

# **Additional Residential Units (ARUs)**

## **Guide and Information Sheet**

**May 2025**

This guide has three sections:

1. An explanation of ARUs and who to contact with questions
2. Details on how to develop one or more ARUs
3. Frequently asked questions

### **Section 1:**

#### **What are Additional Residential Units (ARUs), and who to contact with questions?**

ARUs are residential dwelling units that are completely self-contained. They are subordinate to the primary residential dwelling, which are single detached, semi-detached or townhouse dwellings. ARUs may be located within the same building as the primary residential dwelling or in accessory building on the same lot.

ARUs are primarily overseen by the Building and Septic Division. They may be reached at 705-324-9411 ext. 1288 or by emailing [buildingpermits@kawarthalakes.ca](mailto:buildingpermits@kawarthalakes.ca).

### **Section 2:**

#### **What is the process for developing one or more ARUs?**

Property owners or developers wishing to develop one or more ARUs are encouraged to reach out to the Building and Septic Division to begin the process. They will need to apply for a Registration of an Additional Residential Unit and subsequent Building Permits. The Planning Division's role is largely to assist, when needed, the Building and Septic Division with questions related to the Planning Act, Official Plan, and zoning.

Details of the above steps are provided below. Please read this guide to familiarize yourself with the process.

#### **Where are ARUs permitted? How many ARUs are permitted on a lot?**

**In the urban areas** (Bobcaygeon, Fenelon Falls, Lindsay, and Omemee) within zones that permit single detached, semi-detached, or town house units

that have full municipal services, a maximum of three ARUs are permitted on a lot.

Some permissions and regulations are granted by the Planning Act and override the City's Zoning By-laws, however, there are regulations and standards in the relevant Zoning By-law that still apply. See below for zoning regulations.

In these urban areas, ARUs can be the following combinations:

- a) one ARU in the same building as the primary residential unit;
- b) one ARU in the same building as the primary residential unit and one ARU in an accessory building;
- c) one ARU in the same building as the primary residential unit and two ARUs in an accessory building;
- d) two ARUs in the same building as the primary residential unit;
- e) two ARUs in the same building as the primary residential unit and one ARU in an accessory building;
- f) three ARUs in the same building as the primary residential unit;
- g) one ARU in an accessory building; or
- h) two ARUs within an accessory building.

Please note that provincial legislation overrides zoning for any urban property with one or more ARUs in any combination to allow:

- up to 45% total lot coverage; and
- the minimum lot area to be the same as what is required without ARUs on the property.

**In the rural areas** (but not the Oak Ridges Moraine Area) within zones that permit single detached, semi-detached, or town house units, a maximum of two ARUs are permitted on a lot. The regulations and standards in the relevant Zoning By-law still applies. See below for zoning regulations.

In these rural areas, the ARUs can be in the following combinations:

- a) one ARU in the same building as the primary residential dwelling unit;
- b) one ARU in the same building as the primary residential dwelling unit and one in an accessory building; or
- c) one ARU in an accessory building.

**In the Oak Ridges Moraine** only one ARU is permitted, and only within a single detached dwelling. ARUs are not permitted within the ORMCA Zone, ORMLA Zone, ORMEP Zone, floodplain area, water setback or other hazardous

lands aside from a small number of circumstantial exceptions seen in the By-law. The regulations and standards in the Oak Ridges Moraine Zoning By-law still applies. See below for zoning regulations.

### **What regulations apply to ARUs?**

All ARUs must include the following areas that are separate from the primary residential unit: a separate entrance, kitchen facilities, washroom facilities, and living space. All ARUs must comply with the Zoning By-law, the Ontario Building Code, Fire Code, and any other municipal and provincial standards.

### **Parking**

ARUs are not required to have a dedicated parking space. The parking requirements for the primary dwelling (usually two spaces) still applies.

### **Zoning By-law Regulations**

Please refer to the applicable Zoning By-law for exact provisions relating to ARUs. Below is for information purposes only.

General zoning requirements for ARUs:

- The lot has adequate sewage and water supply;
- On private services, lot area is at least 0.4 hectares;
- The lot fronts on and has access to an improved public street, maintained year-round;
- The lot is not used for a bed and breakfast establishment;
- The primary residential unit meets the parking requirements in the Zoning By-law. Parking spaces are not required for ARUs;
- Floor area of an ARU is equal to or less than the floor area of the primary residential unit;
- ARU complies with the Minimum Distance Separation formulae from neighbouring livestock barns, manure storages and/or anaerobic digesters; and
- Where an ARU is located on an upper storey of an accessory building, the height of the accessory building may be increased to 10m and be located no less than 1.2m from side and rear lot lines.

## **Ontario Building Code**

A building permit will be required to establish an ARU. Most ARUs will require modifications with respect to the Ontario Building Code to comply with registration requirements.

Items associated with an ARU, including but not limited to the following, must comply with the Ontario Building Code:

- Fire separations between dwelling units, between dwelling units and common spaces such as exit corridors, laundry rooms and other spaces that are accessible by all dwelling units
- Exits from each dwelling unit
- Smoke alarms on each floor level in each dwelling unit, and carbon monoxide detectors
- Heating and ventilation system requirements

The property owner or a qualified designer shall prepare the drawings required as part of the building permit application. Drawings must include all Ontario Building Code requirements. Upon submission of a complete application package, a building permit will be issued within 10 business days. To locate a qualified designer, contact the Building and Septic Division to obtain a list of House and Small Buildings designers.

## **Private Services**

ARUs proposed on properties serviced with a private on-site sewage system will require a review of the existing system components and capacities. In many cases, the existing sewage system will not be adequate for the increased usage and a new sewage system or upgraded sewage system will be necessary.

Contact the Building and Septic Division – Sewage System Area Inspector to initiate a discussion around the requirements for applications and permitting for private on-site servicing. For additional information, contact the Building and Septic Division at 705-324-9411 ext. 1288 or by emailing [septicpermits@kawarthalakes.ca](mailto:septicpermits@kawarthalakes.ca).

## **Ontario Fire Code**

Please refer inquirer to the Ontario Fire Code for exact provisions relating to additional residential units. Below is for information purposes only.

ARUs must comply with the following items under the Ontario Fire Code, including but not limited to:

- Fire separation from each dwelling unit
- Means of escape from each dwelling unit
- Smoke alarms
- Electrical safety

Property owners should be aware that bringing existing dwellings that contain an ARU into compliance with the Ontario Fire Code regulations may require alterations for which a building permit is required under the Building Code Act.

For additional Fire Code information, contact the Fire Prevention Division: 705-324-5731 ext. 545. You may also contact the Electrical Safety Authority: 877-372-7233

### **Do ARUs have to be Registered?**

Yes, all ARUs must be registered under By-law 2020-162. Unregistered ARUs are considered illegal. Units previously registered under Town of Lindsay By-law 97-169 and City of Kawartha Lakes By-law 2014-305 will be deemed compliant.

The purpose of the Registration By-law is to ensure that all ARUs in the City of Kawartha Lakes are safe and legal. The Registration By-law allows the City to maintain a complete inventory of all single detached dwellings, semi-detached dwellings and townhouse dwellings that contain ARUs, which will be used, for example, by emergency services agencies (i.e. Fire, Police, EMS) when responding to emergencies, the City's Solid Waste Division for garbage pick up and the City's Planning Division when calculating dwelling unit densities of neighbourhoods.

### **How to Register ARUs?**

Before submitting a building permit application, please submit an online application for Registration of an Additional Residential Unit by navigating on the City website to Living Here/Building, Septic and Renovations/Additional Residential Units – Additional Residential Unit Application Portal

Along with the online Application Form you will be required to upload and include the following documents:

A site plan showing:

- lot configuration;
- dimension of each lot line;
- primary residential unit location;

- location of all accessory structures;
- location and dimensions of on-site parking spaces in accordance with current zone provisions applicable to the subject lot;
- location of walkways leading to ARUs;
- location of municipal service connections or well and septic system; and
- any other relevant information that may assist with the review and approval of the application.

Floor plans clearly labelled indicating the following information:

- all existing dwelling units and proposed ARU dwelling units
- all exterior entrances to the house;
- interior entrances to each dwelling unit;
- room uses and sizes including dimensions of each room;
- ceiling heights in each room;
- window sizes including all window area calculations for the openable portion of the window; and
- the total floor area of the ARU and the exterior dimensions of the dwelling (where applicable, the common areas of the dwelling are to be shaded).

Applicants will be invoiced for the registration fee following receipt of the online application.

Please note that where more than one ARU is proposed on a lot, a separate application package must be submitted and each ARU must be registered individually.

There is a one-time fee required to accompany the application for registration, which can be found in the Consolidated Fees By-law 2020-137. There will also be associated building permit fees applied, if a building permit is deemed by Building and Septic Division staff to be required, with respect to required upgrades or new construction.

As part of the registration process, an inspection will be required to ensure the safety of the owner and tenants of the ARU. The inspection may be performed by a Building Inspector or by a Building Inspector in conjunction with a Fire Prevention Officer. The inspector(s) will confirm compliance with applicable regulations and will require access to all areas within all dwelling units.

Once an ARU is registered, the owner will receive a letter of registration from the City.

## **Section 3:**

### **Frequently Asked Questions**

#### **How to obtain an address/sign for my ARU?**

Upon completion of registration, a municipal address will be assigned to the ARU. As explained in the registration letter the owner will receive, it is the owner's responsibility to display the address for the ARU so that in urban areas, it is visible from the street and in rural areas, directional arrows direct Emergency Services personnel to the entrance to the unit and the location of the unit is clearly indicated on the building face visible upon approach down the driveway.

#### **What are the parking requirements?**

ARUs are not required to have a dedicated parking space. The parking requirements for the primary dwelling (usually two spaces) still applies.

#### **Can a tenant park on the street?**

Please be aware that vehicles illegally parked on the street will be ticketed and no exceptions will be made for ARUs. Before creating an ARU, please consider the parking needs for all units and ensure the combined parking needs can be accommodated wholly on the subject property.

#### **Can an ARU be severed from the primary residential unit?**

An ARU within an accessory building or structure is not eligible for a severance from the primary residential unit. An ARU, by definition, must be located on the same lot as its primary residential unit.

#### **How large does the property have to be?**

In urban areas, there are no requirements for the size of the property, but other requirements, such as minimum setbacks and spatial separation from a building still apply. In rural areas, a minimum lot area of 0.4ha is required.

#### **Are there minimum road frontage requirements?**

The lot must have frontage on an improved public street, but there are no minimum road frontage requirements.

**Does MTO need to be contacted for ARUs happening on properties on their road?**

ARUs proposed on properties that front onto provincial highways under the jurisdiction of MTO may require a Building and Land Use Permit from MTO. If any new entrances are proposed, permits from MTO would be required.

**When should servicing issues be explored?**

Unless the City has specifically put a hold on ARU development due to servicing capacity issues, all ARU's connected to water and wastewater servicing are allowed. For properties connected by well and/or septic, their servicing capacity would be reviewed when an application for a building permit is received.

**Historical ARU and legal non-conforming?**

Property owners may have legal non-conforming rights. However, the Municipality does not offer opinion on the legality of non-conforming uses. Should a person want a declaration of legal non-conforming status, they require a declaration from Divisional Court. This is an application to the Court. Property owners would then need to provide the Municipality with documentation from the Divisional Court that recognizes a legal non-conforming use.

**How to determine which unit is an ARU and which is the primary residential unit?**

As per the zoning by-laws, the primary residential dwelling unit is a single detached, semi-detached or townhouse dwelling. The ARU is self-contained and subordinate to the primary residential unit. Typically, the larger, existing unit is the primary residential unit and the ARU would be the smaller, proposed or second residential unit.

**Can an ARU be above a detached garage?**

Yes, but it must be separated from the rest of the garage. This will be confirmed through the required building permit. The city has established that living spaces over detached garages will not be allowed unless all applicable regulation is followed, is legally built (has a permit), and is clearly accessory to the principle dwelling.

**Can an ARU be built with a seasonal dwelling or cottage?**

ARUs are not permitted in seasonal dwellings (aka cottages or cabins). ARUs are only permitted in single detached, semi-detached, or townhouse units.



### **Financing concerns regarding an ARU**

It is incumbent on the individual developing ARUs to find the appropriate financing.

### **What is the difference between an ARU and short term rental?**

An ARU is a self-contained residential unit and, if rented for terms lasting more than 28 days, would require rental agreements regulated by the Province. A short term rental (STR) is a room or residential unit rented for 28 days or less and are licenced by the City. A STR license may only be granted to the owner of the property. An ARU may be granted a STR license so long as it complies with the provisions of the license as per by-law 2023-111.

STR licenses are issued by Municipal Law Enforcement & Licensing. Details, contact information and application instructions are available on the Short Term Rental website: <https://www.kawarthalakes.ca/en/things-to-do/short-term-rentals.aspx>

### **When can ARUs be developed in new subdivisions?**

ARUs may be developed at the same time (or afterwards) as the primary residential unit. Occupancy for the ARU cannot be granted until occupancy for the primary residential unit is granted.