

3.3 ACCESSORY BUILDINGS, STRUCTURES OR USES

3.3.1 Accessory Buildings, Structures or Uses Permitted

Where this By-law provides that land may be used for a Building or Structure or may be Erected or used for a purpose, that purpose shall include any Accessory Building, Structure or Use, but shall not include any of the following Uses, except as specifically Permitted in this By-law;

- a) Any occupation for gain or profit conducted within or Accessory to a Dwelling Unit; nor
- b) Any Building used for human habitation.

Where this By-law provides that land may be used for a Dwelling, the Permitted Accessory Uses shall include a Garage Sale provided that:

- a) No Person shall conduct more than two (2) Garage Sales per calendar year at one (1) location;
- b) No Garage Sale shall exceed two (2) days' duration.

3.3.2 Structures Permitted in all Yards

Despite any other Yard provisions of this By-law, drop awnings, flag poles, garden trellises, fences, retaining walls, Permitted Signs, or similar Accessory Uses and Structures shall be Permitted in any Yard provided they are placed outside of any Sight Triangle as defined in **Section 3.16.4.**

3.3.3 Accessory Buildings and Structures in Residential Zones

All Accessory Buildings and Structures shall comply with the Yard provisions of the Zone in which such Accessory Building or Structure is located, except that in any Residential, A3 or A4, Zone an Accessory Building or Structure shall comply with the following provisions: (B/L 107/2010)

- a) Except as otherwise provided for in any Residential Zone, an Accessory Building or Structure which is not Attached to the Main Building shall not be Erected in any Yard other than the Interior Side Yard or Rear Yard.
- b) On Lots abutting Lake Huron, Detached Accessory Buildings and Structures shall be Permitted in a Front Yard or Exterior Side Yard provided they are not located within a Required Yard Setback. (B/L 107/2010)
- c) An area of 1.2 metres which is open and unobstructed from the ground to the sky shall be maintained between a Detached Accessory Building or Structure and the Main Building on the same Lot, unless they are connected by a Breezeway or similar Structure. (B/L 107/2010)
- d) An Attached Accessory Building or Structure may be Erected in a Front Yard or Exterior Side Yard provided it is not located in a Required Yard.
- e) When a Detached Accessory Building or Structure is located in an Interior Side Yard, it shall be no closer than 1 metre to the Interior Side Lot Line, or 0 metres where such Lot Line abuts a Lane.
- f) When a Detached Accessory Building or Structure is located in the Rear Yard, it shall be located no closer than 1 metre to either the Rear Lot Line or the Interior Side Lot Line, or 0 metres where such Lot Line abuts a Lane.
- g) When a Detached Accessory Building or Structure is located in a Front Yard on a Lot abutting Lake Huron, it shall be no closer than 1 metre to the Interior Side Lot Line.

- h) No Accessory Building or Structure shall be located closer to the Exterior Side Lot Line than the Exterior Side Yard Setback requirement for the Zone in which each Lot is located.
- i) No Accessory Building or Structure shall be located closer to the Rear Lot Line of a Through Lot than the Front Yard Setback requirement for the Zone in which such Lot is located.
- j) Where a mutual Private Garage is Erected on the common Lot Line between two (2) Lots, no Setback is required from the common Lot Line.

3.3.4 Lot Coverage and Height of Accessory Buildings and Structures in Residential Zones

- a) The total Lot Coverage of all Accessory Buildings and Structures on a Lot in any Residential Zone shall be included as part of the Maximum Lot Coverage calculation. The maximum combined Lot Coverage of all Detached Accessory Buildings shall be the greater of:
 - i) 47 m², or
 - ii) 10% Lot Coverage up to 93 m² (B/L 107/2010)
- b) The Height of a Detached Accessory Building or Structure in a Residential Zone shall be measured from the finished floor to the highest point of the Building or Structure and shall not exceed 5.5 metres. In addition:
 - i) there shall be no more than 1.5m clearance to truss bottom in any portion of any second floor, loft mezzanine or Attic space,
 - ii) no knee-wall shall be Permitted in any second floor, loft, mezzanine or Attic area,
 - iii) if the Building or Structure exceeds 3m Height, no portion of the roof shall have a pitch ratio of less than 4:12 (rise:run) or more than 18:12 (rise:run), and
 - iv) if the Building or Structure exceeds 4.5m Height:
 - 1. the main floor ceiling clearance shall not exceed 3.1m in any part,
 - 2. an access panel, but not windows and not doors, may be located in the exterior walls of any upper floor or attic and,
 - 3. the Interior Side and Rear Yards shall be a minimum of 2.4m.
- c) Any attached Accessory Building with a second Storey or Attic space shall be subject to Detached Accessory Building Height restrictions if there is no passage provided to the Main Building via the second Storey. (B/L 107/2010)

Private Swimming Pools

- d) A Private Swimming Pool shall not be considered as part of the Lot Coverage. Fences surrounding Private Swimming Pools shall comply with the By-laws of the Corporation regulating such fences. Private Swimming Pools shall be subject to the same Setbacks as required by, **Section 3.3.3**.

Decks (Unenclosed)

- e) Decks (Unenclosed) and Detached gazebos shall not be considered as part of the Lot Coverage and shall be subject to the same Setbacks as Accessory Buildings or Structures in the Zone they are Permitted, except as provided for in **Section 3.13.1**, Yard Encroachments Permitted.

Fences and Walls (B/L 107/2010)

- f) The maximum Permitted Height of a fence, privacy wall or like feature in a Residential Zone shall be 2.5m provided that the fence is not located in a Sight Triangle (**see Section 3.16.4**) and that the maximum Permitted Height within 4m of the Front Lot Line shall be 1.1m.

3.3.5 Accessory Buildings and Structures on Rural Residential Lots (B/L 107/2010)

- a) On any Lot less than 2 Ha in Lot Area, located in the A1 or A2 Zones and containing a Dwelling, the provisions of Section 3.3.3 shall apply to any Detached Building or Structure with the following modifications:

- i) Minimum Interior and Rear Yard 2m
- ii) Maximum Permitted Height 6m
- iii) Maximum Ground Floor Area 190 m²