

## 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 120 m<sup>2</sup> 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 120 m<sup>2</sup> 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. 50m<sup>2</sup>)*

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



### 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 10 m<sup>2</sup> in floor area and temporary buildings and structures:

*Note: Municipal approval is required for temporary buildings and structures, and permanent buildings and structures less than 10m<sup>2</sup> 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 floor area of 10 m <sup>2</sup> or less, not including <i>non-commercial wind turbines</i> and <i>non-commercial solar panels</i>	1	1	1	1	1	1	1	1	1	1	1	4
Maximum total number of all accessory buildings and structures greater than 10 m <sup>2</sup>	2	1	1	1	1	1	1	1	1	1	1	2
Maximum floor area as a percentage of the floor area of the largest dwelling (including attached garage to a dwelling) or main building (%)	100	75	75	75		40	40	40	40			75
Maximum floor area of all accessory buildings and structures (m <sup>2</sup> )	120	120	120	120	120							120
Maximum height (m)	6	4.5	4.5	4.5								4.5
Maximum number of storeys shall be one storey, and no second storey loft or truss design to facilitate future storage areas shall be permitted.	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
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:												
floor area is less than 20 m <sup>2</sup>	1.5m											
floor area is between 20 m <sup>2</sup> and 40 m <sup>2</sup>	3m											
floor area between 40 m <sup>2</sup> and 60 m <sup>2</sup>	4.5m											
floor area is greater than 60 m <sup>2</sup>	6m											

### 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.

### 3.2.5 Signs

A non-illuminated sign having a maximum face area of 3m<sup>2</sup> shall be permitted on any lands, except lands zoned Environmental Protection, Hamlet Residential and Estate Residential, accessory to and providing advertising or identification in relation to the property or land uses on the subject lands, unless otherwise specified. Such sign shall comply with the setbacks for an accessory structure, except that it shall be permitted in the front yard, subject to maintaining a front yard setback equivalent to 1.5 times its height.

*Note: By-law 20-2009, 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.*

A non-illuminated sign having a maximum face area of 1m<sup>2</sup> shall be permitted on lands zoned Hamlet Residential and Estate Residential, accessory to and providing advertising or identification in relation to the property or land uses on the subject lands, unless otherwise specified.

Only signs under the jurisdiction of the municipality shall be permitted to advertise or identify uses or businesses unrelated to the land uses on the subject lands.

Any sign having a face area of greater than 3m<sup>2</sup>, regardless of whether it is freestanding or attached to a permitted building or structure shall not be permitted, except by amendment to this by-law.

Where a sign is regulated by a road authority under the Municipal Act, the setbacks and regulations shall be the greater of the requirements of the road authority, this By-law and the sign by-law.

### 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.