

SECTION 3: GENERAL PROVISIONS

3.1 APPLICATION

The provisions of this section of the By-law shall apply to all lands within the Township of Mulmur unless otherwise specified.

3.2 ACCESSORY BUILDINGS, STRUCTURES AND USES

3.2.1 Permitted Purposes

Where this By-law provides that a lot may be used or a building or structure may be erected or used for a purpose, that purpose shall include any accessory building or structure or accessory use, provided the principal building, structure or use is already in existence on the lot, but shall not include the following:

- (i) any occupation for gain or profit conducted within or accessory to a dwelling unit or on such lot associated therewith, except as is specifically permitted in accordance with this By-law; or
- (ii) any building used for human habitation except in accordance with this By-law, as is specifically permitted.

Legal non-conforming uses shall be permitted to have accessory uses, buildings and structures in accordance with the provisions of section 3.2 of the By-law and the provisions of the applicable zone.

3.2.1.1 Accessory Buildings and Structures on Vacant Lands

Accessory structures shall not be permitted on vacant land, including land used for a forestry or livestock use. No building or structure of less than 10 sq m in size and no temporary or seasonal buildings and structures that are designed to be dismantled and re-erected, such as fabric or plastic covered, metal or wood framed structures, shall be constructed on a lot unless it is accessory to a legal non-conforming, or to a permitted principal building or structure already in existence on the lot. Such structures shall be subject to the requirements of Section 3.2.

3.2.1.2 Large Accessory Buildings as Principal Uses

Buildings and structures greater than 140 m² in the Countryside Area (A) zone shall be considered principal buildings and shall be for a purpose permitted by the By-law, including an *implement shed* or *livestock facility*. Buildings greater than 140 m² proposed for personal use shall require an amendment to the zoning by-law.

Note: An implement shed, by definition, must be accessory to a crop operation having a minimum of 15 ha of tillable land or accessory to a livestock facility. A new livestock facility, in accordance with the Nutrient Management Act, must have an approved NMP/S if designed for > 5NU (approx. 50m²)

For the purposes of this By-law a *livestock facility*, manure storage facility and/or anaerobic digester with an approved nutrient management plan or *implement shed* on a lot having a minimum of 15 ha of workable land shall be considered as a principal building in an Agricultural or Rural Zone.

3.2.2 Permitted Accessory Buildings and Structures

The following accessory buildings and structures are permitted in the below indicated zones, in accordance with the regulations for accessory buildings and structures. Such uses are only permitted accessory to a permitted principal building.

Permitted Accessory Buildings and Structures	Zone											
	Countryside Area (A)	Rural Residential	Hamlet Residential	Estate Residential	Rural Commercial	General Commercial	Business Park Gateway Core, Transition	Highway Commercial	Industrial	Recreational	Institutional	Open Space
Garden Shed, Garage, Personal Storage Shed	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Temporary Cloth Covered structure, car canopy, or car shelter having a maximum gross floor area of 15 m ²	✓	✓	✓	✓	✓							
Temporary Sea container, shipping containers, storage bins, truck bodies (with the frame and towing gear removed)	✓	✓			✓				✓			
Quonset-style sheds permitted	✓								✓			
<i>Non-Commercial Wind Turbine, Wind Mill</i>	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
<i>Non-commercial Ground Mounted Solar Project</i>	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
<i>Roof Top Solar Project</i>	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	

3.2.3 Regulations for Accessory Buildings and Structures

The following regulations shall apply to all accessory buildings and structures, including buildings and structures less than 15 m² in gross floor area and temporary buildings and structures:

Note: Municipal approval is required for temporary buildings and structures, and permanent buildings and structures less than 15m² even though a building permit may or may not be required.

Provisions applying to Accessory Building and/or Accessory Structure	Zone											
	Countryside Area (A)	Rural Residential	Hamlet Residential	Estate Residential	Rural Commercial	General Commercial	Business Park Gateway Core, Transition	Highway Commercial	Industrial	Recreational	Institutional	Open Space
Required to meet zone requirements	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Permitted in front of Principal Building provided it meets minimum front yard and exterior side yard setbacks of zone	✓											✓
Maximum total number of all accessory buildings or structures having a gross floor area of 15 m ² or less, not including <i>non-commercial wind turbines</i> and <i>non-commercial solar panels</i>	2	2	1	1	2	1	1	1	1			
Maximum total number of all accessory buildings and structures greater than 15 m ²	2	2	1	1	2	1	1	1	1			
Maximum gross floor area as a percentage of the floor area of the largest dwelling (including attached garage to a dwelling) or main building (%)	100	100	75	75	100	40	40	40	40			75
Maximum gross floor area of all accessory buildings and structures (m ²)	140	140	140	140	140							140
Maximum height (m)	6	6	4.5	4.5	6	6	6	6	6	6	6	4.5
Ground floor area of accessory buildings and structures shall be Included in calculation of total lot coverage	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Minimum interior side or rear yard setback, to a maximum of the minimum requirement for the principal building on the lot where:												
Gross floor area is less than 20 m ²	1.5m											
Gross floor area is between 20 m ² and 40 m ²	3m											
Gross floor area between 40 m ² and 60 m ²	4.5m											
Gross floor area is greater than 60 m ²	6m											

Provisions applying to Signs	Zone											
	Countryside Area (A)	Rural Residential	Hamlet Residential	Estate Residential	Rural Commercial	General Commercial	Business Park Gateway Core, Transition	Highway Commercial	Industrial	Recreational	Institutional	Open Space
Maximum total number of signs	2	2	1	1	1	1	1	1	1	2	1	1
Maximum face areas of a sign accessory to and providing advertising or identification in relation to the property or a land uses in Mulmur, unless otherwise specified. (m ²)	3	3	1	1	3	3	3	3	3	3	3	3
Sign shall maintain a minimum setback of 4 m to all lot lines and shall be permitted in the front yard.												
No sign shall be illuminated.												

3.2.4 Temporary accessory uses and structures during Construction

A tool shed, construction trailer, scaffold or other building or structure incidental to construction is permitted in all Zones within the Township on the lot so long as it is necessary for the work in progress and until the work is completed or abandoned. For the purpose of this Section, abandoned shall mean the discontinuation of work for more than 30 consecutive days and/or the failure to maintain a current building permit.

Note: By-law 09-2022, as amended or replaced, regulates sign on the Municipal Right-of-way. County Roads are regulated by the County of Dufferin. MTO setbacks apply to Highway 89.

3.2.6 Swimming Pools and Fences

Regulations pertaining to pools and pool fences are contained in the Township's fence by-law, as amended. No swimming pool, water circulating, or pumping equipment shall be located within 1.5 metres to any lot line.

3.3 DWELLING UNITS, ADDITIONAL SINGLE DWELLINGS & ATTACHED ACCESSORY DWELLING UNITS

Except as permitted in this By-law, no more than one dwelling unit shall be permitted on any lot. Where permitted in this By-law, the following shall apply:

3.3.1 Water and Sewage Services Required

No person shall erect or use a building or structure for a residential use on any lands unless approved sewage disposal and water supply services are available to the lot.

3.3.2 Detached Additional Single Dwellings

Where an additional detached single dwelling is permitted, such dwelling shall comply with the following provisions:

- i) Minimum lot size shall be 2.0 ha.