

Additional Dwelling Units Information & Application Guide

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Disclaimer: The information contained in this guide was compiled based on information available at the time this guide was produced.

While this guide can be used as you plan your ADU project, the information herein, including regulations and costs, is subject to change and it is in the best interest of property owners and applicants who wish to pursue an ADU project to confirm all information in this guide prior to proceeding.

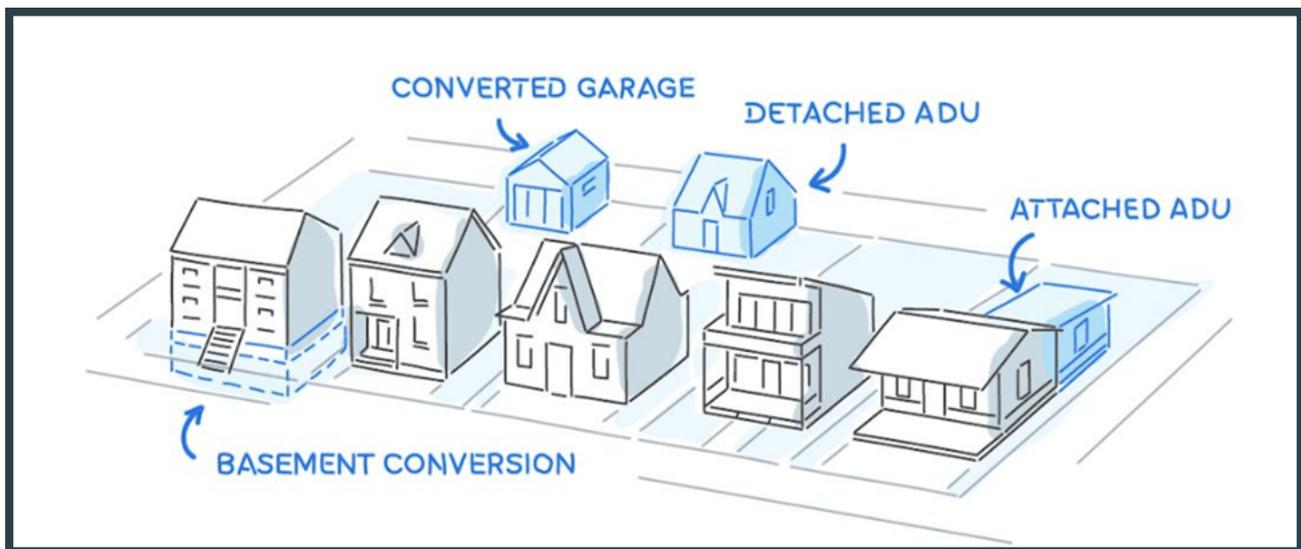
For more information or assistance with your project, please contact the City of Niagara Falls Planning or Building Department.

Building: building@niagarafalls.ca OR 905-356-7521 ext. 4001

Planning: planning@niagarafalls.ca OR 905-356-7521 ext. 4330

What are Additional Dwelling Units?

Additional Dwelling Units (ADUs) are a separate *dwelling unit* from the *main dwelling unit* and are located either in the same building as the main dwelling or in an *accessory building*, or part thereof, which is located on the same lot as the main dwelling.



ADUs are separate living spaces from the main dwelling unit with a kitchen, bathroom, sleeping and sanitary facilities. ADUs take many forms including: attached to the main dwelling, for example a basement conversion or addition, or as detached housing unit, for example a converted detached garage or in an accessory building.

As ADUs are not permitted to be severed from the main dwelling the ownership of these units coincides with the ownership of the main dwellings; however, they can be rented to other individuals. ADUs can be a significant resource for the rental market and are a step towards addressing affordable housing in urban and rural areas.

An Additional Dwelling Unit may also be referred to as:

- Secondary Dwelling Unit
- Accessory Apartment
- In-law Suite
- Garden Suite
- Basement Apartment
- Garage Suite

Benefits of Additional Dwelling Units

- Provide an opportunity to alleviate the cost of homeownership through a supplementary income stream.
- Diversification of housing stock to include smaller units to help meet the needs of a variety of residents including seniors, young families, and singles.
- Gentle densification within existing neighbourhoods.

Types of Additional Dwelling Units

1. Interior / Attached ADU

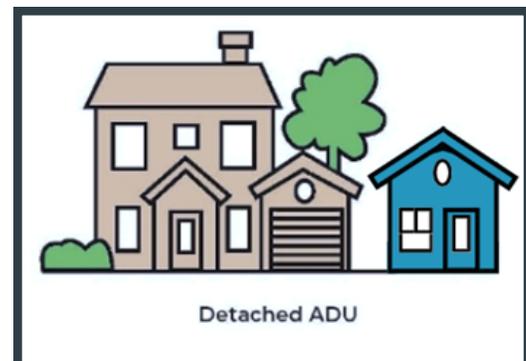
An interior or attached ADU means the ADU shares a physical connection, such as a wall with the main dwelling unit, making it an integral part of the main dwelling. For example, a basement apartment or an addition to the main dwelling.



2. Exterior / Detached ADU

A detached ADU means the ADU is within an accessory building that is separate from the main dwelling unit but is located on the same property.

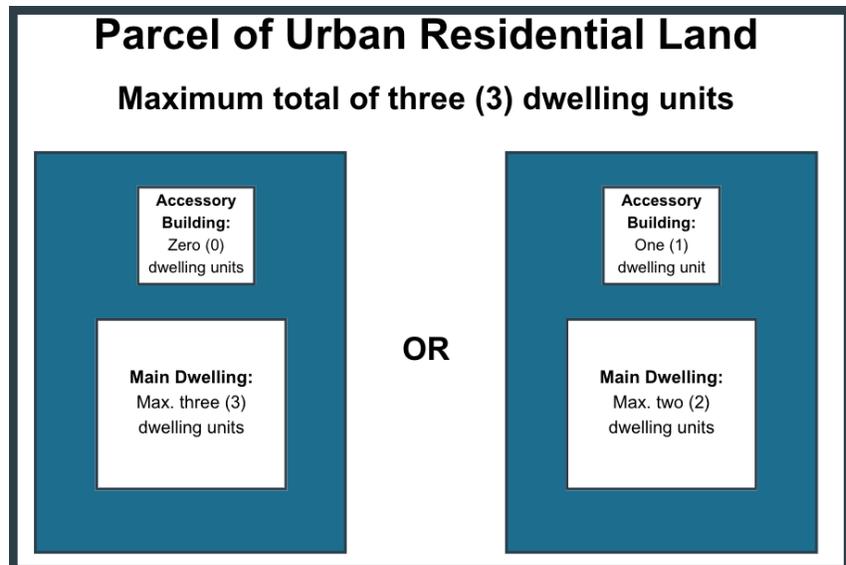
For example, a detached garage converted to an ADU or an accessory building containing an ADU.



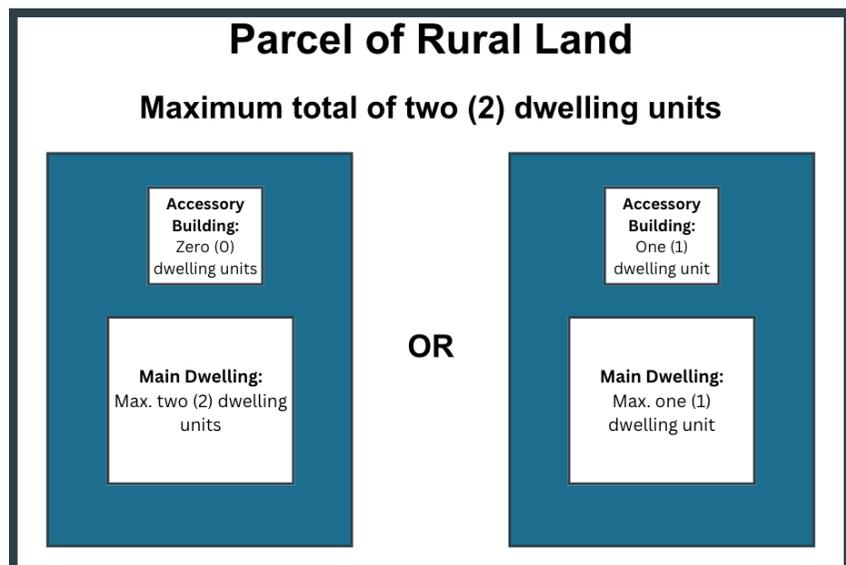
Where are Additional Dwelling Units Permitted?

Under Zoning By-law No. 79-200:

A **maximum of 2 ADUs** can be located on a **parcel of urban residential land** which is within the Urban Area Boundary on which residential use is permitted and is served by municipal sewer and water services, subject to meeting all zoning regulations.



A **maximum of 1 ADU** can be located on a **parcel of rural land** which is outside the Urban Area Boundary on which residential use is permitted and is served by private sewer and water services, subject to meeting all zoning regulations.



To check whether your property is within or outside the Urban Area Boundary please use our interactive map: [The Niagara Falls Viewer](#)

Where are Additional Dwelling Units Permitted?

	Parcel of Urban Residential Land	Parcel of Rural Land
Permitted Zones	R1A - R1F, R2, R3, DC, DTC, TRM	A, R
Permitted Dwelling Type	<ul style="list-style-type: none"> • Detached Dwelling • Semi Detached Dwelling Unit • On-street Townhouse Dwelling Unit • *Duplex Dwelling 	<ul style="list-style-type: none"> • Detached Dwelling
Maximum No. of ADUs	2	1
Composition	Detached, Semi-Detached, On-street Townhouse Dwelling Unit: <ul style="list-style-type: none"> • two interior/attached ADUs <p style="text-align: center;">OR</p> <ul style="list-style-type: none"> • one interior/attached ADU AND one exterior/detached ADU *Duplex Dwelling: <ul style="list-style-type: none"> • one interior/attached ADU <p style="text-align: center;">OR</p> <ul style="list-style-type: none"> • one exterior/detached ADU 	Detached Dwelling: <ul style="list-style-type: none"> • one interior/attached ADU <p style="text-align: center;">OR</p> <ul style="list-style-type: none"> • one exterior/detached ADU
Maximum No. of Dwelling Units	for a TOTAL maximum of 3 dwelling units on a lot	for a TOTAL maximum of 2 dwelling units on a lot

What Regulations Apply?

Parking	
1 parking space is required per ADU, which may be provided in tandem. On-street parking is not permitted	
Servicing	
Urban	ADU must connect to existing municipal infrastructure.
Rural	ADU must connect to the existing septic system if it was constructed with the capacity to accommodate the additional flows, if not, a new septic system will need to be constructed.
ADUs in Accessory Buildings (Detached ADUs)	
Setbacks	Rear yard setback: 1.2 metres Interior side yard setback: 1.2 metres ADUs are not permitted to be in a front or exterior yard.
Lot Coverage	The overall percentage of maximum lot coverage for each zone applies, the maximum lot coverage for an ADU in an accessory building is 93 square metres provided that it does not exceed the overall maximum lot coverage permitted by the zone.
Height	Cannot exceed 7 metres in height.
*Fire/ Emergency Access see Appendix B	A minimum 1.0 m wide unobstructed path of travel shall be provided from the public street to the entry of the ADU. The path shall: <ul style="list-style-type: none"> • be on the same property as the main dwelling • have an overhead clearance of not less than 2.1 metres; • not contain any projections, • be not more than 45 metres measured from the public street to the entry of the detached additional dwelling unit.

***Please note:** the Fire/Emergency Access provisions are not Zoning By-law provisions. These are Ontario Building Code requirements, and if you cannot comply with these provisions, a detached ADU will not be permitted.

What Regulations Apply?

Rural ADUs

Rural ADUs in accessory buildings cannot be located no more than 15 metres from the detached dwelling.

ADUs cannot be permitted within a building/structure used for any agricultural use

Must meet Minimum Distance Separation (MDS) requirements.

Must meet Fire/Emergency access requirements (**see Appendix B**)

What if my proposal doesn't meet the regulations, what can I do?

If your property or project doesn't meet zoning regulation requirements needed to permit an ADU, you may consider applying for a minor variance from the Committee of Adjustment.

If you are considering a minor variance application for your project, it is best to contact Planning staff about your variance application to learn more about the application requirements, process, and fee.

For more information, please contact the Secretary-Treasurer of the Committee of Adjustment at (905) 356-7521 ext. 4281

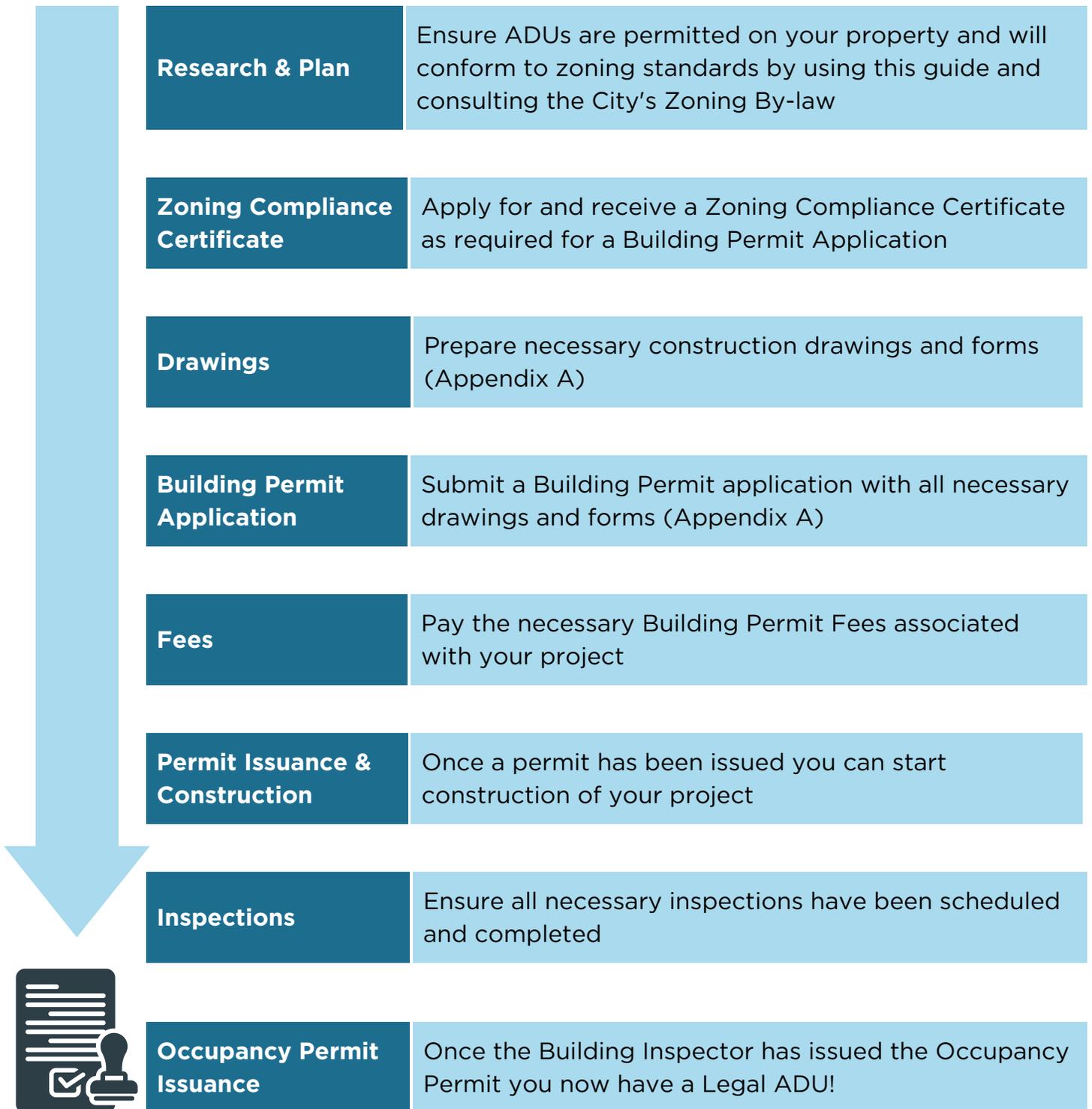
If your property or project doesn't meet the Fire/Emergency Access requirements indicated above, you may consider and must be successful with a Building Code Commission ruling, upon submission of the building permit application.

For more information, please contact the Building Department at building@niagarafalls.ca OR (905) 356-7521 ext. 4001

Additional Dwelling Unit Requirements

	<p>A Building Permit is required in the City of Niagara Falls for any ADU.</p> <p>Before applying, applicants must obtain:</p> <ul style="list-style-type: none">• A Zoning Compliance Certificate, issued by the City of Niagara Falls• Supporting Plans (see Appendix A)
	<p>ADUs must comply with both Official Plan policies and Zoning By-law regulations.</p> <p>Before applying, applicants should confirm:</p> <ul style="list-style-type: none">• What is being proposed is permitted• That applicable zone regulations (setbacks, coverage, height etc.) can be satisfied• That parking for each unit can be provided on-site (on-street parking is not allowed)
	<p>For an ADU to qualify as an authorized unit, it must satisfy:</p> <ul style="list-style-type: none">• Ontario Building Code health and safety requirements• Fire and Electrical Codes• Occupancy Standards• Property Standards
	<p>Municipal servicing must be available (or private servicing for rural ADUs)</p> <ul style="list-style-type: none">• Exterior/Detached ADUs:<ul style="list-style-type: none">◦ Must be serviced from the connection in the existing dwelling unit (separate services to the municipal services are not permitted)◦ Water service pipe must be sized in accordance with the Ontario Building Code and shall include the number of fixture units for both the existing dwelling and the ADU◦ A shut off valve must be provided for the main dwelling AND the detached ADU (if applicable)

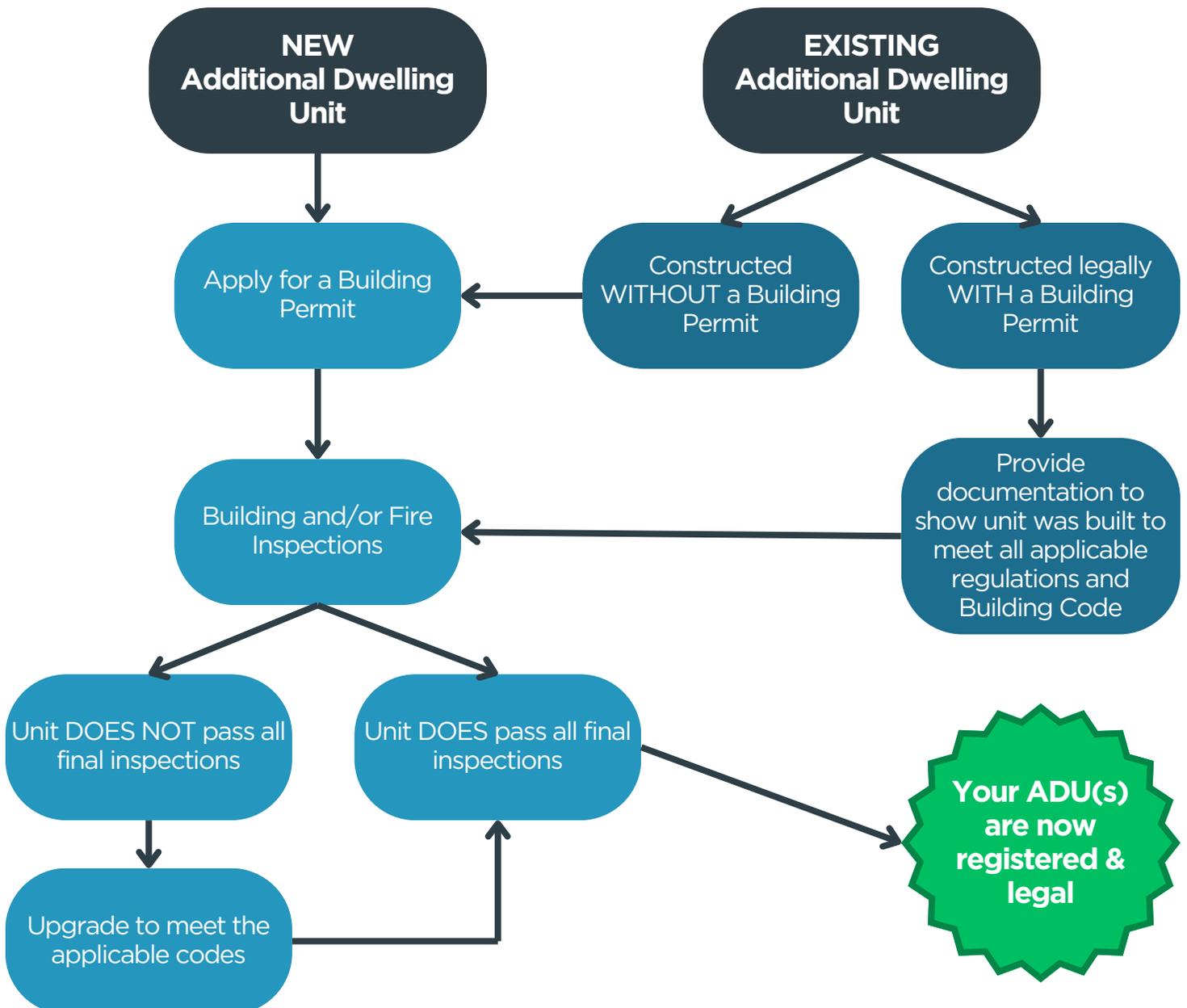
Application Process



How to Legalize an Additional Dwelling Unit

To be legal, your Additional Dwelling Unit(s) must have a building permit from the City of Niagara Falls. The ADU(s) must comply with all of the regulations under the City's Zoning By-Law, Ontario Building Code, Fire Code and Electrical Code.

Below is an overview of the process:



Frequently Asked Questions

How many ADUs can I have on my property?

If your property is within the Urban Area Boundary and has a detached dwelling, semi-detached dwelling, duplex dwelling, or on-street townhouse as a permitted use, you are permitted to have two ADUs on your property to a maximum of three dwelling units on a single lot.

If your property is outside of the Urban Area Boundary and has a detached dwelling as a permitted use, you are permitted to have one ADU on your property to a maximum of two dwelling units on a single lot.

Do I need to provide parking for my ADU?

Yes, one parking space is required per ADU which may be provided in tandem. On-street parking does not satisfy parking requirements and is not permitted.

Do I need a permit to build an ADU?

Yes, a building permit is required to build an ADU. For more information, please contact the Building Department.

Do Development Charges apply to ADUs?

To encourage the supply of smaller housing units, the Province of Ontario has exempted Development Charges and parkland dedication requirements for ADUs (under Bill 23).

What kind of fees will apply to an ADU project?

Building permit fees for ADUs are calculated based on a rate for the finished floor area, there are different fees for an interior ADU (within the main dwelling) and for an exterior ADU (in an accessory building). To determine which fee rate would apply please see the building permit fees here: [Building Permit Fees](#)

For more information, please contact the Building Department.

Frequently Asked Questions

Do ADUs need a separate address?

While the property may have the same municipal address, additional units will be identified with a unit address. A unit address will be assigned by the City following a Building Permit application being made. This address will be assigned as a secondary address to the property to ensure the safety of the people residing in any dwelling units and for emergency response. A municipal unit identification sign must be clearly visible from the front of the property.

Can ADUs be severed and sold separately?

No, the City's Official Plan prohibits the severance of ADUs from the main dwelling and Staff will not be able to support severance applications due to the City's Official Plan policies and Provincial policies.

A Zoning By-law amendment will be required to permit a semi-detached dwelling, where not permitted under the property's zone, to facilitate a severance.

Can I rent out my ADU as a vacation rental (e.g. Airbnb) or a bed or breakfast?

ADUs in residential zones cannot be used as a Vacation Rental Unit (VRU).

Vacation Rental Units are only permitted in designated zones including: the Tourist Commercial (TC), General Commercial (GC), or Central Business (CB) zone.

If an ADU is located in one of the zones listed above it may be able to be used as a VRU but it must meet all of the City's VRU policies, required zoning provisions, and provide an additional two parking spaces per unit.

More information on the City's VRU policies can be found here <https://niagarafalls.ca/city-hall/planning/vacation-rental-units/default.aspx>

Will ADUs affect my property taxes?

Your property taxes may be affected by the creation of an ADU as the number of dwelling units on a property contribute to its valuation. Property taxes are based on the value of your property.

Please contact the Municipal Property Assessment Corporation for more information on your property's assessment. More information can be found at www.mpac.ca

Key Terms

Additional Dwelling Unit

means a dwelling unit contained within a detached dwelling, semi-detached dwelling unit, duplex dwelling unit, or an on-street townhouse dwelling unit, or within an accessory building accessory to a detached dwelling, in a semi-detached dwelling unit, duplex dwelling unit, or an on-street townhouse dwelling unit located on the same property.

Accessory Building

means a detached building which is normally and naturally incidental, subordinate and exclusively devoted to the principal use of a lot and located on the same lot as the main building which is not used for human habitation except where permitted as an additional dwelling unit.

Dwelling

means a building used or capable of being used as the residence of one or more persons but does not include a hotel, motel or other tourist establishment, a mobile home or a trailer.

Dwelling Unit

means a unit that:

- consists of a self-contained set of rooms located in a building or structure;
- is used, intended or designed for use as residential premises; and
- contains kitchen and bathroom facilities that are intended for the use of the unit only.

Detached Dwelling

means a building containing one primary dwelling unit.

Duplex Dwelling

means a building divided horizontally into two primary dwelling units, each with an entrance to the exterior that is independent or through a vestibule.

Street Townhouse Dwelling

means a building divided vertically into three or more primary dwelling units and having frontage on an improved street.

Key Terms

Semi-Detached Dwelling Unit

means a building divided vertically into two primary dwelling units, each with an independent entrance to an exterior.

Parcel of Rural Land

means a parcel of land that is outside the urban area boundary on which residential use, other than ancillary residential use, is permitted by by-law and which is served by private sewer and water services.

Parcel of Urban Residential Land

means a parcel of land that is within the urban area boundary on which residential use, other than ancillary residential use, is permitted by a zoning by-law and which is served by municipal sewer and water services as defined in the Planning Act, R.S.O 1990, C.P.13

Lot Coverage

means that percentage of the lot area covered by the ground level area of all buildings and structures, including accessory buildings and accessory structures, on the lot measured to the outside of all exterior walls or sides, but does not include decks; 2016-03

Appendix A - Building Permit Required Drawings and Forms

Drawings must be completed to scale and accurately describe the construction proposed so that anyone reading them could construct the project.

Please include the following **drawings** as part of your application package:

Drawing	Information Required
Site Plan	<p>Drawing depicting the complete property and its boundaries and where the location of all structures are in relation to these boundaries.</p> <ul style="list-style-type: none"> • scale, north arrow • lot lines and lot dimensions in metric units • existing and proposed construction • setbacks to all lot lines, measured perpendicular to the lot line to the closest point of the structure • lot coverage • parking requirements
Floor Plan	<p>Provide floor plans of existing and proposed floors affected by construction. Each plan shows the interior layout and structural framing requirements for the floor above.</p> <ul style="list-style-type: none"> • scale • room name/use of room and dimensions of each • extent of construction including new work in existing building • size, type and location of interior and exterior walls and partitions • width, location, and lintel size of all openings • width, height, and glazed areas of windows for proposed ADU • location, dimensions, and directions of stairs • sectional arrows • references to detailed drawings • material specifications and/or construction notes

Continued Below:

Additional Dwelling Units Information & Application Guide



Please include the following **drawings** as part of your application package:

Drawing	Information Required
Elevations	<ul style="list-style-type: none"> • scale • extent of new and existing construction • vertical dimensions of walls, windows, and doors • grade level • exterior wall cladding, finishes and flashing. • areas of all existing and proposed windows/openings • area of exterior wall elevation • limiting distance and unprotected opening calculations must be requested • dimensions from proposed exit to any and all glazed openings within the same building
Sections and Details	<p>Represents a view of the house along an imaginary line at a particular location that illustrates construction details. The extent of the section shall correspond with sectional arrows outlines on floor plans.</p> <ul style="list-style-type: none"> • Scale of drawings • Headroom height under any low-lying pats in the unit (i.e., duct work)
Mechanical Drawings	<p>Mechanical drawings are required to ensure that the current furnace and its location has the capacity to heat or cool the house. An HVAC sketch can be completed by the homeowner if no major changes to the system are proposed, and there are less than 6 bedrooms. Any major changes to the system or if there are more than 5 bedrooms in the home, heat loss/gain calculations are required to determine the capacity of the furnace required and drawings of the duct design and layout. These are required to be completed by a qualified designer.</p>

Please below for the required **forms** for a building permit application:



Additional Dwelling Units Information & Application Guide



Please include the following **forms** as part of your application package:

Form	When Required
Application for Permit to Construct or Demolish	Every Application
Schedule 1: Designer Information Form	Every Application
Schedule E: Agent Authorization Form	Required when the Owner is not the Applicant
Applicable Fee(s) Paid (as per current Building Permit Fee Schedule) More information on fees can be found here: Building Permit Fees	Every Application

All standard forms noted above can be found here: [Application Forms Building](#)

If you have further questions please contact the Building Department at building@niagarafalls.ca OR 905-356-7521 ext. 4001



Appendix B - Fire/Emergency Access Requirements

Fire/Emergency Access Requirements

In order to provide fire department/emergency access to the additional dwelling unit, a minimum 1.0 m wide unobstructed path of travel shall be provided from the public street to the entry of the detached additional dwelling unit.

The minimum 1.0 m path of travel to the detached additional dwelling unit shall:

- be on the same property as the principal building and not through an adjacent alley and/or any public or private ways;
- have an overhead clearance of not less than 2.1 m;
- not contain any projections, e.g. chimney, bay window, window well, HVAC unit, utilities, downspout/roof leader, hose bib, mounted hose rack, exhaust outlet or air intake, etc.;
- be not more than 45 m measured from the public street to the entry of the detached additional dwelling unit. be maintained clear, free, and accessible under all climatic conditions to provide access for firefighting/emergency operations. The access shall not be obstructed by vehicles, gates, fences, building materials, vegetation, signs, or any other form of obstruction in accordance with the Ontario Fire Code. This includes but not limited to ice and snow accumulations; and,
- have an approved emergency access sign clearly posted on the property, located at the entry of the access and in accordance with Fire Prevention sign requirements.

Please note: the Fire/Emergency Access provisions are not Zoning By-law provisions. These are Ontario Building Code requirements, and if you cannot comply with these provisions, a detached ADU will not be permitted.