

A HOMEOWNER'S GUIDE TO ADDITIONAL RESIDENTIAL UNITS (ARU)

An **Additional Residential Unit (ARU)** is an accessory dwelling unit subordinate to a detached, semi-detached or townhouse dwelling. The units can be located either within the primary dwelling **OR** within a building or structure that is accessory to the primary dwelling.

An **ARU** shall contain sleeping accommodations, a kitchen, and sanitary facilities for the exclusive use of the occupants and having a private entrance from outside of the building or from a common hallway or stairway inside the building. For the purpose of this By-law, a stacked townhouse dwelling, and cluster townhouse dwelling is not permitted to have an **ARU**.

TYPES OF ARU CONFIGURATIONS

The different types of **ARU** configurations permitted within the Township are illustrated below. Please refer to Part 2 for a full list of zoning regulations and requirements.

ARU WITHIN A PRINCIPAL BUILDING

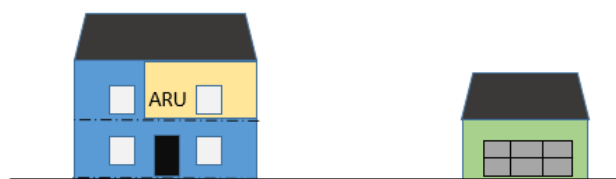
Example 1: Additional Residential Unit Within a Basement



Example 2: Additional Residential Unit Within an Addition

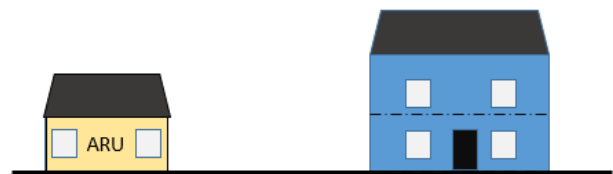


Example 3: Additional Residential Unit in a Second Level

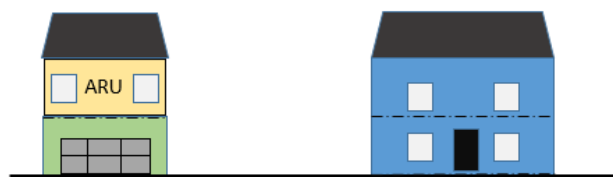


ARU WITHIN AN ANCILLARY BUILDING

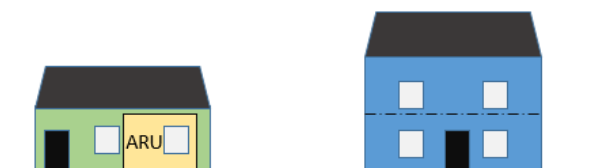
Example 1: Additional Residential Unit Occupying Entire Ancillary Building



Example 2a): Additional Residential Unit Within an Ancillary Building



Example 2b): Additional Residential Unit Within an Ancillary Building



Legend

- Primary Dwelling
- Additional Residential Unit (ARU)
- Ancillary Building

PART 1 OVERVIEW

HOW MANY ADDITIONAL RESIDENTIAL UNITS (ARU) ARE PERMITTED?

A maximum of two (2) **ARUs** shall be permitted per lot in any zone where an **ARU** is permitted and shall only be constructed or used in accordance with the provisions set out in Section 4.4 of the Township's Zoning By-law 40/2016. Please note that only one only one (1) **ARU** may be located within a principal building (detached, semi-detached, or townhouse dwelling) and only one (1) **ARU** may be located within an ancillary/accessory building.

“Ancillary Building” is a defined term within the Township's Zoning By-law. For the purposes of **ARU(s)** it means a shed, garage, carriage house or barn

HOW DO I CONFIRM MY PROPERTY'S ZONING?

STEP 1: Search your property's address using the Township's Interactive Zoning Map, accessible online using the following web address: <https://www.get.on.ca/online-interactive-planning-map>

STEP 2: Once you have identified the zoning of your property, please refer to the Township's Zoning By-law 40/2016, available online here: <https://www.get.on.ca/planning/zoning>, to confirm whether a **“ Dwelling, Additional Residential Unit ”** is listed as a permitted use within the applicable zone.

The following **Zones** permit ARUs in principle, subject to applicable regulations identified below:

- Agricultural (**A**) Zones – Section 6
- Rural Residential (**RR**) Zone – Section 7
- Village Residential Low Density (**R1**) Zone – Section 8
- Village Residential Medium Density (**R2**) Zone – Section 9

NOTE: If your property is located within the Rockwood Ridge Subdivision, please refer to **Zoning By-law 34-95** for applicable regulations.

PART 2 ZONING REGULATIONS

The applicable zoning regulations/provisions vary depending on the characteristics and type of **ARU** being proposed. There are **general provisions** that apply to all **ARUs**, as well as regulations specific to an **ARU** that is located **within a principal dwelling** or an **ARU** located **within an ancillary/accessory building**. These regulations have been provided below for reference:

General Provisions Applicable to All Additional Residential Units (Section 4.4.1)

A maximum of **two (2) ARUs** shall be permitted per lot in any zone where an **ARU** is permitted, and shall only be constructed or used in accordance with the following:

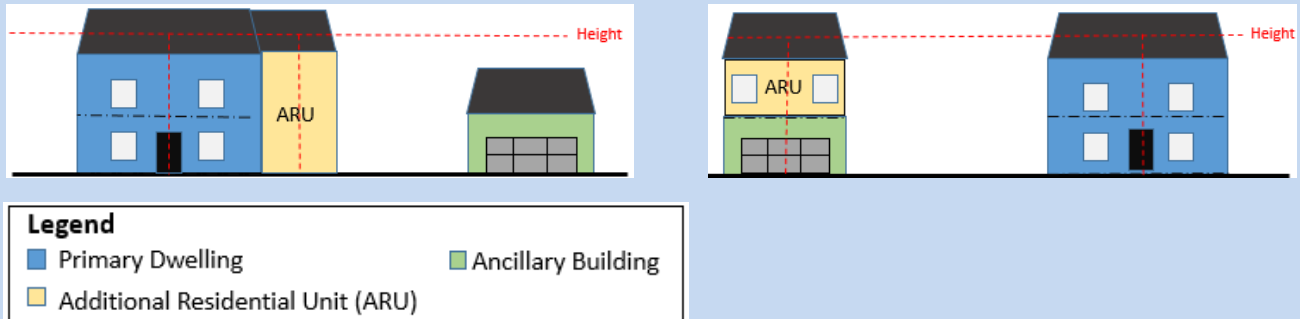
1. Shall only be permitted provided that appropriate water and sanitary services and servicing capacity is available to the satisfaction of the Township of Guelph/Eramosa.
2. The maximum **“floor area”** of an **ARU** shall be no more than an amount equal to **45% of the floor area of the main dwelling up to a maximum size of 130 m²**. The calculation of the maximum floor area for the additional residential unit and the main dwelling shall also include a cellar and attic if these spaces would meet the definition of a **“habitable room”**.

“Habitable Room”, shall mean any room in a residential unit used or capable of being used by one or more persons for living, sleeping, eating, food preparation or sanitation.

“**Floor Area**”, for the purposes of Section 4.4, means the sum total of the horizontal areas of each floor of a building whether any such floor is above or below grade between exterior walls and the centerline of required firewalls, including the space occupied by interior wall and partitions, but not including exits, vertical service spaces and their enclosing assemblies.

3. In all cases the **ARU** shall be clearly secondary and subordinate to the main dwelling.
4. The height of the **ARU(s)** shall not exceed the height of the main dwelling.

The examples below show instances where the **ARU** cannot be taller than the primary dwelling when attached or detached. Height is a defined term within the zoning by-law and varies based on roof type.



The only **exception** is where an **ARU** is located within an ancillary/accessory building or structure and either:

- a) Occupies the second storey of an ancillary/accessory building, in which case Section 4.4.3.6 applies and the maximum building height shall not exceed 8 metres.
- OR**
- b) Occupies the entirety of the accessory building or structure, in which case Section 4.4.3.5(b) applies and the **ARU** may not exceed 5 metres in height.

5. Driveway access to both the main dwelling and the **ARU** shall be limited to one access so that no new entrance from the street shall be created, except in the case of a corner lot, where one entrance from each street may exist, subject to Section 4.19 or Section 4.20 as applicable.

Driveway regulations for residential uses can be found in Section 5.1.10.3.2 of the Township's Zoning By-law 40/2016, available using the web address provided in **PART 1**.

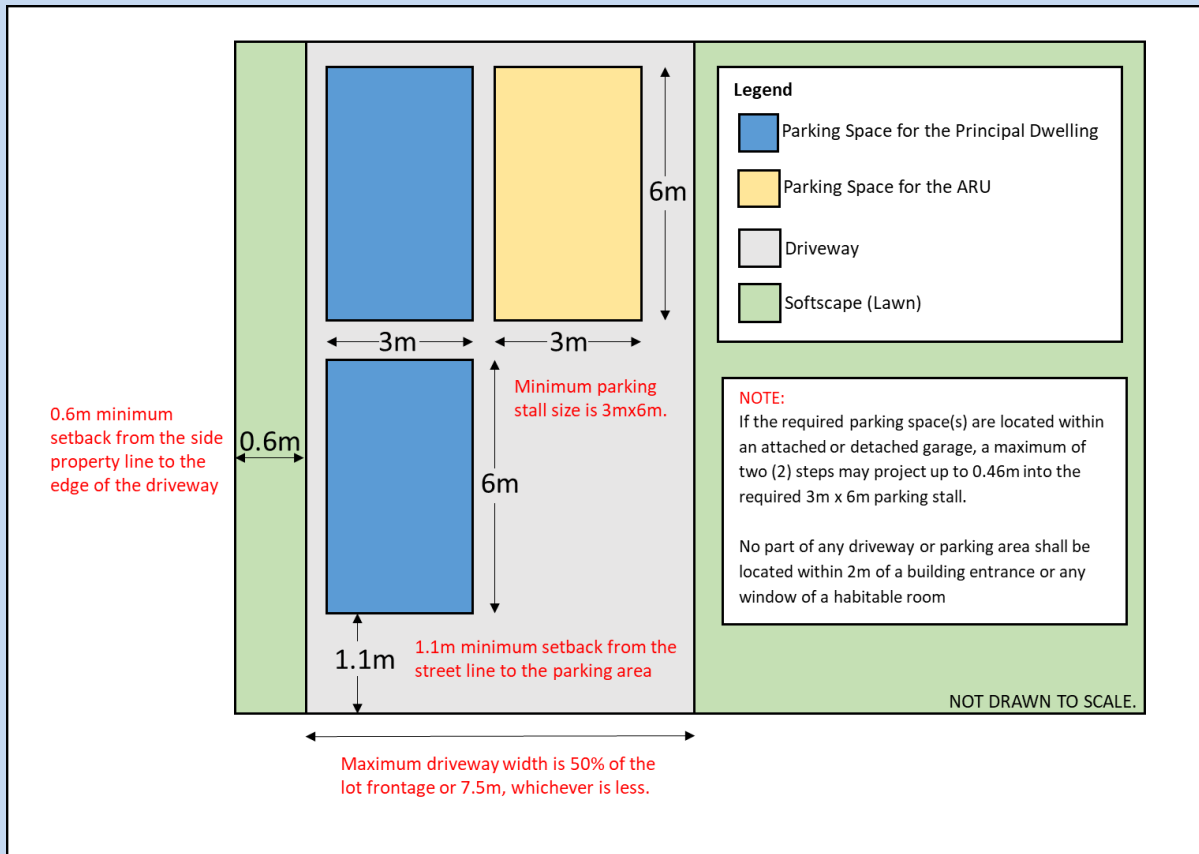
Note: If you are proposing to establish a new driveway entrance and/or driveway widening, an Entrance Permit is required prior to construction. For more information, including contact information, please refer to the following webpage: <https://www.get.on.ca/living-here/entrance-permit>.

6. One parking space will be provided for each **ARU**, in addition to the required parking for the main dwelling.

Parking regulations can be found in Section 5 of the Township's Zoning By-law 40/2016, available using the web address provided in **PART 1**.

In general, **one (1)** parking space is required for **each ARU** (may be tandem) and **two (2)** parking spaces are required for the **Principal Dwelling**.

Parking Requirement Illustration:



Please see Section 5 of the Township's Zoning By-law for the full regulations.

7. Shall not be permitted within hazardous lands as identified by the applicable Conservation Authority.

The **Grand River Conservation Authority (GRCA)** is the applicable conservation authority within the Township of Guelph/Eramosa.

To identify whether your property is regulated by the GRCA, please refer to their Online Mapping Tool, available at the following webpage: <https://www.grandriver.ca/en/Planning-Development/Map-Your-Property.aspx>

For more information, please refer to the GRCA's Planning and Development webpage, available online here: <https://www.grandriver.ca/en/Planning-Development/Planning-and-Development.aspx>

Inquiries about potential permits should be directed to the Permits Inbox: permits@grandriver.ca. Please review the information above before contacting this email.

8. Shall be required to conform to all Ontario Building Code and Ontario Fire Code regulations.
9. Shall be required to conform to Minimum Distance Requirements (4.24.1), where applicable.

For more information regarding **Minimum Distance Separation (MDS)** requirements, including contact information, please refer to the **Ontario Ministry of Agriculture, Food and Rural Affairs (OMAFRA)** website: <https://www.ontario.ca/page/minimum-distance-separation-mds-formulae>

Regulations for an ARU Located Within a Principal Building (Section 4.4.2):

One (1) additional residential unit is permitted within the main dwelling or attached to the main detached dwelling subject to the provisions in section 4.4.1 and the following:

1. In addition to Section 4.4.1.2, the following is applicable:
 - a) If the **ARU** is located in a basement, the **ARU** may occupy the whole of the basement.
 - b) Where an attached garage is converted to create an **ARU** (in whole or in part), the attached garage will be included in calculation of the floor area of the main dwelling.
2. When exterior alterations to the main dwelling are proposed for an attached **ARU**, the following applies:
 - a) The siting of an **ARU** shall be to the rear or side of the main dwelling; and
 - b) Shall comply with the yard and setback requirements of the Zone in which such buildings are situated.

***Note:** To confirm your property's zoning and to find the associated yard and setback requirements of the Zone in which the buildings are situated, please refer to the instructions provided in **PART 1**.*

Regulations for an ARU Within an Ancillary/Accessory Building (Section 4.4.3)

One (1) additional residential unit is permitted in an ancillary building or structure, subject to the provisions in section 4.4.1 and the following:

1. Shall be located on the same lot as the main dwelling and the **ARU** shall not be severed from the main dwelling.
2. The ancillary building or structure must be located within the main building cluster and shall not be located more than 60 m away from the main dwelling.
3. The ancillary building or structure is to be screen and/or buffered to the satisfaction of the Township of Guelph/Eramosa in order to minimize visual impacts.
4. A detached **ARU** can occupy a part of or the entirety of an ancillary building or structure.
5. If the **ARU** occupies the entirety of an ancillary building or structure, the following additional provisions are applicable:
 - a) Shall comply with the minimum required yard standards in which the unit is situated;

This means that an **ARU** that takes up the **entirety** of an **ancillary/accessory building** must comply with the setback requirements of the Zone in which the unit/building is situated. In other words, the setbacks that apply to the principal dwelling would also apply to the **ARU**.

To identify the Zoning of the subject property, including the associated setback requirements, please refer to the instructions provided in **PART 1**.

- b) Shall not exceed 5 metres in height.
6. Notwithstanding Section 4.2.5, in the Agricultural (A) Zone, if the **ARU** occupies the second storey of an ancillary building the maximum height shall not exceed 8 metres.

7. All provisions within Section 4.2 are applicable, except for provisions that conflict with Sections 4.4.3.5 and 4.4.3.6.

Section 4.2 contains **minimum setback, maximum ground floor area, and maximum height** requirements for an ancillary/accessory building.

Please see the summary table below for an overview of applicable regulations:

	Ancillary/Accessory Building with an ARU that takes up a PORTION of the building	Ancillary/Accessory Building with an ARU that takes up the ENTIRETY of the building
Setbacks	<p>Minimum interior side yard and rear yard setback:</p> <ul style="list-style-type: none"> If not intended for parking or storage of motor vehicle: 0.6m (2ft) If intended for the parking or storage of a motor vehicle: 1.2m (3.9ft) <p>Note: an ancillary/accessory building or structure shall be erected to the rear of the required front yard and shall not be located on a leaching bed or septic system area.</p>	<p>Principal Building setbacks shall be applied.</p> <p>To identify the Zoning of the subject property, including the associated setback requirements, please refer to the instructions provided in PART 1.</p>
Floor Area	<p>The following Maximum Floor Area restrictions apply to ALL ancillary/accessory buildings:</p> <ul style="list-style-type: none"> Residential Zone or Agricultural Zone (8,000 m² or less): 10% Agricultural Zone (8,000 m² - 350,000 m²) = 5% Agricultural Zone (350,000 m² or more) = 1% up to a maximum of 4,000 m² <p>“Floor Area, Ground”, means the maximum area of a building or structure at finished grade measured between the exterior faces of the exterior walls.</p> <p>Note: these maximum floor area restrictions only apply to the construction of the ancillary/accessory building and does not speak to the allowable size of the ARU.</p> <p>The maximum size of the ARU shall be 45% of the floor area of the main dwelling, up to a maximum of 130 m² (See General Provisions Applicable to All Additional Residential Units (Section 4.4.1))</p>	
Height	<p>4.7 m (15.1ft) *Does not apply to lands zoned Agricultural</p> <p>If the ARU occupies the second storey of an ancillary/accessory building within the Agricultural Zone, the maximum height is 8m (26.2ft).</p>	<p>5m (16.4ft)</p>
	<p>Note: the ARU shall not exceed height of principal dwelling</p>	

8. A garden suite must not be located on the same lot.

“Dwelling, Garden Suite”, means a one-unit detached residential structure containing bathroom and kitchen facilities that is accessory to an existing detached dwelling. A garden suite is a portable, non-seasonal residential dwelling unit. A mobile home as defined herein may be used as a garden suite in Agricultural Zones.

PART 3 APPROVAL PROCESS

To establish an **ARU**, a **Building Permit Application** is required. In addition to the provisions of Zoning By-law 40/2016, **ARUs** must comply with applicable Building Code.

Please note: If you are not able to meet the requirements of the Zoning By-law, identified above, additional Planning Approval will be required before you will be able to move forward with the proposal. For more information and to discuss the proposed deficiencies, please contact the Planning Technician at planning@get.on.ca.

PART 4 BUILDING PERMIT

A **Building Permit** must be obtained in advance of any works/construction associated with the conversion (or part thereof) of an existing building into an **ARU** and/or the construction of a new building to be used as an **ARU**.

As per section 8(1) of the *Building Code Act*, a **Building Permit** is formal permission to begin construction. Building permits are necessary to ensure that construction methods meet the standards set out in the **Ontario Building Code (OBC)**. The Building Department promotes and assists with building development to ensure the safety of the **ARU** and its occupant(s).

WHAT DOCUMENTS DO I NEED TO SUBMIT AS PART OF A BUILDING PERMIT APPLICATION?

Submission requirements will vary depending on the type of **ARU** being proposed.

The Building Department categorizes **ARUs** into three (3) types:

- 1) Basement **OR** Internal Conversion of Existing Structure/Building
- 2) Addition
- 3) Ancillary Building

In general, you will be required to submit the following documents as part of the **Building Permit Application**:

- Fully completed **Application Form**, including all required schedules
- Owner **Authorization Form** (if the applicant is not the owner of the property)
- Energy Efficiency Design Summary Form (if required)
- Comprehensive **Site Plan** or **Survey**
- One (1) complete set of **Construction Drawings**
- Septic System Evaluation Form **OR**
Separate Building Permit Application for Septic System (if applicable)
- Additional requirements as deemed necessary by the Building and/or Planning Department

To confirm submission requirements, please contact the **Building Department** at building@get.on.ca.

For more information, visit the **Building Department's** webpage at <https://www.get.on.ca/living-here/building-permits-and-inspections>