



Frequently Asked Questions – Additional Dwelling Units (ADUs)

Definitions

Q. What is an Additional Dwelling Unit (ADU)?

A. An ADU is a dwelling unit that is ancillary and subordinate to the main dwelling unit on the property. It may be contained within the main building or within an accessory building on the same property. ADUs are permitted in the following ways:

- Up to two ADUs are permitted within the primary dwelling provided there is no ADU within an accessory building.
- One ADU within the primary dwelling and one ADU within an accessory building.

Two ADUs are permitted in the Urban Area (for a total of 3 units) while one ADU is permitted in the Rural Area (for a total of 2 units).

Q. Why does the City of North Bay permit ADUs?

A. The Government of Ontario passed Bill 23, the [More Homes Built Faster Act](#), on November 28, 2022. This Bill brought several changes to different Acts which included several changes to the [Planning Act](#).

The *More Homes Built Faster Act, 2022* does not permit Municipalities to pass Official Plan policies or Zoning By-law provisions that prohibit or restrict ADUs within the Settlement Boundary of the City.

Location

Q. Where are ADUs permitted?

A. ADUs are permitted in single detached, semi-detached, townhouse (row, cluster, stacked) dwellings or in an accessory structure, in the following

zones: R1, R2, R3, R5, R6, Rural General (A) and Rural Residential Estate (RRE).

To determine what zone your property is in, please visit www.northbay.ca/explorenorthbay and click on 'Zoning Portal Web App'.

An ADU can be located within an existing dwelling (interior conversion), can be added as an addition (attached) to the existing dwelling, or can be built in an accessory structure located on the same property (detached). An existing structure (garage or shed) can also be converted (structure conversion) to an ADU.

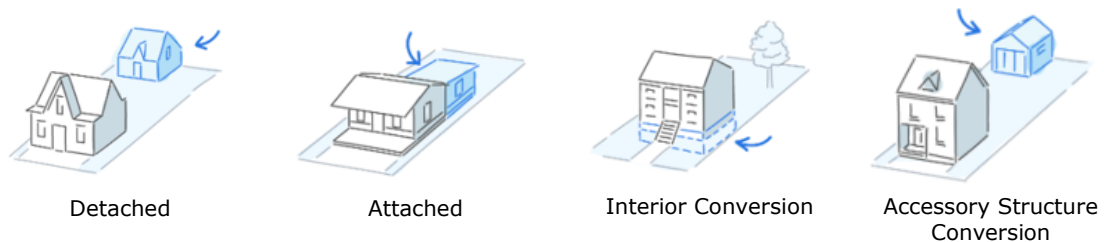


Figure 1 - Different Options for ADUs

If you have any further questions, please email zoning@northbay.ca or call (705) 474-0400 ext. 2414.

Q. Can I have an ADU in my main dwelling and another in an accessory building/structure (garage/shed)?

A. Yes. Two ADUs are permitted in the Urban Area (for a total of 3 units) while one ADU is permitted in the Rural Area (for a total of 2 units) if all applicable requirements are met.

Applicable requirements include but are not limited to [Ontario's Building Code](#) and the City of North Bay's [Zoning By-law](#).

For questions relating to the Ontario's Building Code, please visit www.northbay.ca/building, email building@northbay.ca or call (705)-474-0400 ext. 2415.

For questions relating to the Zoning By-law, please visit www.northbay.ca/zoning, email zoning@northbay.ca or call (705)-474-0400 ext. 2414.

Q. What type of building can I have an ADU in?

A. ADUs are permitted in single detached, semi-detached, townhouse (cluster, stacked or street front), and in an accessory building on the same property.

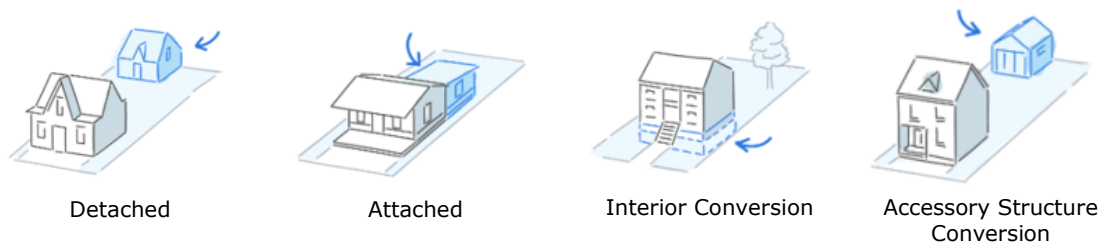


Figure 1 – Different Options for ADUs

Q. Is there anywhere in the City where ADUs are not permitted?

A. Yes, ADUs are not permitted within 300 metres of the un-serviced properties of Trout Lake and major inflowing streams as identified on Schedule 'E' of Zoning By-law No. 2015-30. ADUs are also not permitted within Industrial or Commercial zoned properties or properties that are subject to hazards such as steep slopes or flooding.

For more information, please visit www.northbay.ca/zoning, email zoning@northbay.ca or call (705)-474-0400 ext. 2414.

Q. Can I have an ADU in the Rural area and service my property with a septic system?

A. Yes, you are permitted an ADU within the rural area. You will be required to have a septic 'File Review' completed by the North Bay-Mattawa Conservation Authority (NBMCA) to ensure there is adequate capacity for an additional unit on the property. Properties within Rural Areas are limited to one ADU for a total of two units on the property.

For more information concerning septic systems, please email nbmca@nbmca.ca or call (705)-474-5420.

Q. Can I use my recreational vehicle (RV) as an ADU?

A. No, ADUs are not permitted to be a recreational vehicle (RV), mobile home, boat house or any temporary structure.

For more information, please visit www.northbay.ca/zoning, email zoning@northbay.ca or call (705)-474-0400 ext. 2414.

Permit Requirements

Q. What do I need to know if I decide to construct an ADU?

- A. You need to submit a Change of Use Permit with the [Building Services Department](#) to ensure proper fire separation and other *Ontario Building Code* requirements. You will be required to submit a site plan to illustrate where parking spaces will be located on the property and illustrate where the entrance for the proposed unit will be located.

For more information, please email building@northbay.ca or call (705)-474-0400 ext. 2415.

Q. How much will the building permit and the registration of the ADU cost?

- A. The cost of the building permit will depend on the size and the amount of work that is required to legalize or construct the ADU. The City will not charge a fee for the registration of the ADU.

For more information, please email building@northbay.ca or call (705)-474-0400 ext. 2415.

Q. What is involved in applying for and obtaining an ADU Change of Use Permit?

- A. Your first step is to contact [Planning Services](#) to make sure your property qualifies under the Zoning By-law.

Your next step is to prepare the necessary drawings. It is advisable to contact a Small Building Designer. The designer will conduct an inspection of your dwelling to ensure that your structure can accommodate all regulations under the relevant Provincial Legislation.

The designer will then provide detailed drawings of existing and proposed development and a site plan to ensure parking can be accommodated in addition to the Change of Use Permit application. In instances where there are three units located within one building, the structure is no longer considered a house and is subject to much greater restrictions and requirements under the *Ontario Building Code*. The

drawings must be completed by an individual with BCIN qualifications for "Small Buildings" and if there is to be any modifications to the structure of the building, an individual with BCIN qualifications for "Building Structural" is required to design the structure. Alternatively, an Architect and/or Engineer could complete the drawings.

In instances where there are only two units located within one building, the structure is considered a house and the owner is permitted to complete their own drawings. The drawings must include all of the necessary information and details and be completed in a manner that is to scale and legible, otherwise, Building Services will not be able to accept the drawings and a qualified individual (BCIN House or Small Buildings) will be required.

For more information, please email building@northbay.ca or call (705)-474-0400 ext. 2415.

ADU Regulations

Q. What if I don't want an ADU in the main house? Can I convert or construct an accessory building on my property to use as an ADU?

A. Yes, accessory buildings can be converted or constructed as ADUs. Constructions or conversions must meet all applicable regulations which include but are not limited to *Ontario's Building Code* and the City of North Bay's Zoning By-law. Please refer to Building Services Policy for Converting Accessory Structures to Dwelling Units.

For questions relating to *Ontario's Building Code*, please visit www.northbay.ca/building, email building@northbay.ca or call (705)-474-0400 ext. 2415.

For questions relating to the Zoning By-law, please visit www.northbay.ca/zoning, email zoning@northbay.ca or call (705)-474-0400 ext. 2414.

Q. What regulations apply to ADUs?

A. Applicable regulations depend on the zone in which your property is located. These regulations include but are not limited to: side, front and rear yard setbacks, height and lot coverage.

To determine the zoning of your property, please use the 'GIS Interactive Tool' by visiting www.northbay.ca/zoning. You can also email zoning@northbay.ca or call (705) 474-0400 ext. 2414.

For Building Code requirements, including but not limited to fire separation, visit www.northbay.ca/building, email building@northbay.ca or call (705)- 474-0400 ext. 2415.

Q. Do I need to live in the dwelling to be able to add an ADU?

A. No, provided the property and dwelling have met the requirements to be a legal ADU, it is not mandatory to live within the main dwelling or the ADU.

Q. If I want to rent an ADU to a relative, does it need to be registered as an ADU?

A. Yes. The ADU needs to be registered regardless of who is renting the unit, there is no fee associated with the registration of an ADU.

Q. Are ADUs included as a unit for minimum lot area and lot frontage?

A. Permitted ADUs are not included as a unit for minimum lot area and minimum lot frontage.

For more information, email zoning@northbay.ca or call (705) 474-0400 ext. 2414.

Q. Are there any restrictions on how big, or how close I can build my ADU in relation to the main dwelling?

A. Yes. In the case of an accessory building conversion or construction of a stand-alone ADU, there are several factors to consider.

	Urban Area ADU	Rural Area ADU
Placement and Setbacks	<p><u>Rear Yards:</u></p> <ul style="list-style-type: none"> • Must be at a min. of 0.6m from rear or side lot lines • If any building openings (windows 	<p><u>Rear Yards:</u></p> <ul style="list-style-type: none"> • Cannot be closer than 3m to any or side or rear lot line

	<p>and/or doors) face any side or rear yard lot lines, the min. setback required is 1.2m</p> <p><u>Side Yards (interior and exterior):</u></p> <ul style="list-style-type: none"> • In an exterior side yard, ADU cannot be closer to the lot line than the min. distance required for the primary dwelling on the lot • ADU cannot be closer to the street than the primary dwelling <p><u>Distance from primary dwelling:</u></p> <ul style="list-style-type: none"> • Cannot be built closer than 1.2m of the primary dwelling 	<ul style="list-style-type: none"> • Cannot be built closer than 3m to primary dwelling on lot
Height	Max. 1 storey or 4.1m (13.5ft)	Max. 6m (19.7ft)
Gross Floor Area	75% max. of the ground floor area of the primary dwelling on the lot	75% max. of the ground floor area of the primary dwelling on the lot
Lot Coverage	Max. lot coverage for all accessory buildings (including stand-alone ADU) cannot exceed 10% of the total lot coverage	<p>Max. lot coverage in the Rural Area is dependent on the zoning of the property</p> <ul style="list-style-type: none"> • Rural General (A) = 30% • Rural Residential Estate (RRE) = 5%

Parking	<ul style="list-style-type: none"> • 2 parking spaces are required for existing residential dwelling units • Every ADU thereafter requires an additional 0.5 parking spaces 	0.5 parking spaces per ADU unit + parking required for primary dwelling on lot.
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For more information, email zoning@northbay.ca or call (705) 474-0400 ext. 2414.

Q. How many parking spaces would I require?

- A. Most residential areas are required two parking spaces under the Zoning By-law. An ADU includes a requirement for an extra 0.5 parking space. For example: 1 unit requires 2 spaces total, 2 units requires 2.5 spaces and 3 units requires 3 spaces.

Please email zoning@northbay.ca or call (705)-474-0400 ext. 2414 for more information.

Q. To accommodate the number of parking spaces required, do I need to convert my entire front yard into a parking area?

- A. Converting your entire front yard into parking is not permitted under the Zoning By-law. In the event of front yard parking, Section 4.8 of the City's Zoning By-law limits residential parking to occupying 50% or less of the front yard and 62% or less if the lot has 10.5m or less of frontage.

Parking areas are encouraged in side or rear yards, or in attached or detached garages.

Please email zoning@northbay.ca or call (705)-474-0400 ext. 2414 for more information.

Q. Do garages count towards required parking spaces and can you park one car in front of the other (stacking spaces)?

A. Yes, garages count towards the required parking spaces under the Zoning By-law. You can also park one vehicle in front of the other (stacking spaces).

Please email zoning@northbay.ca or call (705)-474-0400 ext. 2414 for more information.

Q. What if the minimum requirements of Provincial Legislation or Municipal By-laws cannot be met?

A. Provincial Legislation applies minimum standards for life and safety as a priority. If minimum standards cannot be met, the ADU will have to be decommissioned if existing, or will not be issued a Building Permit if applying for a new one.

There may be opportunities to apply for a minor variance for Zoning By-law requirements, this is not the case for requirements under *Ontario's Building Code*.

For more information about the Minor Variance process, please visit www.northbay.ca/minorvariance, email zoning@northbay.ca or call (705) 474-0400 ext. 2414.

Legal vs. Illegal ADUs

Q. What happens if I decide to introduce an ADU in my dwelling after I've legally constructed a stand-alone ADU in my backyard?

- A. Adding a third dwelling in the existing primary dwelling would be permitted in applicable zones if all relevant requirements are met. This includes but is not limited to *Ontario's Building Code* and the City's Zoning By-law. Any ADU must also be registered with the City, there is no registration fee.

Please note that while a total of three units (two of which being ADUs) may be permitted for properties in the Urban Settlement Area, the Rural Area only permits a total of two units (one of which being an ADU).

For questions relating to *Ontario's Building Code*, please visit www.northbay.ca/building, email building@northbay.ca or call (705)-474-0400 ext. 2415.

For questions relating to the Zoning By-law, please visit www.northbay.ca/zoning, email zoning@northbay.ca or call (705)-474-0400 ext. 2414.

Q. Will I be required to follow any rent control or tenant regulations?

- A. Yes, ADUs follow the *Residential Tenancies Act*, just as any other residential rental accommodations across the Province would.

For more information, visit <https://www.ontario.ca/page/home-and-community#rental-housing>

Q. If I purchased a property with an existing ADU with no record of a building permit, will the City allow me to keep this ADU?

- A. The ADU will be maintained if all applicable criteria for ADUs can be met. This includes but is not limited to successfully obtaining a Change of Use Permit from the City.

All *Ontario Building Code* regulations will apply. Please keep in mind that the necessary requirements ensure that the minimum standards for life

and safety are met. If minimum standards cannot be met, the ADU will need to be decommissioned, if existing.

Visit www.northbay.ca/building or email building@northbay.ca or call (705)-474-0400 ext.2415 for more information about Building Code requirements.

Q. I'm interested in purchasing a home with an existing 'Granny Suite'. Are 'Granny Suites' or 'In-law' suites different than ADUs?

A. The Zoning By-law does not have any regulations that define a 'Granny Suite' or an 'In-Law Suite'. If the dwelling for sale is being advertised with either a 'Granny Suite' or 'In-Law Suite', you should ensure the unit has been registered as an ADU with the City.

Please contact zoning@northbay.ca or call (705)-474-0400 ext. 2414 for more.

Q. If I purchased a dwelling with an existing ADU, does this automatically make it a legal unit (grandfathered)?

Not necessarily. You should always have your realtor, lawyer or yourself ensure that the ADU has been registered with the City. If there is no documentation that the unit was built legally, the unit will be considered illegal until a change of use permit is applied for and obtained.

Please contact zoning@northbay.ca or call (705)-474-0400 ext. 2414 for more.

Q. What if the ADU was constructed over 30 years ago, which Provincial Legislation applies?

A. If you can provide proof that the unit existed prior to July 14th, 1994, Section 9.8 of the [Ontario Fire Code](#) shall apply. Any construction after 1994 is subject to the current [Ontario Building Code](#). Regardless of the applicable year, a Change of Use Permit will need to be obtained through the City's Building Department.

For more information, please visit www.northbay.ca/building or email building@northbay.ca or call (705) 474-0400 ext. 2415.

Enforcement

Q. What if I decide not to obtain the proper permits and proceed with the construction of an ADU?

- A. The City does not proactively monitor and enforce all illegal construction on private property throughout the City. However, it should be noted that Canada Post, North Bay Hydro, City of North Bay Engineering Services and Public Works & Environmental Services will be provided with a copy of the ADU registry. Requests for additional Hydro Meters, Water Meters, Mail Delivery and Garbage & Recycling Pick-up will be denied if the ADU is not legal.

Once illegal units have been identified through these avenues or through the formal complaint form process, the City will be required to enforce applicable regulations in the goal of reaching compliance. If compliance cannot be met, illegal ADUs will need to be decommissioned.

Please contact zoning@northbay.ca or call (705)-474-0400 ext. 2414 for more.

Q. Will I be charged if an ADU is determined to be illegal?

- A. It is the City's mandate to achieve conformity and/or compliance with clients. Staff will strive to work with you to bring the property in conformity or compliance in order to avoid charges. If you decide not to bring your property into conformity or compliance, the City may be required bring charges against you.

Development Charges

Q. Will Development Charges apply to my ADU?

- A. No, provided the ADU does not exceed the Gross Floor Area of the existing dwelling unit. Gross Floor Area does not include basements or attached garages.

For more information, please visit www.northbay.ca/ADU or email zoning@northbay.ca or call (705)-474-0400 ext. 2414.

Q. Will the City allow me to bring in extra sanitary or water services to facilitate my ADU?

A. No, you are required to utilize the existing services on your property to accommodate the ADU.

For more information, contact Engineering Services by emailing heather.hahn@northbay.ca or calling (705)-474-0400 ext. 2320.

Financial Incentives

Q. Are there any financial incentives available for the construction of ADUs?

A. Yes. Applicants may be eligible for financial incentives under the Growth Community Improvement Plan (GCIP) if you meet the requirements of the program.

Visit www.northbay.ca/gcip or email growthcip@northbay.ca or call (705)-474-0400 ext. 2414.

Short-Term Rentals

Q. Can an ADU be used for a Short-Term Rental (Ex. Airbnb and VRBO)?

A. The City implemented the Short-Term Rental By-law in early 2023. Short-Term Rentals (STRs) are permitted to operate but must meet specified requirements and must be licensed through the City.

Please visit www.northbay.ca/str for more information on STRs.