



City of
Peterborough

Planning & Development Services Department
Building Division
500 George Street North
Peterborough, ON K9H 3R9
Phone: 705-742-7777 ext. 1892 FAX: 705-742-5218

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SUPPLEMENTAL DWELLING UNITS IN AN R1 or EQUIVALENT ZONE

In an R1 or equivalent land use district, a single unit dwelling can legally be constructed and/or altered under the provisions of the existing City of Peterborough's Zoning Bylaw. Due to the high number of single unit dwellings being unlawfully converted into two unit dwellings, via the establishment of in-law suites, granny flats, or accessory apartments, the Building Division has established a policy regarding what features will constitute an additional and illegal dwelling unit.

The Building Division will not approve any building permit application which creates, or allows the existence of a second dwelling unit, if the property has R1 or equivalent zoning. A dwelling unit is defined as one or more connecting rooms used, or intended for use, as a housekeeping unit containing cooking, eating, sleeping, and sanitary facilities. Once a full complement of these amenities become self-contained, they are considered to be a standalone dwelling unit. Since second kitchens or laundry rooms are features which are not typically duplicated in a single unit dwelling, the existence of such amenities tends to indicate that a second dwelling unit has been created. If kitchen or laundry facilities are established in a second location within a single unit dwelling, then access methods into the area where they are located will be evaluated along with the above mentioned plumbing features.

If there is only internal access from within the primary dwelling unit to the area accommodating those duplicated plumbing features, and both the main and complementary areas appear to be used as one unit, then the second set of plumbing fixtures may be permitted, with the proper building permits. Conversely, approval will be denied for a second kitchen or laundry facility when there is no free open access to all parts of the dwelling as a whole, or when the supplemental area has an independent or separate entrance (ie basement walkout entrance, separate garage entrance, vestibule at main entrance, etc).

Finishing an area with features such as a bedroom, bathroom, recreation room, and bar sink is permitted, with a building permit. However, when those features are combined with a separate entrance directly into the supplemental area, and further amenities such as a kitchen or laundry room are present, this is considered to comprise a **second dwelling unit** which is **not a permitted use** under the current Zoning Bylaw for R1 or equivalent land use districts.

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Building permit applications and existing physical conditions that are deemed to be supporting a second dwelling unit will need to be modified in order to comply with this policy and meet the definition of a single dwelling unit under the City's Zoning Bylaw. This may include all or some of the following:

- a) a re-design of the supplemental area's independent access;
- b) elimination of locks on doors to ensure free open access between areas;
- c) removal of the duplicated plumbing facilities, and associated counters, cupboards and cabinetry; and/or,
- d) the signing of an Acknowledgment Agreement by the homeowner, and the builder if the project has yet to be constructed, in order to be legal as, and used, only as a single unit dwelling.

Properties subject to this policy, once an Acknowledgement Agreement is signed, or after a violation has been confirmed, will be added to a registry which will be monitored for zoning compliance on an on-going basis.

Any time the physical layout of a building is altered, or plumbing is modified a building/plumbing permit is required under the *Ontario Building Code Act*. For further clarification on how or when to obtain a building or plumbing permit, please contact the Building Services Division at 705-742-7777 ext 1892.

Any questions on the above may be directed to the Chief Building Official.

Dean Findlay CBCO, C. Tech
Chief Building Official
Building Division
City of Peterborough
705-742-7777 ext 1791
dfindlay@peterborough.ca