

# Four Units as of Right

in Greater Sudbury



**An  
Information  
Guide for  
Homeowners**

# 1

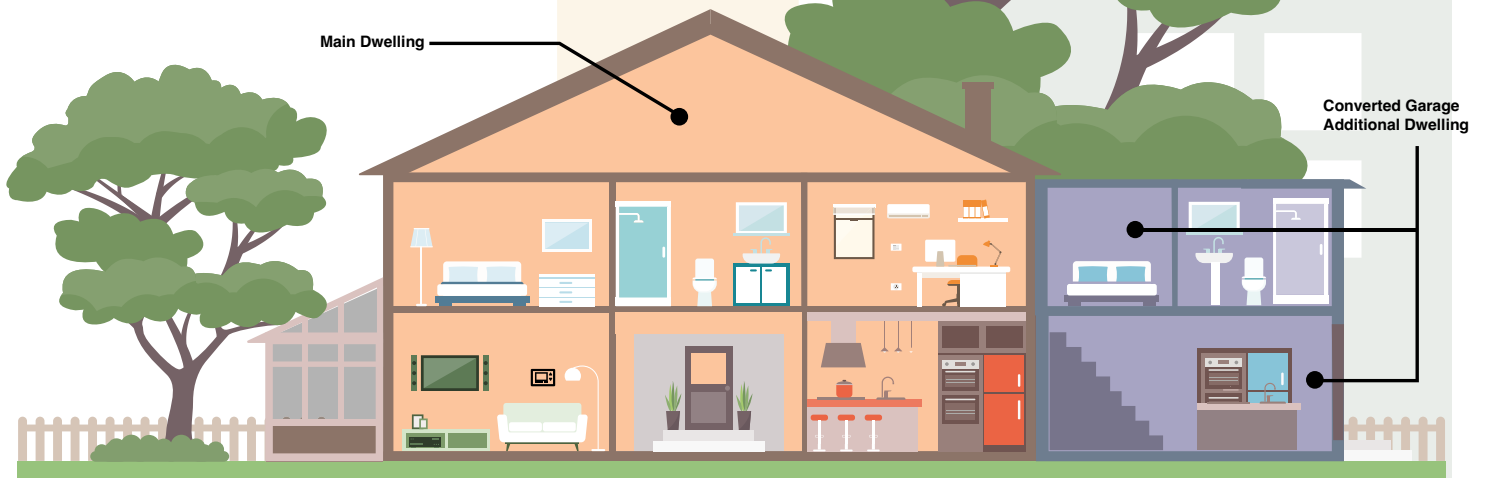
## Section

# New Provisions in the City of Greater Sudbury

On July 12, 2016, City Council approved the amendment to the Official Plan and Zoning Bylaw 2010-100Z to permit Secondary Dwelling Units within the City of Greater Sudbury. These policies were updated in 2020, 2024 and 2025 to permit up to four dwelling units on a parcel.

This follows the Strong Communities through Affordable Housing Act, which requires that municipalities across Ontario amend their planning documents to facilitate the creation of additional units. Additional dwelling units provide a form of affordable housing and help owners offset the cost of home ownership.

Example of an additional dwelling unit setup



# 2

## Section

# Types of Additional Dwelling Units

### What is an additional dwelling unit?

A additional dwelling unit is a separate living space with a kitchen, bathroom, sleeping and either shared laundry facilities or a space with the required connections and hook-ups, located on the same property as your house. You can live in it, allow your family members to live in it, or rent it. It cannot be severed from the lot of the primary dwelling unit and/or sold.

There are three different types that may be constructed in the City of Greater Sudbury:



**Interior Alteration**



- Located within existing house
- For example: basement apartment
- Laundry room may be private or shared
- Must be registered under the City of Greater Sudbury Secondary Dwelling Units Registration Bylaw 2017-14



**Addition**



- Attached to existing house
- Laundry room may be private or shared
- Must be registered under the City of Greater Sudbury Secondary Dwelling Units Registration Bylaw 2017-14



**Accessory Structure**



- Located in a detached accessory structure
- For example: a detached garage, new accessory structure or addition to accessory structure
- Laundry facilities may be private or shared
- Must be registered under the City of Greater Sudbury Secondary Dwelling Units Registration Bylaw 2017-14

# 3

## Section

# Zoning Requirements for Creating a New Additional Dwelling Unit(s)

## 3A

**There are basic requirements that must be met before an authorized additional dwelling unit can be created.**

Under Bylaw 2010-100Z, a maximum of four dwelling units can be created on a lot providing the property meets the following requirements:

1	Up to four dwellings are permitted on a lot. This applies to fully -serviced parcels of land only. On lands that are not fully serviced by municipal water and sewer services, up to three dwelling units are permitted on a lot.
2	The main building façade must have an entrance that faces a public road.
3	The residential property must be able to accommodate required additional parking spaces(s) for each unit which may be permitted in the required front yard to a maximum of 50 per cent of the width of the minimum lot frontage, or the maximum driveway width, whichever is lesser. Parking reductions of 50 per cent are permitted for any lot containing not more than four dwelling units located not more than 400m from GOVA Lines 1N, 1S or 2. In the R2-3 Zone, where the lot contains four dwelling units, a minimum of three parking spaces shall be required.
4	Up to two additional dwelling units are permitted in Rural and Agricultural Zones, provided that at least one of the additional dwelling units is located within or attached to the main building, and the other is located no further than 30 metres from the main building at its closest. The additional dwelling unit may be in the form of a mobile home dwelling.
5	Additional dwelling units in accessory buildings shall not exceed 8 metres in height and must be sited a minimum of 2.4 metres from the main building. On a fully serviced parcel of land, lot coverage with an additional dwelling unit in an accessory building shall not exceed 25 per cent for all building and structures on a lot.
6	Additional dwelling units in accessory buildings cannot be in the form of a mobile home dwelling in any Residential, Commercial and or Future Development Zones.
7	On lots in residential zones that do not abut a shoreline, accessory buildings or structures containing an Additional Dwelling Unit shall only be permitted in a rear or interior yard.
8	The Additional Dwelling Unit must be registered as stated in the “Registration of Additional Units” Bylaw 2017-14.

## 3B

### When am I not allowed an Additional Dwelling Unit?

#### Additional dwelling units are not permitted:

1. Within a dwelling that is deemed to be a permitted use in Section 4.16 of Zoning Bylaw 2010-100Z;
2. Within a dwelling located in a Environmental Protection (EP) Zone;
3. Within a dwelling that is permitted accessory to a permitted non- residential use in Section 4.40.2 of Zoning Bylaw 2010-100Z;
4. On a lot containing a garden suite;
5. In the Rural Shoreline Zone;
6. Within a building or structure accessory to 1), 2) or 3) above

## 3C

### What Is Legal Non-Conforming Status and how is it obtained?

**Legal non-conforming status applies to a use that was legally established prior to the passage of a zoning bylaw which no longer permits that use. In order to apply for legal non-conforming status, a lawyer must send a letter requesting that the dwelling be reviewed for legal non-conforming status, provide evidence to prove that the additional unit has continued to be in existence prior to any zoning bylaw being in place and provide the required fee.**

Once a request for legal non-conforming status has been submitted, an investigation of all City of Greater Sudbury records and any other available records will be assessed to determine if the legal non-conforming status will be granted by the Chief Building Official.

If a legal non-conforming status is granted, the owner will need to contact City of Greater Sudbury Fire Prevention Services to request a fire retrofit inspection and pay the required fee. Fire safety requirements for an existing additional unit are found in the Ontario Fire Code, Section 9.8 "Two Unit Residential Occupancies". Further upgrading may be required and a building permit may be required to start that work.

If a legal non-conforming status is not granted, the owner will be required to obtain a building permit and follow the requirements in **Section 5**.



# 4

## Section

# How Do I Legalize an Additional Dwelling Unit

## 4A

### For new additional dwelling units created after July 12, 2016:

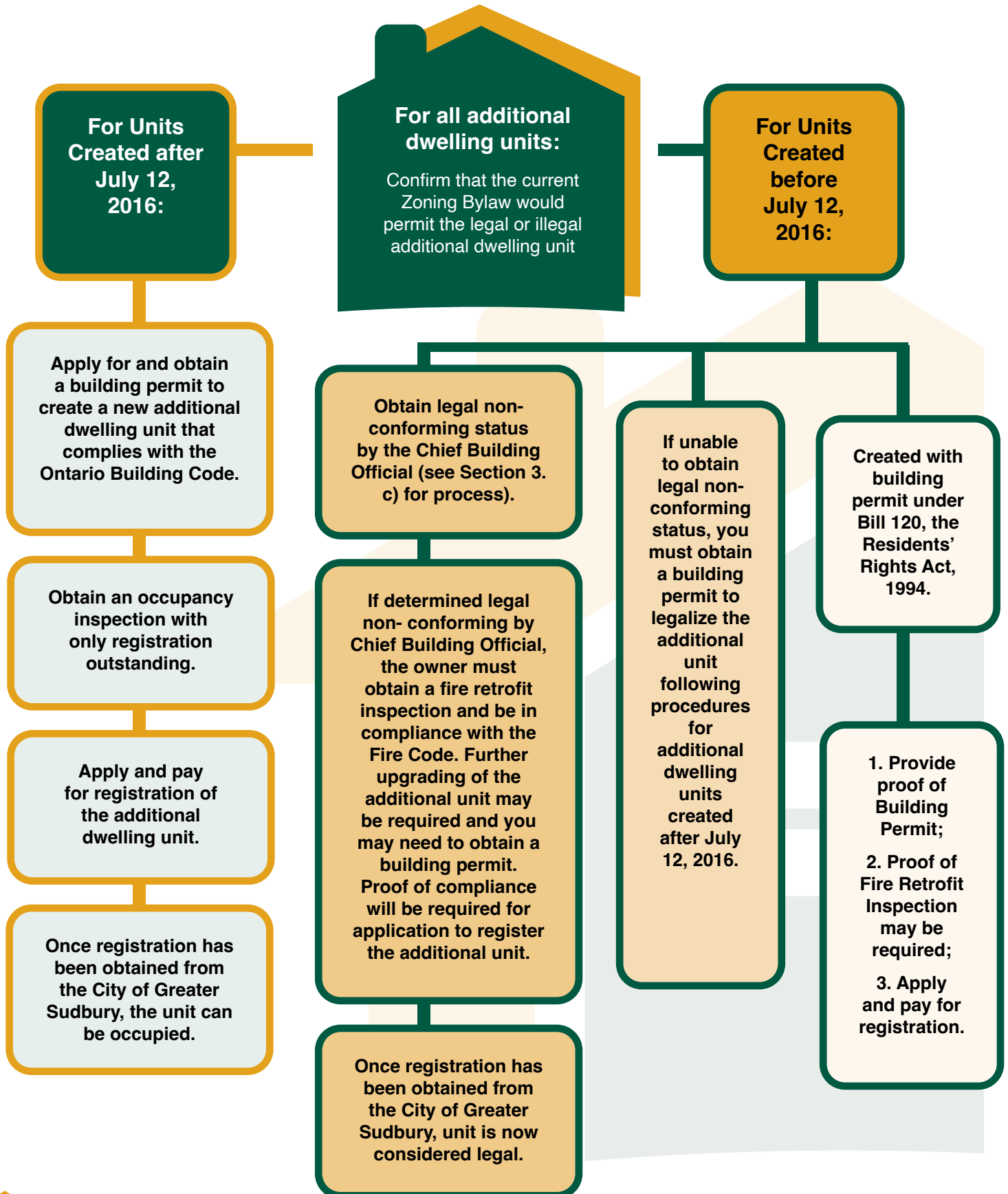
- i. Confirm that the proposed additional unit is permitted in Zoning Bylaw 2010-100Z.
- ii. Apply for a building permit to create a new additional dwelling unit that complies with the Ontario Building Code.
- iii. Prior to issuance of your building permit, you will be required to complete registration of the additional unit including payment of the fee for registration. Once the building permit is issued, the additional dwelling unit is constructed and an occupancy inspection is conducted confirming there are no outstanding items prohibiting occupancy.
- iv. The owner can obtain an occupancy permit and the unit can be occupied.

## 4B

### For additional dwelling units created prior to July 12, 2016:

- i. Confirm that the current Zoning Bylaw would permit the illegal additional unit.
- ii. There are two ways to determine if the additional unit is legal; Obtain a legal non-conforming status by the Chief Building Official or obtain a building permit to legalize the additional unit.
- iii. If the Chief Building Official determines that the additional unit has legal non-conforming status, the owner must obtain a fire retrofit inspection and be in compliance with the Fire Code. Further upgrading of the additional unit may be required and you may need to obtain a building permit. Proof of compliance will be required for registration of the additional unit.
- iv. Note that additional units built before July 12, 2016 that have legal non-conforming status, and were not subject to a building permit under Bill 120, are considered to be a duplex and are not eligible for additional unit status nor a tertiary unit in the future.





# 5

## Section

# Ontario Building Code Requirements for Creating Additional Units

## 1. Creating an additional dwelling unit in a New House or New Accessory Building

All provisions in Part 9 – Ontario Building Code (OBC) are required to be incorporated in your design as listed in the checklists provided on the following page.

## 2. Renovations to Buildings Less Than Five Years Old

All provisions in Part 9 – Ontario Building Code (OBC) are required to be incorporated in your design as listed in the checklists provided on the following page.

## 3. Renovations to Buildings More Than Five Years Old

Part 11 – Compliance Alternatives for Residential Occupancies will apply to these houses and will provide some relief with respect to the Ontario Building Code. Part 11 provisions of the Ontario Building Code will be required in your design as listed in the checklists provided on the following page.

## 4. New Additions to Existing Buildings

All provisions in Part 9 – Ontario Building Code (OBC) are required to be incorporated in your design for the new addition as listed in the checklists provided on the following page.

## 5. Designer Requirements

The owner or a qualified designer with a Building Code Identification Number (BCIN) will be required to provide a design for your additional unit, meeting all applicable Ontario Building Code requirements to the satisfaction of the Chief Building Official.

## Checklist for Converting a Single Family Dwelling Unit to Two Units Ontario Building Code (OBC) Compliance

The following items should be checked when preparing an application for an additional dwelling unit. Although every application is different, this list should represent the bulk of the items that are to be checked.

(see page 8 for checklist)



## Checklist for Converting a Single-Family Dwelling Unit to Two Units Ontario Building Code (OBC) Compliance

The following items should be checked when preparing an application for an additional dwelling unit. Although every application is different, this list should represent the bulk of the items that are to be checked.

**Notes:** Where compliance cannot be attained through OBC Part 9, OBC Part 11 can be utilized if the dwelling has been in existence for five years or more. This table only applies to a house with a maximum of two dwelling units.

ITEM	PART 9 – OBC	CODE REFERENCE	PART 11 – Compliance Alternative
<b>Fire Resistance Rating</b>			
1	Floor assembly between the two dwelling units is to be protected on the underside by a continuous smoke-tight barrier of not less than 15.9 mm Type X gypsum board.	9.10.9.16	C156
2	Structural elements supporting fire rated assemblies shall be protected by not less than 15.9 mm Type X gypsum board.	9.10.8.3	C150
3	Wall assemblies between the two dwelling units, and any other common areas (furnace rooms, laundry rooms) shall be protected by not less than 15.9 mm Type X gypsum board on each side.	9.10.9.16 9.10.10.4	C156 C157
4	Exit enclosure is to be a 45 min fire rated separation	9.9.4.2	C125
<b>Sound Transmission Rating</b>			
1	Wall and floor assemblies separating the two dwelling units are to have a 50 STC	9.11.1.1	C181
<b>Number of Exits and Exposure</b>			
1	Minimum of <b>one exit</b> to the exterior is to be provided.	9.9.8.2 9.9.9.1	C139
2	Exterior exit stairs to be protected from <b>fire exposure</b>	9.9.4.4 9.9.4.6	n/a
<b>Room Size and Dimensions</b>			
1	Ceiling height not less than 1.95m and with a clear height under beams not less than 1.85m.	9.5.3	n/a
2	Room sizes	9.5.3A – 9.5.3F	n/a
3	Doorway sizes	9.5.5	n/a
<b>Windows and Spatial Separation</b>			
1	Window sizes	9.7.2.3	C110
2	Bedroom egress	9.9.10.1	C140
3	Spatial separation	9.10.15	C175 C176
<b>Alarms</b>			
1	Smoke alarms	9.10.19	C179
2	Carbon monoxide alarms	9.32.3.9	C200
<b>Heating, Ventilation &amp; Air Conditioning (HVAC)</b>			
1	Heating system	9.33	C201
2	Ventilation	9.32	C199
3	Plumbing Facilities	9.31.4	n/a

## Checklist for Converting a Single-Family Dwelling Unit to up to Four Units Ontario Building Code (OBC) Compliance

The following items should be checked when preparing an application for additional dwelling units. Although every application is different, this list should represent the bulk of the items that are to be checked.

**Notes:** Where compliance cannot be attained through OBC Part 9, OBC Part 11 can be utilized if the dwelling has been in existence for five years or more. Houses with three or four dwelling units require design by a Professional Consultant or Qualified Designer.

ITEM	PART 9 – OBC	CODE REFERENCE	PART 11 – Compliance Alternative
<b>Fire Resistance Rating</b>			
1	Floor assembly between the dwelling units is to be a 45 min rated fire separation.	9.10.9.16 9.10.8.1	C156 (a) only C150 (a) only
2	Structural elements supporting fire rated assemblies are to have a 45 min fire rating.	9.10.8.3	C150 (a) only
3	Wall assemblies between the dwelling units, and any other common areas (furnace rooms, laundry rooms) shall be 45 min rated fire separations.	9.10.9.16 9.10.10.3	C156 (a) only C157 (a) only
4	Exit enclosure is to be a 45 min fire rated separation	9.9.4.2	C125
<b>Sound Transmission Rating</b>			
1	Wall and floor assemblies separating the two dwelling units are to have a 50 STC	9.11.1.1	n/a
<b>Number of Exits and Exposure</b>			
1	Minimum of <b>one exit</b> to the exterior is to be provided.	9.9.8.2 9.9.9.1	n/a
2	A second and separate <b>means of egress</b> required if <b>exit</b> is shared.	9.9.9.3	n/a
3	Exterior exit stairs to be protected from <b>fire exposure</b>	9.9.4.4 9.9.4.6	n/a
<b>Room Size and Dimensions</b>			
1	Ceiling height	9.5.3	C105
2	Room sizes	9.5.3A – 9.5.3F	n/a
3	Doorway sizes	9.5.5	n/a
<b>Windows and Spatial Separation</b>			
1	Window sizes	9.7.2.3	C110
2	Bedroom egress	9.9.10.1	n/a
3	Spatial separation	9.10.14	C175 C176
<b>Alarms</b>			
1	Smoke alarms	9.10.19	C179
2	Carbon monoxide alarms	9.32.3.9	C200
<b>Heating, Ventilation &amp; Air Conditioning (HVAC)</b>			
1	Heating system	9.33	C201
2	Ventilation	9.32	C199
3	Plumbing Facilities	9.31.4	n/a

# 6

## Section

# How Do I Register My Additional Dwelling Unit?

## Voluntary Registration

If you have a dwelling unit created by site-specific zoning Bylaw amendment, have obtained a building permit to create a unit in compliance with the Ontario Building Code and meet the criteria for additional dwelling units, you are eligible to register your additional dwelling unit as part of the Registration of Secondary Dwelling Units Bylaw (fee required).

This will ensure that you have the same benefits of having your legal additional dwelling unit listed on the public registry as someone creating an additional dwelling unit as defined in Zoning Bylaw 2010-100Z.

# 7

## Section

# Identification/Addressing for New Unit

1. To signify to emergency responders and way finders the presence of a registered additional dwelling, every Owner of a property on which there is a registered additional dwelling unit, shall:
  - a. place or cause to be placed, the letters SU in a location immediately below the municipal street number on the building; and
  - b. maintain in place or cause to be maintained in place, the letters SU in the location described in 12(1)(a) of the Registration of Secondary Units Bylaw 2017-14.
2. The Owner shall ensure that the letters SU required under subsection 12(1) of the Registration of Secondary Units Bylaw 20147-14 meet the following requirements. The letters used shall be:
  - a. no less than
    - i. 3 inches in height if the building setback from the street line does not exceed 10 feet;
    - ii. 4 inches in height if the building setback from the street line does not exceed 30 feet;
    - iii. 6 inches if the building setback from the street line does not exceed 50 feet; and
    - iv. a size approved in writing by the Chief Building Official if the building setback from the street line exceeds 50 feet.
  - b. in printed format, not in cursive;
  - c. in a contrasting color to the background; and
  - d. clearly legible in both daylight and at night, when viewed from the street.



**For more information please contact the Building Services Department at 705 674-4455, extension 4278.**