Accessory Dwelling Unit Guidebook

What are Accessory Dwelling Units (ADUs)?

Secondary Suites

Secondary suites are accessory (secondary) dwellings located within or attached to a main dwelling. They can be placed anywhere in the dwelling, subject to certain rules.

Examples of a secondary suite:

- Basement apartment
- Above ground apartment inside a dwelling (converted or as an addition)
- Converted attached garage

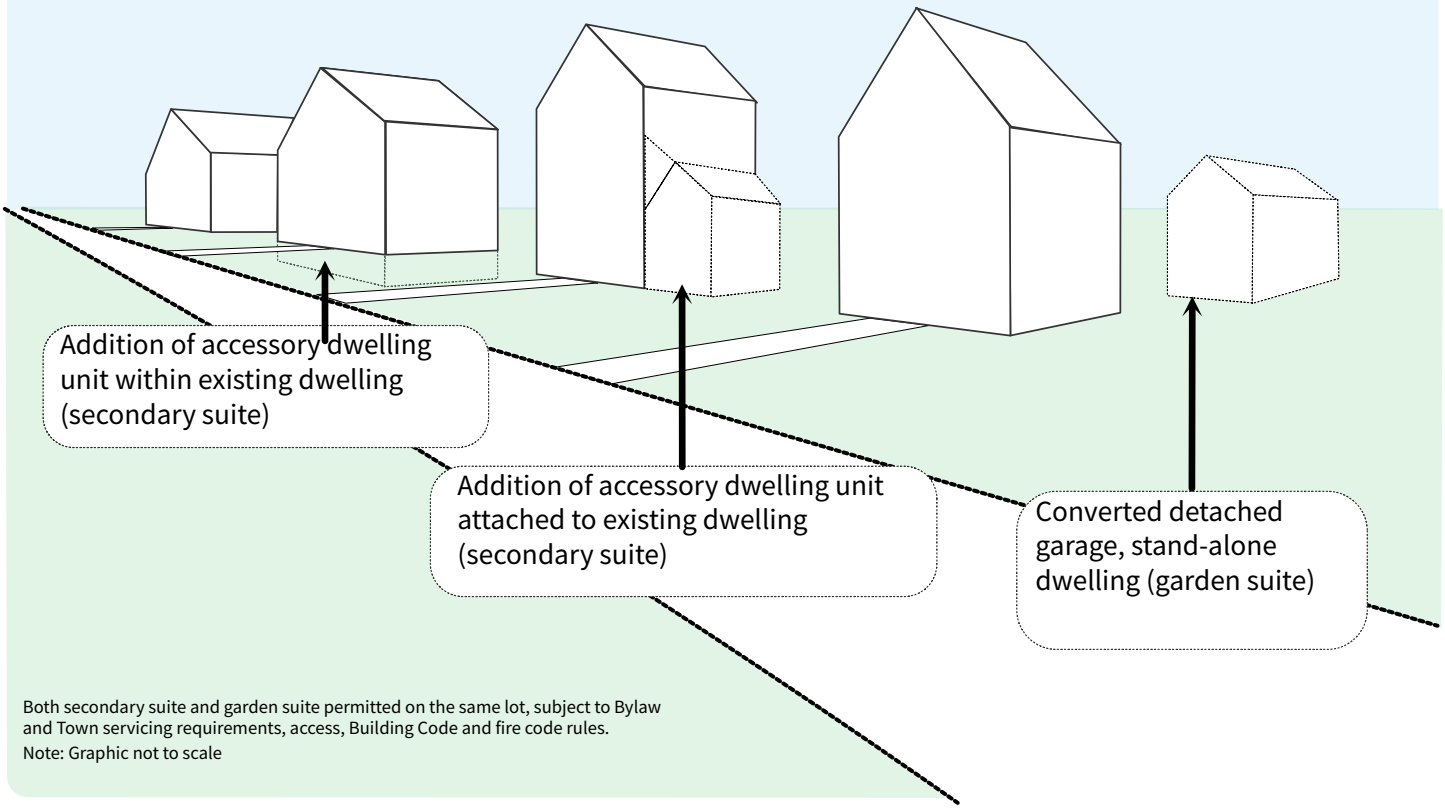
Garden Suites

Garden Suites are small accessory (secondary) dwellings located in a separate building on the same lot as a main dwelling.

Examples of a garden suite:

- Stand-alone small dwelling
- Converted detached garage

Accessory Dwelling Unit Examples



Both secondary suite and garden suite permitted on the same lot, subject to Bylaw and Town servicing requirements, access, Building Code and fire code rules.
Note: Graphic not to scale

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Guide last revised January 2025.
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Accessory Dwelling Units (ADUs)

General Rules About ADUs in O'Leary

Putting an ADU in an Existing Building

It is permitted to put an ADU in an existing building (either attached or within the main dwelling, or attached or within an accessory building). Both a development permit from the Town and a Building Permit from the Province are needed. Approval from the Fire Mashal may also be required.

More than one ADUs on a Lot

A lot may have both a secondary suite AND a garden suite, provided the lot meets all site requirements (setbacks, parking) and other rules such as access, servicing, building code, and fire code regulations.

Only one of each type of ADU is permitted.

Number of Bedrooms

There is no maximum number of bedrooms for an ADU, but bedrooms must meet the National Building Code standards. If on a lot without public sewer, the number of bedrooms will depend on the capacity of your on-site septic system that is shared with the main dwelling.

Setbacks and Watercourse Buffers

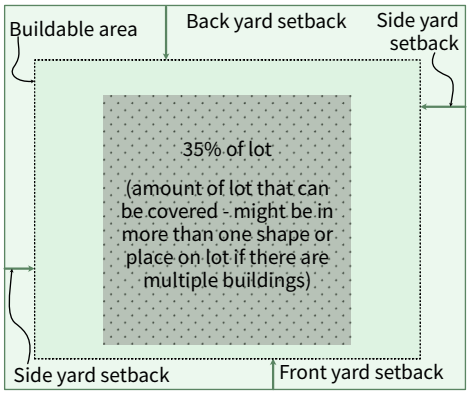
Garden suites must meet the minimum setbacks, as well as buffers if the proposed structure is close to a watercourse or wetland. They are not permitted in front yards or in flankage yards for corner lots.

Are there restrictions on who can live in an accessory dwelling unit (ADU)?

- ADUs can't be used for shared housing (see Land Use Bylaw), but are not restricted by relationship to the owner.
- ADUs can be used as accommodation for aging parents, adult children or can be used as a rental unit for the general public.

Civic Addressing

Civic addressing will be based on whether there is a separate entrance from the main dwelling and the existing numbering on the street. If a whole number cannot fit, an alphanumeric civic address may be assigned (i.e. 40B Road Name).



Lot Coverage & Building Placement

1. Determine the lot size and then calculate 35% of that. That establishes the maximum combined building footprint possible on the lot, including accessory structures, the main house, etc.
2. Measure setbacks to determine the buildable area (space on lot where building can be placed).
3. Determine the footprint of the existing buildings on the lot and determine how much more building footprint can be added.
4. Determine how much of that additional building footprint will fit within the buildable area.

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Accessory Dwelling Units (ADUs)

Secondary Suites

Lot Requirements:

Requirement	Secondary Suite
Types of Dwellings/Lots	Single detached dwelling
Maximum Floor Area	The lesser of • 80% of the total floor area of all storeys of the Main Dwelling, excluding the garage and any common spaces that serve both units, or • 80 m^2 (861 ft^2)
Maximum Height	Same as main dwelling: 12.2 m (40 ft)
Setbacks	Same as main dwelling: • min 6.1 m (20 ft) front yard • min 4.5 m (14.8 ft) rear yard • min 3 m (9.8 ft) side yard • min 6.1 m (20 ft) flankage yard
Lot Coverage	Combined footprint of main dwelling & secondary suite not to exceed 35% of the lot area
Access	Existing driveway
Parking	1 extra space in addition to parking required for the main dwelling
Utilities	Same water and sewage services as the main dwelling
Use Restrictions	Cannot be occupied by a shared housing use, such as group home or dormitory.

How many parking spaces?

- Main dwelling = 2 spaces
- Main dwelling + 1 ADU = 3 spaces
- Main dwelling + 2 ADUs = 4 space

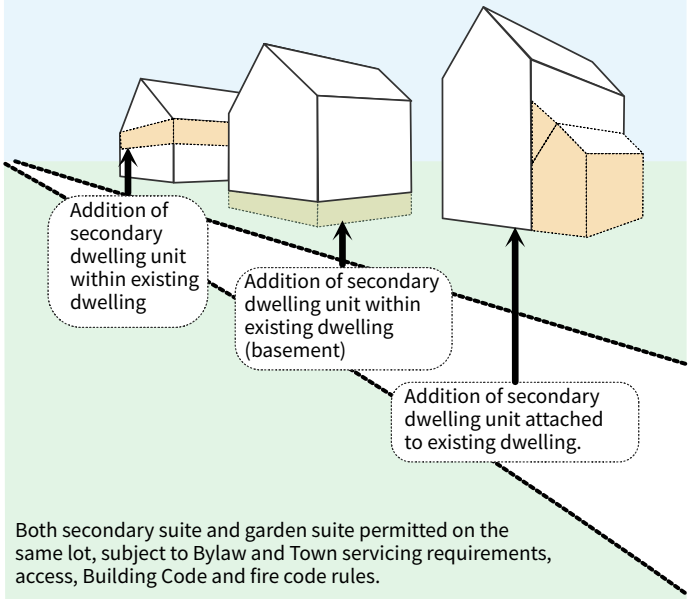
Additions for Secondary Suites

A secondary suite can be added through an addition but would have to meet all of the usual setback, height, and lot coverage requirements.

Placement of Secondary Suites

A secondary suite does not need to be in the basement. The main criteria are that it meets the maximum floor area and complies with all building code and fire safety standards.

Types of Secondary Suites



Both secondary suite and garden suite permitted on the same lot, subject to Bylaw and Town servicing requirements, access, Building Code and fire code rules.

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Accessory Dwelling Units (ADUs)

Garden Suites

Lot Requirements:

Requirement	Garden Suite
Types of Dwellings/Lots	Single detached dwelling lot
Maximum Floor Area	80 m^2 (861 ft^2)
Maximum Height	1 storey for the dwelling unit • may be extra storey above a garage but may not exceed height of main dwelling on lot
Setbacks	Not permitted in the front or flankage yard (corner side yard) and must meet setbacks of the main dwelling: • min 1.2 m (4 ft) rear yard • min 3 m (9.8 ft) side yard
Lot Coverage	Combined footprint of main dwelling & garden suite not to exceed 35% of the lot area
Access	Existing driveway
Parking	1 extra space in addition to parking required for the main dwelling
Utilities	Same electrical, water and sewage services as the principle dwelling (some exceptions)
Use Restrictions	Cannot be occupied by a shared housing use, such as group home or dormitory.

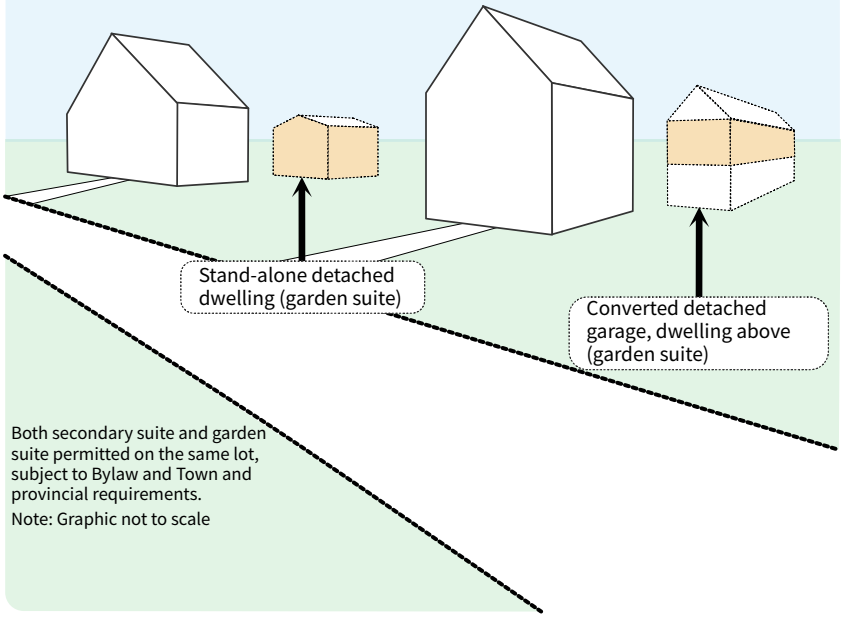
How many parking spaces?

- Main dwelling = 2 spaces
- Main dwelling + 1 ADU = 3 spaces
- Main dwelling + 2 ADUs = 4 space

Other Requirements for ADUs

- Both a Development Permit from the Town and a Building Permit from the Province are required.
- ADUs must meet National Building Code and fire safety standards, including separation distances from other dwellings and structures.
- If the dwellings are serviced by on-site septic tanks, the capacity of the tank must be big enough to accommodate all units and must be upgraded if the capacity is not sufficient.

Types of Garden Suites



Both secondary suite and garden suite permitted on the same lot, subject to Bylaw and Town and provincial requirements.

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Accessory Dwelling Units (ADUs)

Garden Suites: Site Planning Steps and Examples

1 Determine lot size and calculate 35% of that area. This is the maximum building footprint permitted, counting all buildings.

2 Determine the footprint of existing buildings and subtract that from the maximum building footprint. This is the maximum footprint permitted for the garden suite, which cannot be more than 80 m² (861 ft²).

3 Determine the building envelope. This is the space where the garden suite could go after accounting for rear & side yard setbacks.

4 Determine if there is enough space for the extra parking space and whether the unit can be safely accessed by the inhabitant and emergency services.

5 Determine if the unit can be connected to the services for the main dwelling.

6 Consider placement and landscaping to maximize privacy on lot & for neighbours. **Note**: building placement will affect building design requirements (ie distance between buildings & openings - doors and windows).

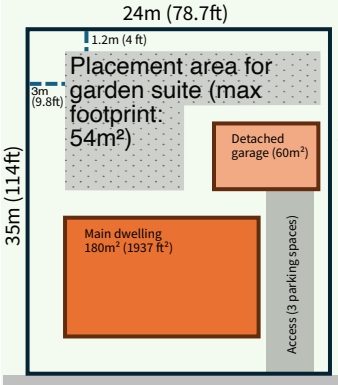
7 Design drainage on lot so that water isn't being directed onto neighbouring properties or into main dwelling.

8 Talk to a contractor about building design options that will meet needs, meet Bylaw and Building Code rules, and fit on lot.

9 Talk to the Town about any other requirements that might apply.

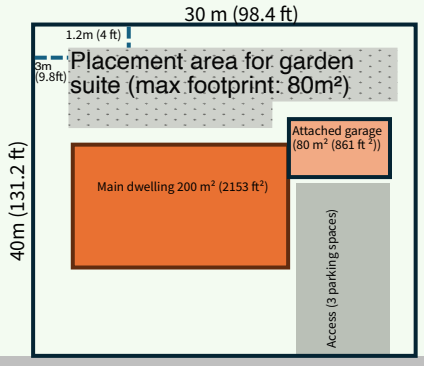
10 Apply for development permit (Town) and building permit (Province).

Example 1:
Lot size: 840 m² (9042 ft²)
Buildable area (max lot coverage): 294 m² (3165 ft²)
Existing building footprints (lot coverage): 180 + 60 = 240 m² (2583 ft²)
Remaining available footprint (lot coverage): 54m² (581 ft²)



Example 1: *Relatively small lot with an existing garage. Adding the size of the main dwelling and the garage, we see that those two buildings already take up a large proportion of the "buildable" footprint for a lot in the community. The remaining buildable footprint, based on max lot coverage rules, is 54m² which could accommodate a small garden suite. The other option is to build up the existing detached garage (or replace the existing garage) to accommodate the garden suite to maximize allowable size limits. Please note, if this option is chosen, National Building Code requirements must be met.*

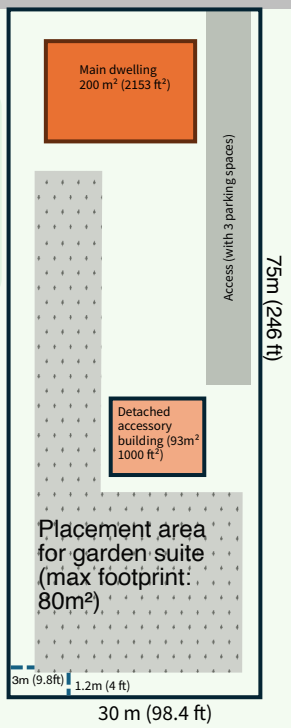
Example 2:
Lot size: 1200 m² (12917 ft²)
Buildable area (max lot coverage): 420 m² (4521 ft²)
Existing building footprints (lot coverage): 200 + 80 = 280m² (3014 ft²)
Remaining available footprint (lot coverage): 140 m² (1507 ft²)



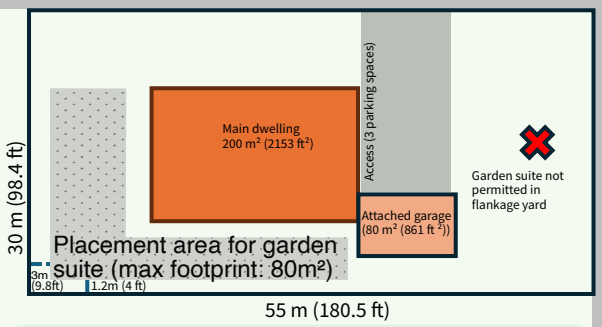
Example 2: *This is a slightly larger lot which is more common in O'Leary. The site accommodates a larger house, an attached garage and still provides options in the backyard for establishing a garden suite within the required setbacks.*

Public road

Example 3:
Lot size: 2250 m² (24219 ft²)
Buildable area (max lot coverage): 788 m² (8482 ft²)
Existing building footprints (lot coverage): 200+240 = 440 m² (4736 ft²)
Remaining available footprint (lot coverage): 348m² (3746 ft²)



Example 3: *There are some very long narrow lots in O'Leary, some of which are not developed at this time. This example shows how even with a large front yard setback and the maximum size of accessory building, there are a lot of options for establishing a garden suite.*



Example 4:
Lot size: 1650 m² (17760.5 ft²)
Buildable area (max lot coverage): 578 m² (6221.5 ft²)
Existing building footprints (lot coverage): 200 + 80 = 280m² (3014 ft²)
Remaining available footprint (lot coverage): 140 m² (1507 ft²)

Example 4: *This last example is meant to illustrate that even with a large lot, depending on the lot and building configuration, there are limits to how garden suites can be sited on a lot. In this example, this corner lot has a short depth, but long frontage along one road. The bylaw prohibits garden suites in front and flankage yards. As such, the garden suite building envelope is limited to the small backyard and/or the side yard that is not adjacent to a street. A secondary suite might be a better option for this lot.*

Public road

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Accessory Dwelling Units (ADUs)

Developer Checklist

When thinking about adding an accessory unit to your single detached home you should consider:

- ☐ whether the size and shape of your lot can accommodate the additional unit (make sure you look at required setbacks as part of your total lot area).
- ☐ How utilities will be connected (sewer/septic, water, electrical)
- ☐ How the unit will be accessed

There are several costs you should be aware of, in addition to construction costs:

- ☐ Driveway widening or extension (if required)
- ☐ Creating a walkway to/from the unit to the driveway
- ☐ Connection costs of electrical, sewer, water
- ☐ Development and building permits

Complete Applications to include:

Included:

- ☐ Development Application Form (must be signed by property owner) ☐
- ☐ Application Fee ☐
- ☐ Site Plan, including 1 copy drawn to scale showing: ☐
  - ☐ the shape and dimension of the lot;
  - ☐ the existing and proposed grade elevations relative to the adjoining property or properties and to the public right-of-way, if available, and drainage information;
  - ☐ the distance from the lot boundaries, dimension, and height of the new building or addition proposed;
  - ☐ the distance from the lot boundaries and size of all buildings or structures already on the lot;
  - ☐ the proposed location and dimension of any well, septic tank or sewer connection, driveway, and landscaped area on the lot;
  - ☐ the proposed locations of required parking spaces;
  - ☐ any other information the Development Officer deems necessary to determine whether or not the proposed development conforms to the requirements of the Bylaw.

Check that your proposed development conforms with the following:

Criteria for a Secondary Suite

(inside or attached to the main dwelling)

- ☐ **Maximum floor area:** the lesser of 80% of the total floor area of all storeys of the main dwelling excluding garage and any common spaces that serve both units, OR 80m^2 (861 ft^2)
- ☐ **Maximum height:** 12.2m (40 ft)
- ☐ **Minimum setbacks** (same as main dwelling):
  - ☐ Front yard 6.1m (20 ft)
  - ☐ Rear yard 4.5m (14.8 ft)
  - ☐ Side yard 3m (9.8 ft)
  - ☐ Flankage yard 6.1m (20 ft)
- ☐ **Maximum combined building footprint** (lot coverage): 35% of lot
- ☐ Use of existing driveway
- ☐ One additional parking space is provided
- ☐ Same well as main dwelling
- ☐ Same sewer connection/septic system as main dwelling
- ☐ Capacity of on-site septic tank is adequate to accommodate all bedrooms

Criteria for a Garden Suite

(detached from the main dwelling)

- ☐ **Maximum floor area**: 80 m^2 (861 ft^2)
- ☐ **Maximum height**: 1 storey for dwelling, no taller than main dwelling
- ☐ **Minimum setbacks**:
  - ☐ Front yard - not permitted
  - ☐ Flankage (corner) yard – not permitted
  - ☐ Rear yard 1.2 m (4 ft)
  - ☐ Side yard 3m (9.8ft)
- ☐ **Maximum combined building footprint** (lot coverage): 35% of lot
- ☐ Use of existing driveway
- ☐ One additional parking space is required
- ☐ Same electrical connection as main dwelling
- ☐ Same well as main dwelling
- ☐ Same sewer connection as main dwelling
  - ☐ If no, explain:
- ☐ Capacity of on-site septic tank (if applicable) is adequate to accommodate all units

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Accessory Dwelling Units (ADUs)

Stormwater Management

What is Stormwater?

Stormwater is rain or melted snow. When stormwater cannot soak into the ground, it moves across the surface of yards and flows down streets. Some streets have storm drains connected to pipes to carry the water away, while other areas use ditches to collect and redistribute stormwater.

With heavier rainstorms happening more often due to climate change, even areas that didn't flood before can be affected by increased stormwater. This is especially true where hard surfaces like parking lots and building roofs have replaced soft permeable surfaces like grass. Relatively small changes to a property, like adding a shed, a garden, or extending a driveway, can change the amount of water or the direction of the flow on a property and can create new drainage problems.

By planning carefully in advance, homeowners can reduce these impacts.

Photo Credit: Adobe Stock Images (licensed)

Designing for Stormwater Management for New Structures or Significant Landscaping Changes:

Optimize Site Layout:

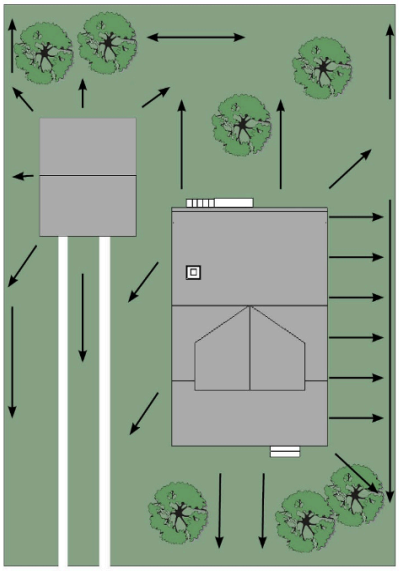


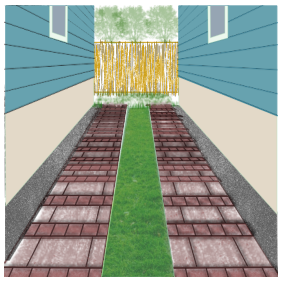
Photo Credit: H. Parnham

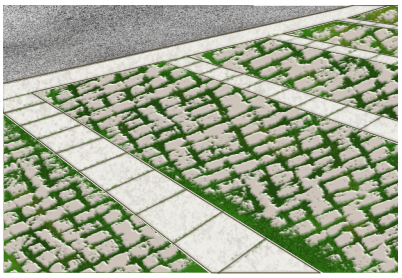
- Design your site with the flow of water in mind, ensuring that new structures and hard impermeable surfaces (like driveways) do not direct water toward buildings or neighbouring properties.

When in doubt, hire a professional. While not required in all municipalities, working with a professional landscape architect or engineer to prepare a stormwater management plan for your project can help avoid costly water management issues over time.

Increase Permeable Areas:

- Use permeable paving materials and maximize green spaces such as lawns, rain gardens, or vegetated swales (small ditches) to help absorb rainwater and reduce runoff.





Downspout Management:

- Direct downspouts away from building foundations and use extensions or drainage channels to disperse water into vegetated areas at least 2 meters from the house.

Photo Credit: Adobe Stock Images (licensed)

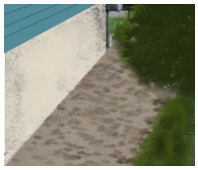
Addressing Stormwater Issues on an Existing Property:

Reduce Hard Surfaces and Install Absorbent Features: Deep-rooted plants, mulch, and soil amendments improve infiltration and slow stormwater runoff. Minimize hard impermeable surfaces, such as concrete or paving. Consider adding a rain garden to capture water in low areas and allow it to soak into the ground.

Upgrade Drainage Elements: Regularly clean gutters, eavestroughs, and any nearby storm drains to prevent clogs that could lead to water pooling. For added protection, consider installing gutter guards and extending downspouts to direct water away from your foundation.

Regrade Your Property: Adjust the slope of the ground around your home so water flows away from the foundation, preventing basement leaks and structural damage. Ensure at least a 2% slope away from the building.

Photo Credit: Adobe Stock Images (licensed)



Whether planning a new development or addressing existing issues, small actions can make a big difference. For complex drainage challenges, consulting a professional can help ensure your solutions are effective, sustainable, and compliant with local regulations.

For more information visit Home Flood Protection Resources from the Intact Centre on Climate Adaptation

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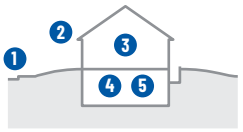
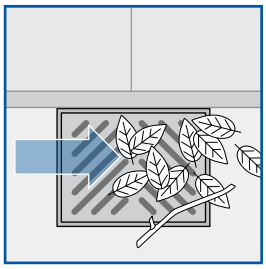
THREE STEPS TO COST-EFFECTIVE HOME FLOOD PROTECTION

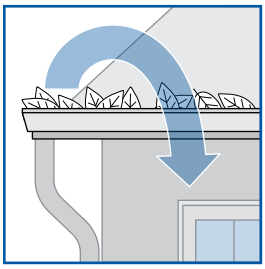
Step 1: Maintain what you've got at least twice per year



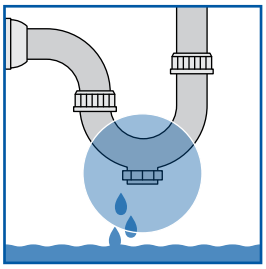
Do-it-yourself, $0



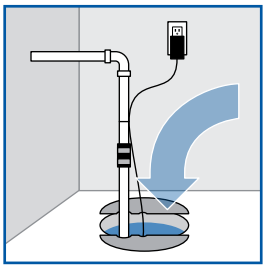
1 Remove debris from nearest storm drain or ditch and culvert



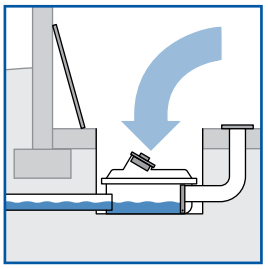
2 Clean out eaves troughs



3 Check for leaks in plumbing, fixtures and appliances

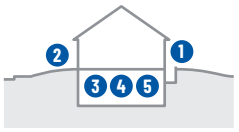


4 Test your sump pump

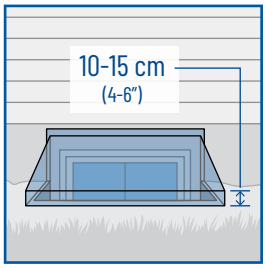


5 Clean out your backwater valve

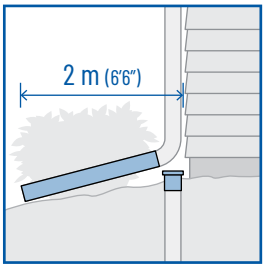
Step 2: Complete simple upgrades



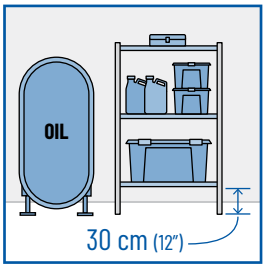
Do-it-yourself, for under $250



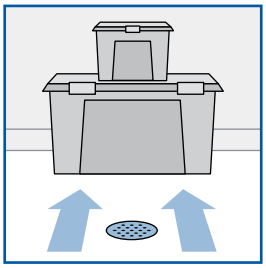
1 Install window wells that sit 10-15 cm above ground, and window well covers (where fire escape requirements permit)



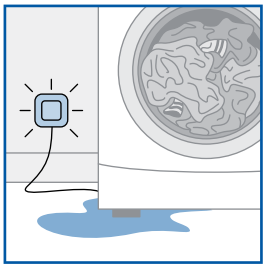
2 Disconnect downspouts, cap foundation drains and extend downspouts and sump discharge pipes to direct water at least 2 m from foundation



3 Store valuables and hazardous materials in watertight containers and secure fuel tanks

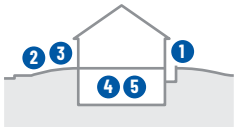


4 Remove obstructions to floor drain

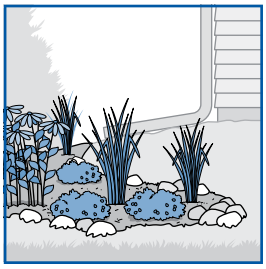


5 Install and maintain flood alarm

Step 3: Complete more complex upgrades

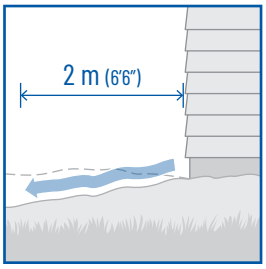


Work with a contractor, for over $250

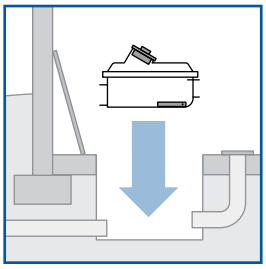


1 Install a rain garden to collect stormwater (at least 5 m from the foundation)

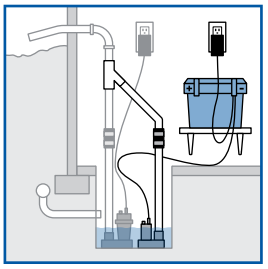
2 Convert paved areas to vegetation which absorbs more water and less heat



3 Correct grading to direct water at least 2 m away from foundation



4 Install backwater valve



5 Install backup sump pump and battery

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Scan the code or click the link for additional resources at www.intactcentre.ca

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