

Your Guide to Building

Additional Residential Units

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Muskoka Additional Residential Unit Program - Resource Guide

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INTRODUCTION

This guide is an outline of key steps in the typical Additional Residential Unit (ARU) permitting and construction process. It considers the Planning Act, Ontario Building Code, Ontario Fire Code, the Building Code Act, local Official Plans, Zoning By-laws and/or Community Planning Permit Systems, as well as other applicable laws to help you understand the process of constructing an ARU, from the planning phase of your project to completion and permit close-out. This is not an exhaustive list of regulations and requirements. Each building permit application is reviewed individually by the local municipality, and your construction process may need to be adapted based on your specific situation.

DISCLAIMER

The information provided in this guide is not advice, legal or otherwise and does not address all the requirements for legally constructing an ARU. As a general discussion document, the information in this guide may or may not apply to any specific project. It is the property owner's responsibility to ensure compliance with all applicable laws, provisions, and regulations. If you should have further questions or require further details, you are encouraged to contact the governing authority or retain the appropriate expert consultants to assist you. Any proposals must be reviewed by the authority having jurisdiction. A copy of the Ontario Building Code (Ontario Regulation 332/12) is available [online](#). Copies of the Muskoka Official Plan and Area Municipal Zoning/Community Planning Permit By-laws can be found on each Municipality's website.

ADDITIONAL RESIDENTIAL UNITS

ARU Definition: For the purposes of the District program and by-law, an ARU is a self-contained residential dwelling unit that is clearly ancillary to the primary use of the property, and that is located in a single detached, semi-detached or town house, or in an attached or stand-alone ancillary structure to a single detached, semi-detached or town house.

Some people may be more familiar with the term "secondary suite", but as provincial legislation now requires municipalities to permit up to three residential units on one property, subject to certain conditions, the terminology has changed. Generally, an ARU may be located within a dwelling, such as in a basement, or it may be located in a detached accessory building, such as within a garage or in its own, detached building. All are possibilities for ARUs, subject to applicable legislative requirements. Up to two ARUs may be permitted on a property, provided the property is serviced with full municipal water and sewer services.

ARUs are not permitted on properties within the Waterfront designation of the Official Plan anywhere within the District of Muskoka. Contact your Area Municipal Planning Department to determine if an ARU is permitted on your property. Some Area Municipalities don't permit ARUs in the Rural Areas or unserviced communities or only permit them under certain criteria (i.e. based on minimum lot size) in those areas.

Property owners should understand that a house by definition can only have a maximum of two dwelling units (main unit and one ARU) under the Ontario Building Code. Once that is exceeded (i.e. if a property owner added two ARUs within the dwelling, in addition to the main unit), it

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would technically be considered an apartment under the Ontario Building Code, and additional requirements would apply. Talk to your Area Municipal Building Department for more information if you are considering adding two ARUs to your main house.

This guide is intended to get you thinking about the various factors that could impact your project based on a typical ARU but should not be considered to be a complete guide or overview of the process. The success of your project starts with proper planning and a review of legislative requirements. Consider what you want to build, how long it will take, and your budget versus project costs. When you are ready, you will need to submit a building permit application to your Area Municipality. Some of the technical requirements for ARUs may change over time. It is recommended to have a consultation with your Area Municipality prior to submitting your application. Upon review of your proposal, Area Municipal staff will inform you if other standards and requirements may apply.

ARU CHECKLIST

Here is a list summarizing the important things to consider when adding an ARU to your house or property:

- Area Municipal Zoning/Community Planning Permit System and Other By-Laws
 - Licencing and/or Registration, if applicable
 - Access and Parking, if applicable
- Building Permit
 - Permit application forms
 - Registered designer for architectural drawings
 - Property site plan
 - Construction drawings
- Required Building Inspections
- Building Code Requirements for ARUs
 - Age of your house
 - Location of your ARU(s)
 - Room size and floor area
 - Ceiling heights
 - Windows
 - Plumbing
 - Heating and ventilation
 - Electrical facilities and lighting
 - Fire safety/fire separations/sound transmission ratings
 - Smoke alarms
 - Carbon monoxide (CO) alarms
 - Exits
 - Water and wastewater system availability and capacity
- Ontario Fire Code
 - Fire separations
 - Means of escape
 - Smoke alarms
 - Sprinkler systems

- Electrical inspections

Check with your local Building Officials at your Area Municipality for specific requirements. If you have an existing ARU, upgrades to some of the above items may be required to comply to the Ontario Building Code and the Ontario Fire Code.

HIRE VS. DIY – CONSTRUCTION CONSIDERATIONS

When considering whether to hire an installer/contractor or construct your ARU(s) yourself, consider your own skills, abilities, and available time carefully:

- Do you have a copy of the Ontario Building Code? Do you understand it?
- Do you know the requirements of your local zoning or community planning permit by-law?
- Are you capable of providing code-compliant detailed drawings to scale?
 - Can you size structural elements?
 - Can you provide enough detail that anyone could construct the project?
 - Are you prepared to revise the drawings if required?
- Do you have knowledge of common construction practices?
- Do you have the tools needed to complete your project?

If you choose to hire a professional, you should protect yourself by remaining involved in and aware of the entire process. This is for your own benefit. You must ensure your hired professional obtains all required approvals, permissions and permits, including a building permit. If construction proceeds without the required approvals, permissions, or permit, you may be guilty of an offence and are liable for building without a permit.

When choosing your professional, it is always a good idea to inquire about:

- Previous projects
- Examples of work
- Years of experience
- List of references
- Qualifications

Hiring a trusted professional can be of value as it can reduce delays, minimize costs, and help to prevent unexpected complications. ARU projects require specialized knowledge and expertise, whether a new unit or an improvement to an existing unit is proposed. Some of the items that may need to be considered include:

- Servicing for water and wastewater
- Fire separation between units, means of egress, and egress width
- Supporting structure ratings, room sizes, and ceiling heights
- Minimum window areas, spatial separation, and support for new openings
- Life safety systems i.e. smoke and/or carbon monoxide detectors and alarms
- Mechanical ventilation and heating system requirements
- Plumbing and electrical

The benefits of hiring a design professional include:

- Experience and technical qualifications
- Knowledge to provide alternative solutions
- Familiarity with building permit process to reduce delays
- Minimizing costs
- Preventing unexpected complications

Designers must hold an active BCIN and the necessary qualifications/insurance in order to legally provide the required drawings for a property owner. If you would like to hire a professional, there is a [public registry system](#) for designers. You can go on and search for a qualified designer based on location and any of them should be permitted to complete the required drawings. Property owners are permitted to complete their own drawings but they must include all of the necessary information and the drawings must be neat. If drawings are not adequate the Building Department will refer you to seek assistance from a qualified designer.

Note: Staff in the various departments of your municipality cannot provide any consultation or design advice.

BUDGET

There are many factors to consider when planning your budget. Common fees associated with constructing an ARU include:

- Design fees (initial design and revisions)
- Building permit fees
- Fee to hire a contractor/labour
- Materials

Costs can differ depending on the size of your unit and the materials you choose. It is not uncommon to encounter unexpected expenses during construction. It is recommended to have a reserve fund or contingencies for these cases. Consider getting a second opinion or quote to ensure you have budgeted correctly.

LANDLORD COSTS

If you are planning to rent out your ARU, there are some benefits you could realize as well as some additional costs that you may incur, which could offset your rental income:

Benefits	Added Costs
Add much needed affordable rental stock	Utility, cleaning, and maintenance bills
Provide shelter for community members	Changes to property taxes, income taxes, and insurance costs (Consult with a tax professional and your insurance company on these items.)
Rental income to offset homeownership costs	Loss of rent due to non-payment/late payment or vacant months

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Added income to help with home maintenance	Damage repairs, eviction costs, court fees
Allow live-in caregivers for seniors to age in place	Vacancies and property management costs

More information is provided below on programs that may be available to help cover the cost of constructing an ARU.

ZONING

Contact your Area Municipal Planning Department to determine if the zoning on your property would permit an ARU. Area Municipal (i.e. Town and Township) Official Plans and/or Zoning/Community Planning Permit By-laws also address detailed criteria for the development of ARUs. These include, but are not limited to:

- Location of a detached ARU in relation to the primary dwelling;
- Requirements for associated amenity areas;
- Parking requirements; and
- Servicing provisions where private, individual on-site water and wastewater services are proposed (i.e. minimum lot size and frontage)

It is important to note that the separation of primary dwelling units and ARUs which would result in undersized lots is not permitted, and ARUs must be located outside of natural heritage features. Please contact the Planning Department at your Area Municipality (Town or Township) for further information. A link to each Area Municipality's Planning Department is provided in Appendix I.

OBTAINING A BUILDING PERMIT

All new and existing ARUs must comply with the Ontario Building Code and require a Building Permit. Building Permit applications must be submitted to your Area Municipality. The cost of the Building Permit, payment methods, and required application forms can be found on your Town or Township's website. The submission requirements for a building permit will vary depending on a variety of factors including what type of servicing is proposed, whether the development is a renovation of an existing dwelling or a newly constructed unit, the size and height of the structure, whether demolition is required and many other considerations.

A Building Permit promotes safety and provides legal permission to construct, demolish, or renovate on a property. Building Permits ensure that the minimum standards of the Ontario Building Code are followed. These standards protect the health and safety of building occupants by managing:

- Design
- Construction
- Quality of materials
- Use and occupancy of buildings and structures

- Protection of the environment

Failure to obtain a building permit can result in delays to your project, legal action, and/or the removal of work already completed. Building or renovating without a permit can be very costly to a property owner. **Practice due diligence and ensure that you obtain a building permit when required.**

NEW ARU(S)

- A building permit is required.
- If your house is more than five years old, it is classified as an existing house and you may have more flexibility under the Building Code when you make renovations.
- If your house is less than five years old, you may have to meet new construction requirements under the Building Code.

A change of use is not required when adding an ARU, only a Building Permit. Contact the Building Department at your municipality for more information. A link to each Area Municipality's Building Department is provided in Appendix I.

RENOVATIONS TO EXISTING ARU(S)

If you wish to renovate an existing ARU, a building permit is likely required. Contact the Planning and Building Departments at your Area Municipality to discuss your specific project and determine what approvals you will require.

BUILDING PERMIT REQUIRED DOCUMENTS

The Ontario Building Code Act, 1992 and the Ontario Building Code is administered and enforced at the Area Municipality level.

As outlined above, as a property owner, you can submit a building permit application yourself, or you may authorize a professional to manage your building permit.

General forms and documents that are required as part of the building permit application process are highlighted below. This list is not exhaustive and not all documents may be required for your specific property. Please review your municipality's website or contact their Building Department for more information.

A typical application may include but is not limited to:

1) Letter of Authorization

If applicable, this form grants permission for another party (i.e. a professional) to make application on the property owner's behalf.

2) Application Form

All sections of the form must be completed, including the full legal description (which can be found on your deed, tax assessment or survey).

3) Schedule 1 Designer Information Form

This form is required for each qualified individual who reviews and takes responsibility for the design. Note: if the homeowner wants to be the designer, they must complete a Schedule 1 Designer Information Form.

4) Sewage System Information

If applicable, this form is completed by the property owner or agent, including the project information address, sewage system installer information, qualified supervisor information and declaration of applicant. Depending on your project, changes to your current septic system may be required. Check with your Area Municipality regarding your specific plans.

5) Site Plan

An overall plan or survey/sketch of your property will be required showing locations and dimensions of all buildings, property lines, parking areas and building setbacks to drawn to scale. Entrances to the principal unit and the ARU(s) should be identified.

Note: a more detailed version of the site plan showing additional features such as landscaped areas and vegetation, driveway, natural constraints, etc. may be required if your property is subject to Site Plan Control. Contact your Area Municipality's Planning Department for more information.

6) Building Plans and Related Documents

These construction drawings must show building details which may include:

- Existing floor layouts (if ARU is within existing dwelling)
- Proposed floor layouts including egress plan
- Elevations showing ARU entrance and egress/escape window
- Sections and wall/ceiling/fire separation construction details (if applicable)
- Plumbing
- Heating and ventilation
- Additional drawings as required
- Energy efficiency design

Examples of Building Code requirements related to the construction of an ARU can be found in the [Province's Guide: Add a Second Unit in Your House](#), including:

- General minimum sizes for rooms and spaces
- Ceiling heights and minimum window sizes

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- Plumbing requirements
- Heating and ventilation considerations
- Electrical facilities and lighting
- Fire safety including fire separation between units and smoke alarms
- Carbon monoxide alarms
- Exits and escape windows

Note: The Provincial guide linked above generally applies to Building Code requirements for units that are being constructed within existing houses, not in garages or stand-alone buildings, though some of the same rules and considerations apply.

ZONING APPROVAL

Your project must meet zone requirements before a building permit can be issued. This ensures your project complies with your municipal zoning by-law, including requirements for land use, setbacks, parking, etc. based on the zoning of your property. As noted earlier, it's a good idea to have a discussion with your Town or Township's Planning Department early in your project's planning process to ensure an ARU is permitted on your property and what requirements need to be met. This preliminary discussion will help eliminate issues at the building permit stage.

APPLICABLE LAW DECLARATION

You will be required to sign a Declaration on the Applicable Law Checklist stating that you have considered the list of applicable laws that might apply to your project, and that:

- a) None apply to your project;
- b) Applicable laws do apply, and you are submitting approval documents with your application; or
- c) Applicable laws apply to your project and the approvals will follow.

INSPECTION REQUIREMENTS:

After you receive a building permit, inspections will be required at various stages of your construction. Typical ARU inspections may include, but may not be limited to:

- Pre-construction on-site meeting
- Footing
- Foundation
- Framing
- Insulation
- Plumbing (underground)
- New Sewage connection (as necessary)
- New water service connection (as necessary)
- HVAC
- Fire separations
- Final interior/exterior inspection

Be sure to inquire with your municipality's Building Department to ensure you understand all inspection requirements. Inspections are booked through the Building Department. Once you have passed the final inspection, your building permit will be closed and your project will be marked as complete by your municipality.

OCCUPANCY

Under the Ontario Building Code Act, no person shall occupy or use a building or part of a building until the requirements of the Building Code are met. Talk to the Building Officials at your municipality before allowing anyone to move into your ARU to ensure you are in compliance with all applicable regulations.

PRODUCTS

Determining the products/materials you will use to construct your ARU is a vital part of the design planning. This can affect your budget, overall design, and the amount of documentation that is required at the time of application.

Depending on the type of ARU you're designing (within an existing dwelling or in a detached, accessory building), you may need to consider:

- The different types of fire separations for ceilings and walls
- Fire rated doors
- Using a single heating system (with an in-duct smoke detector) vs. using a separate HVAC system
- Window sizes for egress purposes
- Cabinetry and finishes
- Appliances including washer/dryer for required laundry facilities
- Adding insulation between units to reduce noise

TIMEFRAME

Varying factors can impact how long it can take until your ARU is complete and safe to enjoy, such as:

- Applicable law approvals
- Designer workload (if hiring) and time to complete required forms, plans, and drawings
- Building permit application review and approval (all required applicable law approvals must be submitted to the Building Department prior to application review)
- General contractors' schedules (i.e., plumber, electricians, mechanical, etc.)
- Washroom fixture order time
- Kitchen appliance and cabinet installation
- Fire separation construction
- New entrance ways
- General supply orders
- Municipal building inspections

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- Weather (if doing outside work)

Creating an ARU or renovating an existing unit can take several months to complete. Construction timelines can be expected to vary depending on your contractor and trade professionals.

[CLICK BEFORE YOU DIG](#)

Always contact Ontario One Call before you dig, even if it is just with a shovel, to locate any underground cables or lines below the surface. The free service is available 24/7.

- What is buried underground:
 - Natural gas pipelines
 - Electrical services
 - Telephone lines
 - Television cables
 - Water pipes
 - Sewer connections
 - Internet connections
- What you cannot see CAN cause a lot of damage:
 - Damaged hydro and gas lines create a safety hazard to you and to others.
 - Repairing damaged underground services can be costly; you could face legal action as a result.
- Digging in the wrong spot could result in a loss of service to you or to your entire neighbourhood.
- Visit <https://ontarioonecall.ca/> to request a locate.

[FINANCIAL INCENTIVES FOR ARU\(S\)](#)

- ARUs are exempt from Development Charges.
- The District offers an ARU funding program, which may cover costs associated with the construction of your ARU. Visit the [District of Muskoka website](#) for information on current programs or contact the District's Housing Department to inquire.
- Area Municipal Community Improvement Plan (CIP) programs may also provide incentives.

[FINDING TENANTS](#)

If a tenant has not already been identified to rent your unit, consider posting on internet sites, social media, and on community bulletin boards. You may also contact the District's Housing Department to see if staff are able to refer a tenant for your consideration. If you are funding the construction of your unit with the District's ARUs Program, ensure your tenants meet all the necessary requirements stipulated in your funding agreement.

BUILDING & DEVELOPMENT RESOURCES

- [Adding a Second Unit in an Existing House – Ontario Building Code Information](#)
- [Ministry of Municipal Affairs and Housing](#)
- [Ontario Building Code](#)
- [Bracebridge Development Charges](#)
- [Georgian Bay Development Charges](#)
- [Gravenhurst Development Charges](#)
- [Huntsville Development Charges](#)
- [Lake of Bays Development Charges](#)
- [Muskoka Development Charges](#)
- [Muskoka Lakes Development Charges](#)
- [Muskoka's Accessibility Plan](#)
- [Canada Mortgage and Housing Corporation Seed Funding](#)
- [Canada Mortgage and Housing Corporation Affordable Housing Funding Options and Resources](#)
- [Ontario Affordable Housing Calculator](#)

LANDLORD RESOURCES

- [The Landlord Self Help Centre](#)
- [ARUs - The Landlord Self Help Centre](#)
- [Residential Tenancy Agreement](#)
- [The Canada Mortgage and Housing Corporation – ARUs](#)
- [Ontario laws that affect tenants and landlords](#)
- [Landlord and Tenant Board](#)
- [Residential Tenancies Act](#)
- [Ontario Human Rights Commission](#)

APPENDIX I - ARU BUILDING & PLANNING CONTACTS BY MUNICIPALITY

TOWN OF BRACEBRIDGE

Building Services Branch

<https://www.bracebridge.ca/town-services/building-services/>

Planning Services Branch

<https://www.bracebridge.ca/town-services/planning-services/>

TOWN OF GRAVENHURST

Building Services Branch

<https://www.gravenhurst.ca/business-building-development/building-and-planning/building-permits/>

Planning Department

<https://www.gravenhurst.ca/business-building-development/building-and-planning/planning/>

TOWN OF HUNTSVILLE

Building Department

<https://www.huntsville.ca/en/home-property-and-planning/building.aspx>

Planning Department

<https://www.huntsville.ca/en/home-property-and-planning/planning.aspx>

TOWNSHIP OF GEORGIAN BAY

Building Department

<https://www.gbtownship.ca/en/business-and-development/building-permits.aspx>

Planning Department

<https://www.gbtownship.ca/en/business-and-development/planning-and-zoning.aspx>

TOWNSHIP OF LAKE OF BAYS

Building Department

<https://www.lakeofbays.on.ca/invest-and-build/building-and-renovating/>

Planning Department

<https://www.lakeofbays.on.ca/invest-and-build/planning-and-development/>

TOWNSHIP OF MUSKOKA LAKES

Building Department

<https://www.muskokalakes.ca/en/business/building.aspx>

Planning Department

<https://www.muskokalakes.ca/en/business/planning.aspx>