



# **TOWNSHIP OF MULMUR**

## **COMPREHENSIVE ZONING BY-LAW**

### **NO. 28-18**

OFFICE CONSOLIDATION DATE: May 3 2024

***USERS SHOULD CHECK WITH STAFF FOR ANY AMENDMENTS TO  
THIS BY-LAW THAT HAVE BEEN PASSED SINCE THE ABOVE NOTED CONSOLIDATION DATE***

***THIS BY-LAW DOES NOT APPLY TO LANDS WITHIN THE NIAGARA ESCARPTMENT PLAN. THIS DOCUMENT MAY BE  
USED AS A GUIDE TO PROVIDE COMMENTS ON NEC APPLICATIONS.***

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 ADDITIONAL 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.
- ii) The gross floor area of the Detached Additional Single Dwelling shall be no more than 50% of the gross floor area of the principal single detached dwelling, and no more than 110 m<sup>2</sup>, and shall not exceed the lot coverage for all accessory structures in subsection 3.2.3.
- iii) A maximum of one Detached Additional Single Dwelling unit shall be permitted. Where permitted, a maximum of one Farm Worker Housing Unit may also be permitted in addition to the Detached Additional Single Dwelling Unit.
- iv) Notwithstanding the definition of Gross Floor Area, a basement in a Detached Additional Single Dwelling with windows shall be considered Gross Floor Area, regardless of the size of windows or portion of the wall that is above grade. A drawl space, having a maximum height of 5' shall be permitted and not included in the Gross Floor Area of a Detached Additional Single Dwelling.
- v) An attached garage shall be permitted to have a maximum floor area of 20m<sup>2</sup>.
- vi) The Detached Additional Single Dwelling shall be located with 30m of the principal dwelling. Where an additional single dwelling is permitted, such dwelling shall only be permitted where there is a site plan agreement between the owner and Township, and where such agreement includes buffering, servicing, separation distances and access.

A *guest cabin*, second storey loft in any building or structure, or pool house having a floor area greater than 20 m<sup>2</sup>, or accessory structure other than a garage or workshop, shall be considered an additional single dwelling, regardless of whether bedroom, kitchen facilities or bathrooms have been installed, and regardless of whether it is attached to a non-residential use or within an accessory structure.

Where a lot has less than 8 ha of land, such additional single dwelling shall comply with the following additional provisions:

- i) Minimum lot size shall be 1.0 ha
- ii) The gross floor area of the additional single dwelling shall be no more than 50% of the gross floor area of the principal single detached dwelling, and no more than 80 m<sup>2</sup>, and shall not exceed the lot coverage for all accessory structures in subsection 3.2.3.

- ii) Such dwelling shall only be permitted where there is a site plan agreement between the owner and Township, and where such agreement includes buffering, servicing, separation distances and access.

### **3.3.3 Attached Accessory Additional Dwelling Unit**

Where an attached accessory dwelling unit/attached additional dwelling unit is permitted, the following provisions shall apply;

- i) Minimum lot size shall be in accordance with section 3.10.2.3, Existing Undersized Lots of Record.0.4 ha
- ii) Water and septic services shall be adequately sized to allow for the accessory dwelling unit
- iii) Accessory dwelling unit and main dwelling shall be attached either through a common ceiling/floor or wall having a minimum face area of 12 m<sup>2</sup>. A common breezeway or any other form of roof connection or hallway shall not be considered attached.
- iv) An attached accessory dwelling unit maximum of one attached additional single dwelling unit shall be permitted. will not be permitted if there is already a second dwelling unit, unless the lot has a minimum area of 8 ha.

### **3.3.4 Temporary Dwelling Unit/Garden Suite**

A *Garden suite* or *mobile home* may be permitted as a temporary use in all zones that permit a *single detached dwelling* unit provided that:

- i) the unit is occupied by an immediate family member of the occupant of the primary residential use;
- ii) the lot has sufficient sewage and water services to accommodate the unit;
- iii) the unit has a minimum maximum gross floor area of 8045 sq m; and a maximum of 75 sq m.
- iv) there is an agreement between the owner and Township that provides for the removal of the building in accordance with the provision of the agreement and when it is no longer required for the purpose for which it was permitted; and.
- iv) there is not already a detached additional dwelling unit on the lot.

### **3.3.6 Mobile Homes**

*Mobile homes* may only be used as a dwelling unit as an additional single dwelling (ASD) in an Agricultural Zone that permits an ASD and may be permitted as a temporary use under a temporary use by-law and where there is an agreement between the owner and Township that provides for the removal of the *mobile home* when it is no longer required.

### **3.3.7 Habitation in Camping Trailers and Recreational Vehicles**

Except as may be permitted by this by-law, the use of a *recreational vehicle*, travel trailer, motor home, *mobile home*, truck camper, camper trailer or similar transportable unit such as a converted school or transit bus, for any residential purpose, whether permanently or on a temporary, intermittent or occasional basis, is prohibited.

### **3.3.8 Temporary Trailer Habitation during Dwelling Construction**

The placement of one motor home, travel trailer or camper for the purpose of providing temporary accommodation for an owner and the immediate family of an owner of a lot upon which a principal dwelling unit is being constructed may be permitted while the dwelling is being constructed, subject to:

- i) water and sewage services being provided in accordance with the requirements of the Dufferin County Building Department;
- ii) the unit being approved, and suitable for human habitation, and equipped with smoke detector(s);
- iii) the unit being removed on or before nine months following the date of issuance of the building permit for the principal dwelling by the Dufferin County Building Department.

### **3.3.9 Dwelling Units in Non-Residential Buildings**

Notwithstanding any other provision of this By-law to the contrary, no dwelling unit shall be located within a portion of a non-residential building which has flammable fluids or hazardous materials stored in bulk for commercial purposes or in conjunction therewith, and without limiting the generality of the foregoing, a dwelling unit shall not be permitted within a building used for a motor vehicle service station, a *motor vehicle repair garage*, a *motor vehicle body shop* or a marine service shop. Where an accessory attached dwelling unit is permitted to be located within non-residential building, such dwelling unit shall be located behind or above the non-residential use.

### **3.3.10 Minimum Gross Floor Area of Dwelling Units**

Unless otherwise specifically permitted by this by-law, a dwelling unit shall have a minimum gross building floor area of 110 sq m, and a minimum combined building gross floor area, if more than one storey, of 140 sq m. Basement floor space shall not be permitted to form part of this minimum gross floor area requirement unless the ground level on the exterior of the dwelling is at or below the grade of the basement floor and there is a walk-out or entrance from the exterior to that level of the structure, in which case the area that is considered habitable floor space may be included, but not more than 50 percent of the gross floor area on that level.

Where permitted, a detached unit accessory to a principal non-residential permitted use shall have a minimum building floor area of 110 sq m and an apartment unit accessory to a principal non-residential permitted use shall have a minimum building floor area of 90 sq m.

## **3.4 ENCROACHMENTS AND HEIGHT EXCEPTIONS**

The following buildings, structures and fixtures shall be permitted to encroach into the required minimum yard requirement in accordance with the following:

Building, Structures & Fixtures	Permitted Encroachment
drop awnings, clothes poles, garden trellises, retaining walls less than 1.0 m above the average finished grade, fences, signs or similar uses which comply with the By-laws of the Township	In any required interior, side or rear yard
Swimming pool water circulating or pumping equipment	Minimum 3.0 m to any side or rear lot line
satellite antennas less than 1.0m in diameter	Zero setback
unenclosed fire escapes	1.5m into a rear yard
decks, steps, balconies and patios with a floor height less than 1.0m above finished grade	a maximum distance of 2.0m but shall not be closer than 1.5m to any lot line
sills, chimneys, cornices, eaves, gutters, parapets, pilasters, windows or other ornamental structures	may project into any required yard a maximum distance of 0.6 m
silo, church spire, belfry, flag pole, clock tower, chimney, water tank, <i>non-commercial wind turbine</i> , windmill, radio or television tower or antenna, air conditioner duct, grain elevator, incidental equipment required for processing, external equipment associated with internal equipment or machinery and conveying equipment	No maximum height