

2.28 Accessory Buildings, Structures and Uses

- (1) Accessory building, structure or use means a subordinate building, structure or use which is incidental and accessory to the principal building, structure or use, and located on the same site as the principal building, structure or use.
- (2) A development permit for an accessory buildings or structures shall be required unless otherwise noted in this By-law, and subject to such terms and conditions as required by the Board.
- (3) An accessory use is allowed in any zone if:
 - a. It is on the same lot as the principal use to which it is accessory; and
 - b. It exists to aid and contribute to the principal use to carry out the function of that principal use.
- (4) Accessory developments are permitted when accessory to a permitted use.
- (5) Accessory developments are conditional when accessory to a conditional use.
- (6) If a question arises as to whether a particular accessory use or structure is included within the land use categories or use types of this By-law, the Development Officer must make the determination as described in the section Classification of Uses.
- (7) Detached accessory buildings, structures or uses shall cease to be allowed on a site when a principal building or land-use also ceases, unless otherwise provided in this By-law as a temporary building or use.

2.28.1 Attached to Principal Building

- (1) Where the accessory building or structure is attached to the principal building by a roof, floor (except slab on grade or foundation), or an open or enclosed structure, the accessory building shall be located in compliance with the setback requirements for the principal building as specified in the bulk table for each zone.

2.28.2 Construction Before Principal Building or Structure

- (1) Detached accessory buildings or structures may be constructed before construction of the principal building, structure or use on the same site, subject to:
 - a. The accessory building being fully finished on the exterior in a manner that is compatible with the character of the surrounding area;
 - b. The number of accessory buildings or structures being limited to one (1) before construction of the principal building, structure or

- use; and
 - c. The detached accessory buildings or structures remains without the principal building or use for not longer than one (1) year.
- (2) Detached accessory buildings or structures constructed before the development of the principal building, structure or land-use may be used for the following uses:
- a. As a temporary building for uses in connection with construction or development on the site as outlined **Temporary Buildings, Structures and Uses**.
 - b. Parking of motor vehicles;
 - c. Boat house and Boat port;
 - d. Storage of domestic equipment and supplies;
 - e. Storage required for an agricultural operation;
 - f. To accommodate Exploration Projects [Advanced] as defined in the *Mines and Minerals Act*;
 - g. Private wastewater management system; or
 - h. Private drinking water system.
- (3) Detached accessory buildings or structures being used as temporary buildings in connection with construction or development on a site, shall not be subject to removal within one (1) month of the completion of construction or development of a principal use or building, but shall cease to be used as a temporary building.

2.28.3 Performance Standards for Accessory Building, Structure or Use

- (1) Site Plan Approval shall be required by the Development Officer and the Board, prior to the issuance of any building or development permits, for the on-site locations and designs of accessory parking areas, private approaches, garbage areas, fencing, landscaping, signage, and exterior finishing materials for the construction of principal buildings and detached accessory buildings and structures, all of which shall be maintained to the satisfaction of the Development Officer.

2.28.4 Location on the Lot for Accessory Building, Structure or Use

Building Separation between Accessory Buildings

- (1) Detached accessory buildings, excluding detached decks, above ground pools and hot tubs, shall be located a minimum of 3 feet clear of all projections from other detached accessory buildings.

Easement or Right-of-way

- (2) Detached accessory buildings and structures shall not be located within a dedicated easement or right-of-way.

Setbacks from Lot Lines

- (3) Detached accessory buildings and structures shall be located in accordance with the following:
 - a. Shall not be permitted in the front yard setback of a principal building.
 - b. When a detached accessory buildings or structures built to the rear of the principal structure, it shall not come closer than 5 feet to the side property line and 5 feet from the rear property lines, unless the rear property line abuts a rear public lane in which case the rear yard setback shall be 3 feet.
 - c. The cumulative gross floor area for all detached accessory structures on the lot shall not exceed 12.5 percent of the total building coverage area of the lot.
 - d. A one (1) foot overhang is permitted within the required setbacks from the property lines to the wall of the detached accessory structures. Eavestrough may be added to the permitted one (1) foot overhang.
- (4) If a detached accessory structure is not located to the rear of the rear wall of the principal building, the minimum setbacks of the principal building apply to that portion of the structure not to the rear of the rear wall of the principal building. For the purpose of this regulation, the rear wall of the principal building is the wall furthest from the wall with the facade facing the fronting public road.

2.28.5 Height of Accessory building, Structure or Use

- (1) Detached accessory buildings and structures shall not exceed 13 feet in height except in association with a Garage Suite or with agricultural operations where accessory structures may exceed this height.

2.28.6 Building Coverage of Accessory building, structure or use

- (1) The cumulative gross floor area of all Detached accessory buildings and structures shall be counted in determining the maximum Lot Coverage allowed on a lot.

2.29 Garages and Carports

Garages and carports are detached accessory buildings or structures that shall be constructed as follows:

- (1) Where a driveway leads from the public road to a garage or carport located on the front facade of a dwelling, such driveway must be a ~~minimum of 18 feet in length. Driveway length is measured between the garage door or the edge of the carport closest to the public road and the front property line.~~
- (2) Individual driveways leading from a shared private lane to each dwelling

unit must be at least 20 feet long, as measured between the front of the garage or carport and the closest pavement edge of the shared private lane.

- (3) The maximum height allowable for a garage, carport or any accessory structure is 13 feet as determined for different roof styles as shown in this By-law except for a garage that contains a **Garage Suite** in which case the maximum height shall be 22 feet.
- (4) The cumulative gross floor area of garages, carports and any other accessory structures on the lot shall be counted along with the gross floor area of the principal structure in determining the maximum Lot Coverage allowed on a lot.

2.29.1 Location on the Lot

- (1) Garages and carports shall be located in accordance with the following:
 - a. When a garage or carport is built to the rear of the principal structure, it shall not come closer than 5 feet to the side property line and 5 feet to the rear property line unless the rear property line abuts a public lane in which case the rear yard setback shall be 3 feet.
 - b. A one (1) foot overhang is permitted within the required setbacks from the property lines to the wall of the garage or carport posts. Eavestrough may be added to the permitted one (1) foot overhang.
 - c. Garage or carport may be located in the front of a principal building where a lot has frontage on a navigable waterway.

2.29.2 Attached to Principal Building

- (1) Where the garage or carport is attached to the principal building by a roof, floor (except slab on grade or foundation), or an open or enclosed structure, the garage or carport shall be located in compliance with the setback requirements for the principal building as specified in the bulk table for each zone except for the driveway length requirements as stated above in this section.
- (2) Where the garage or carport is not located to the rear of the rear wall of the principal building, the minimum setbacks of the principal building apply to that portion of the structure not to the rear of the rear wall of the principal building.

2.29.3 Performance Standards for Garages and Car Ports

- (1) The design of the exterior finishing materials, and construction of garages and carports shall be to the satisfaction of the Development Officer or the Board who shall require, as far as reasonably practicable, that materials will be used which ensure that the standard of the garage