum size of a parking space:

Parking Area 1	2.5 metres (8.2 feet) by 5.5 metres (18 feet)
Parking Areas 2,3	2.7 metres (8.9 feet) by 5.7 metres (18.7 feet)
2. On any lot containing a single detached dwelling or a semi-detached dwelling as the Principal Dwelling, no more than two motor vehicles can be parked within 6 metres of a streetline (i.e. a mutual property line with a street).
3. Where a parking lot contains five or more parking spaces, the parking lot and the driveway must maintain a minimum 1.5 metre (4.9 feet) setback from a side or rear lot line
4. Maximum driveway width at the mutual property line with a street:
 - Single detached or row/townhouse lot with less than 9 metres (29.5 feet) of lot width: 3 metres
 - Single detached or row/townhouse lot with 9 metres (29.5 feet) or more of lot width: 6 metres (19.6 feet)
 - Semi-detached residential lot: 3 metres (9.8 feet) per driveway

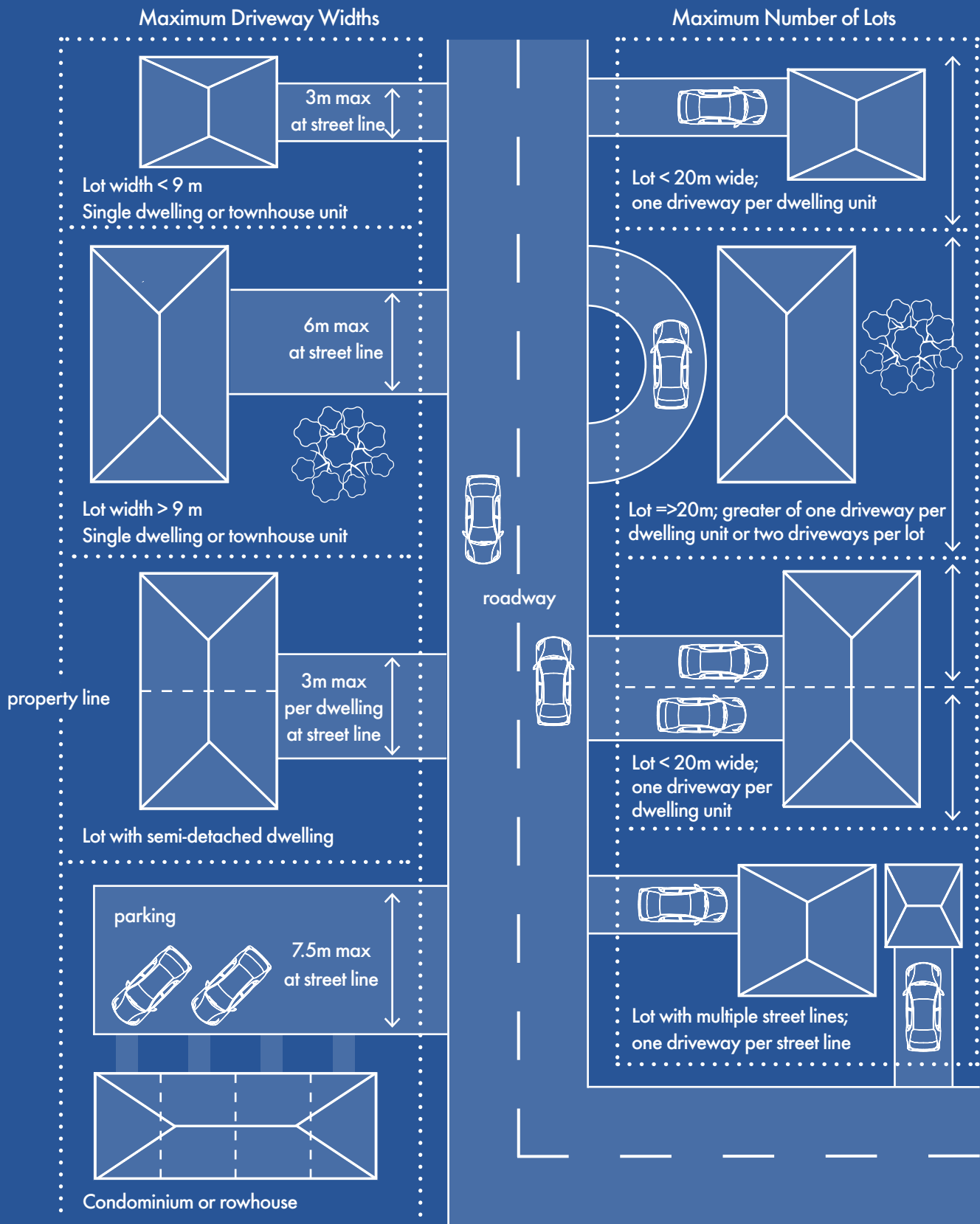
Permitted driveway widths may vary where site specific permission has been granted. Please confirm driveway width requirements with City staff.

5. Maximum number of driveways on lots containing:
 - Lots containing a single dwelling or a semi-detached dwelling that have a lot width of less than 20 metres (65.6 feet): 1 per Principal Dwelling
 - Lots containing a single dwelling or a semi-detached dwelling that have a lot width of 20 metres (65.6 feet) or more: 2
 - Lots containing multiple Principal Dwellings, such as a block of row/townhouse dwellings, with private entrances at grade: 1 per Principal Dwelling
- Other lots (e.g. corner lots): 1 per streetline

What if my property cannot meet the minimum parking requirements?

If additional parking cannot be provided on the property, the construction of an ARU may not be possible under current conditions and the property may need to be re-zoned. Please contact the City's Planning Division for additional information on your property.

ADDITIONAL PARKING AND DRIVEWAY REGULATIONS



EXISTING ARUs

LEGALIZING AN EXISTING ADDITIONAL RESIDENTIAL UNIT

Recognizing an apartment in a house that existed as of November 16, 1995

Apartments in a house (accessory apartments) that existed as of November 16, 1995 may be exempt from having to comply with the City's Zoning By-law regulations related to ARUs in accordance with Ontario Regulation 384/94 (Apartments in Houses).

To qualify, the apartment must have existed on November 16, 1995 and be located within a principal dwelling that is either:

- A single detached dwelling
- A semi-detached house that was not created by the alteration of a single detached dwelling
- A row/townhouse dwelling that was not created by the alteration of a single detached or semi-detached dwelling

As of November 16, 1995 the dwelling must have:

- Been used for, or was intended to be used for, residential purposes containing no more than one apartment
- Not been ancillary to any other dwelling or use
- Been located in a zone that permits residential use as a primary use
- Been serviced with municipal water and sanitary sewers

The property owner must provide the following to the Building Division:

- A declaration sworn in front of a Commissioner of Oaths (or a lawyer) by a person with personal knowledge of the property declaring that the dwelling was used or occupied as two residential units on November 16, 1995 (person could be the current owner, a previous owner, a relative of an owner, neighbour, tenant, realtor, etc.)
- Printed documentation establishing the apartment's existence as of November 16, 1995 such as rent receipts, income tax records, service records from contractors or utilities, etc.
- Documentation of successful Fire Code Compliance inspection and Ontario Electrical Safety Authority inspection
- Applicable Accessory Apartment processing fee

A man in a white t-shirt and jeans is shown from the side, using a trowel to apply plaster to a wall. The image has a blue tint. The man is looking up at the wall he is working on. The trowel is a rectangular tool with a handle, and he is holding it with both hands. The wall is light-colored and appears to be in the process of being finished. The man's jeans are dark and have some white spots on them, possibly from plaster. The overall scene is a construction or renovation project.

Legalizing an existing unit built after November 16, 1995:

1. Lot and unit must comply with the Zoning By-law requirements.
2. A building permit must be obtained to recognize the existing construction.
3. The ARU must pass all required inspections associated with the building permit.
4. Detailed requirements are outlined on our "ARU Guide - Building A New ARU".

BUILDING PERMITS

HOW TO APPLY FOR A BUILDING PERMIT

This building permit guide for Additional Residential Units is intended to familiarize homeowners and their contactors with general requirements set out by the Ontario Building Code, and applicable law to help assist in obtaining a building permit for construction of new or conformity of existing Additional Residential Units.

Sections below outline general submission requirements such as types of documents and drawings necessary for review of an Additional Residential Unit construction, as well as comprehensive requirements applicable to the construction of living spaces and safety requirements such as fire prevention.

Permit applications for Additional Residential Units are to be submitted through the online application portal. <https://onlineapplications.peterborough.ca/>

Submission requirements:

1. Completed Building Permit Application Form – generated in the portal to be signed.
2. Drawings/plans drawn to scale and fully dimensioned either in metric or imperial but not in combination. Drawings must include:
 - Site Plan (including grade and crossfall of path to entrance of ARU to be approved by Development Engineering staff prior to submission to the Building Services Division)
 - Existing Floor Layouts
 - Proposed Floor Layouts
 - Cross Sections and Wall/Ceiling/Fire Separation Construction Details
 - Elevations showing ARU Entrance and Egress Window
 - HVAC and mechanical drawings

Drawings are to be prepared by a professional such as an engineer, architect, or a designer with a Building Code Identification Number (BCIN)^{1,2}

¹ If there is a Principal Unit with one additional residential unit within the dwelling, the homeowner may be permitted to prepare the drawings. It is recommended that the owner engage the services a BCIN designer qualified with a minimum House

² If there are a total of 3 dwelling units within the dwelling, a designer with minimum qualifications in Small Buildings is required.

BUILDING PERMITS

Building Code Requirements by Building Type

This page is a reference for one proposed additional residential unit in the dwelling with a main dwelling unit. Where a second additional residential unit is proposed in the dwelling (total of 3 dwelling units), please consult a BCIN designer qualified in Small Buildings.

Requirements	Dwellings in existence		
	< 5 years	> 5 years	> 5 years with finished basement
Floor fire separation (continuous) / Permitted Floor Fire Resistance Rating (FRR)			
	45 minutes	30 minutes	15 minutes (requirements)
Permitted floor sound rating	50 STC	50 STC	Existing may be permitted
Permitted Wall Fire Resistance Rating (FRR)	45 minutes	30 minutes	30 minutes
Permitted Door Fire Protection Rating (FPR) (door requires a self-closing device)			
	20 minutes	20 minutes	20 minutes
Permitted Fire Resistance Rating (FRR) for load bearing walls, beams and columns in supporting structure			
	45 minutes	30 minutes	15 minutes (requirements)
HVAC system duct-type smoke detector	Must be installed in supply or return air duct system and will completely turn off fuel and electrical supply to the heating system upon activation if existing furnace serves both dwelling units.		
Smoke alarm (general requirements only, additional requirements may apply)			
	new ARU only	new ARU only	main unit and ARU
Smoke alarm interconnection between dwelling units			
	not required	not required	required
Smoke alarm equired locations	Smoke alarms are required on every floor level, in every bedroom, and in hallways serving bedrooms. All smoke alarms within each dwelling unit shall be interconnected and have a visual signalling component (strobe light) and battery back-up.		
Natural light in living and dining rooms	10% of area served	5% of area served	5% of area served
Natural light in bedrooms and other finished rooms			
	5% of area served	2.5% of area served	2.5% of area served
Ceiling height (all rooms)	6'11 (2.1m) over entire floor 6'5 (2m) under beam/duct	6'5 (2m) over all required room areas and any location normally used as a means of egress	6'5 (2m) over all required room areas and any location normally used as a means of egress

BUILDING PERMITS

General Design Requirements

- Carbon monoxide alarms are required adjacent to each sleeping area
- Each unit shall have access to common laundry facilities or have connections within each unit for the connection of laundry appliances
- Must meet minimum room sizes as per Ontario Building Code requirements

The design examples in this guide (including sample drawings) are not advice nor do they address all the requirements for establishing a legal ARU. It is each property owner's responsibility to ensure compliance with all current applicable laws including the Ontario Building Code (available at ontario.ca/laws), the City of Peterborough's Comprehensive Zoning By-law (available at peterborough.ca/en/doing-business/zoning.aspx), and any other provisions or regulations applicable to ARUs.

This page is a reference for one proposed additional residential unit in the dwelling with a main dwelling unit. Where a second additional residential unit is proposed in the dwelling (total of 3 dwelling units), please consult a BCIN designer qualified in Small Buildings.

Minimum doorway requirements:

Door connections	Minimum width	Minimum width	Minimum height	Minimum height
Dwelling unit entrance or utility room	32"	81 cm	78"	198 cm
Bedrooms or rooms not mentioned elsewhere	30"	76 cm	78"	198 cm
Bathroom, washroom, walk-in closets	24"	61 cm	78"	198 cm

Minimum space size by room type for separate spaces:

Room sizes - separate spaces	Minimum area (ft ²)	Minimum area (m ²)
Livingroom	145	13.5
Dining room	75	7.0
Kitchen (>1 bedroom)	45	4.2
Kitchen (1 bedroom only)	40	3.7
Master bedroom (with closet)	95	8.8
Master bedroom (without closet)	105	9.8
Other bedroom (with closet)	65	6.0
Other bedroom (without closet)	75	7.0
Bathroom	sufficient space for fixtures	sufficient space for fixtures

BUILDING PERMITS

This page is a reference for one proposed additional residential unit in the dwelling with a main dwelling unit. Where a second additional residential unit is proposed in the dwelling (total of 3 dwelling units), please consult a BCIN designer qualified in Small Buildings.

Minimum space size by room type for combined spaces:

Room sizes - combined	Minimum area (ft ²)	Minimum area (m ²)
Living room (>1 bedroom)	145	13.5
Living Room (1 bedroom)	118	11.0
Dining Room	35	3.3
Kitchen (>1 bedroom)	45	4.2
Kitchen (1 bedroom)	40	3.7
Bedrooms	45	4.2

Minimum Space Size by Room Type for Bachelor Spaces

Room sizes - bachelor	Minimum area (ft ²)	Minimum area (m ²)
Living, Dining, Bedroom and Kitchen	145	13.5

Key Sections: Ontario Building Code

Ontario Building Code: key sections to reference	Section title
9.10	Fire Protection
9.11	Sound Transmission
9.31	Plumbing Facilities
9.32	Ventilation
9.33	Heating and Air Conditioning
9.34	Electrical Facilities
9.50	Design of Areas, Spaces and Doorways
9.80	Stairs, Ramps, Handrails and Guards
9.90	Means of Egress

FAQ

Q1 I would like to install an Additional Residential Unit on my property with more than two bedrooms.

Additional Residential Units in houses with more than two bedrooms are not considered ARUs and therefore require zoning that specifically allows for more than one dwelling unit on a property (e.g., Residential District 2-R.2).

Q2 I would like to apply for a building permit for my ARU.

Please review the “How to Apply for a Building Permit” section of this guide or visit the Building Services Division in City Hall located at 500 George Street North (Carnegie Wing, George Street entrance).

Q3 What if my existing ARU does not meet the Zoning By-law regulations?

One of the following may be required:

- Alterations to the ARU or property layout (e.g. removing a bedroom, expanding a driveway) to bring the ARU or property into compliance with the ARU regulations;
- An application to rezone the property to allow for more than one Principal Dwelling such as a duplex or a semi-detached dwelling; or,
- Renovating the dwelling to incorporate the living space associated with the ARU into the Principal Dwelling, thereby removing the ARU.

Q4 What if my existing ARU does not meet Building Code or Electrical Safety Code regulations?

- The ARU cannot be legalized if it does not meet applicable law such as the Building Code and the Electrical Safety Code.
- Renovations may be required to bring the ARU into compliance with the Building Code.
- Code compliance will be addressed through the process to obtain and complete a building permit.

FREQUENTLY ASKED QUESTIONS

Q5 What if I am unable to prove that my ARU met the criteria listed as of November 16, 1995?

You may be eligible to legalize the ARU under City's ARU regulations.

- The lot and ARU would need to comply with Zoning By-law requirements.
- A building permit would be required to recognize the existing ARU.
- The ARU would need to pass all required inspections associated with the building permit.

Q6 My house was legally constructed with an ARU, but the Zoning By-law no longer permits an ARU on my property.

- The ARU may be considered a "legal non-conforming use" if it was legally constructed in accordance with the applicable Zoning By-law in effect at the time and the Zoning By-law was subsequently changed to prohibit the use.
- To be considered a legal non-conforming use, the Owner must be able to demonstrate that the ARU was once a permitted use, and that the ARU has continuously been used that way since the Zoning By-law changed.
- A legal non-conforming use may continue to exist despite the Zoning By-law change if it continues to be used for the purpose that lawfully existed prior to the Zoning By-law change.





City of Peterborough

500 George Street North, Peterborough, Ontario K9H 3R9

+1 705 742 7777 | +1 855 738 3755 | peterborough.ca