

Town-Initiated Zoning By-Law Amendment

**Development Standards for Accessory
Buildings & Structures in all Residential Zones**

Development Services Committee

September 29th, 2009

Content

- Preliminary Report received by DSC on June 16th, 2009
- Recap the need for the proposed Amendment
- Purpose & Effect
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Recap – why are new By-law provisions needed?

1. Lack of consistent definitions and standards
2. Growing trend to structured garden design – creating “outdoor rooms”
3. Number of instances where members of the public have questioned whether certain structures are permitted in accordance with current zoning

Purpose & Effect

- Provide clear definitions
- Provide consistent standards
- Create 3 tiers of permissions to regulate the size, number and location of accessory buildings and structures on residentially-zoned properties
- Clarify provisions as they relate to detached private garages

Definitions

- **BUILDING**

A structure occupying an area greater than 10sqm consisting of any combination of a wall, roof, and floor, or a structural system serving the function thereof, including all associated works, fixtures and service systems

- **ACCESSORY BUILDING**

A detached building (i.e. $>10\text{m}^2$), the use of which is customarily incidental to, subordinate to, or exclusively devoted to the main use or main building, and located on the same lot

- **STRUCTURE**

Anything that is erected, built or constructed of parts joined together and attached or fixed permanently to the ground or any other structure.

- **ACCESSORY STRUCTURE**

A detached structure, the use of which is customarily incidental to, subordinate to, or exclusively devoted to the main use or main building, and located on the same lot

General Provisions

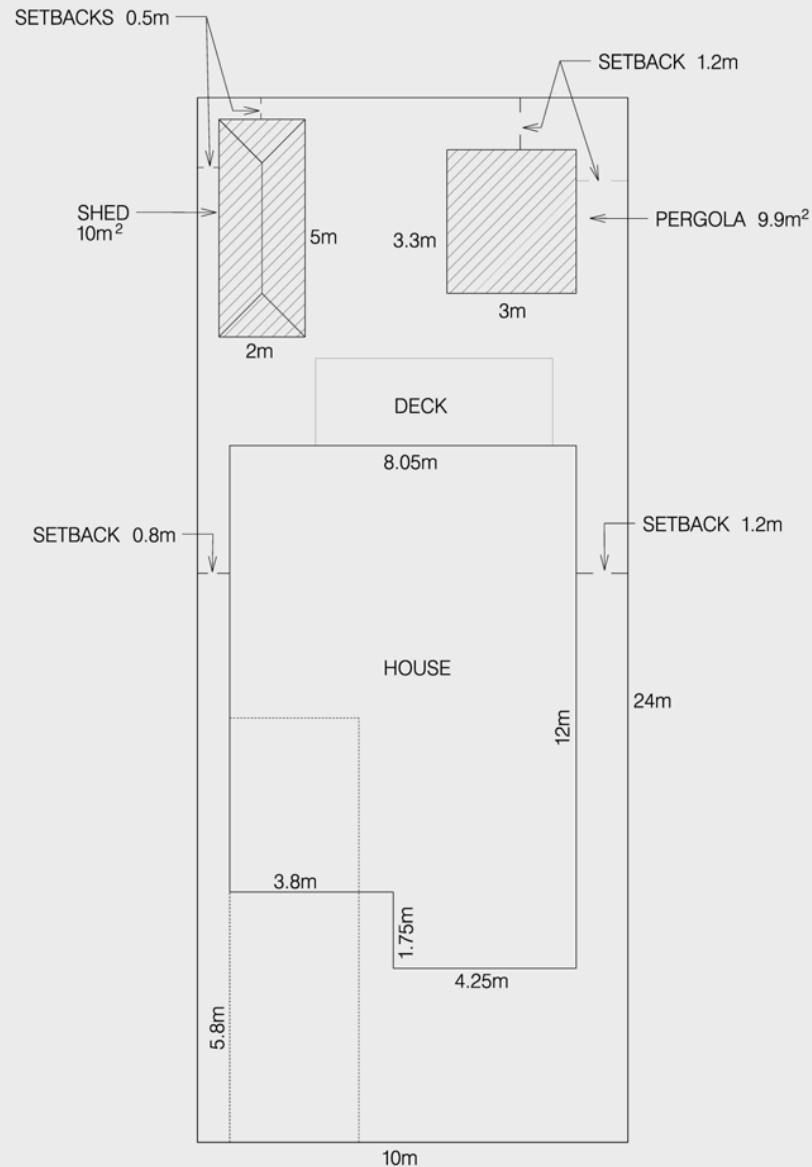
- a) Where lands are used for a purpose for which they are zoned then that purpose can include an accessory building or structure
- b) No human habitation permitted
- c) Cannot be erected prior to the erection of the main building on the lot
- d) Cannot be located within an easement that is in favour of a public authority
- e) Accessory structure does not include: a swimming pool, a retaining wall less than 1m high, light standard, flag pole, utility meter, air conditioning unit, mail box, statue, entrance pillar

TIER 1 – lots less than 1,000m²

Scenario 1 -

**Lot area 240m²
(2,580ft²)**

One of the smaller lots in
Tier 1

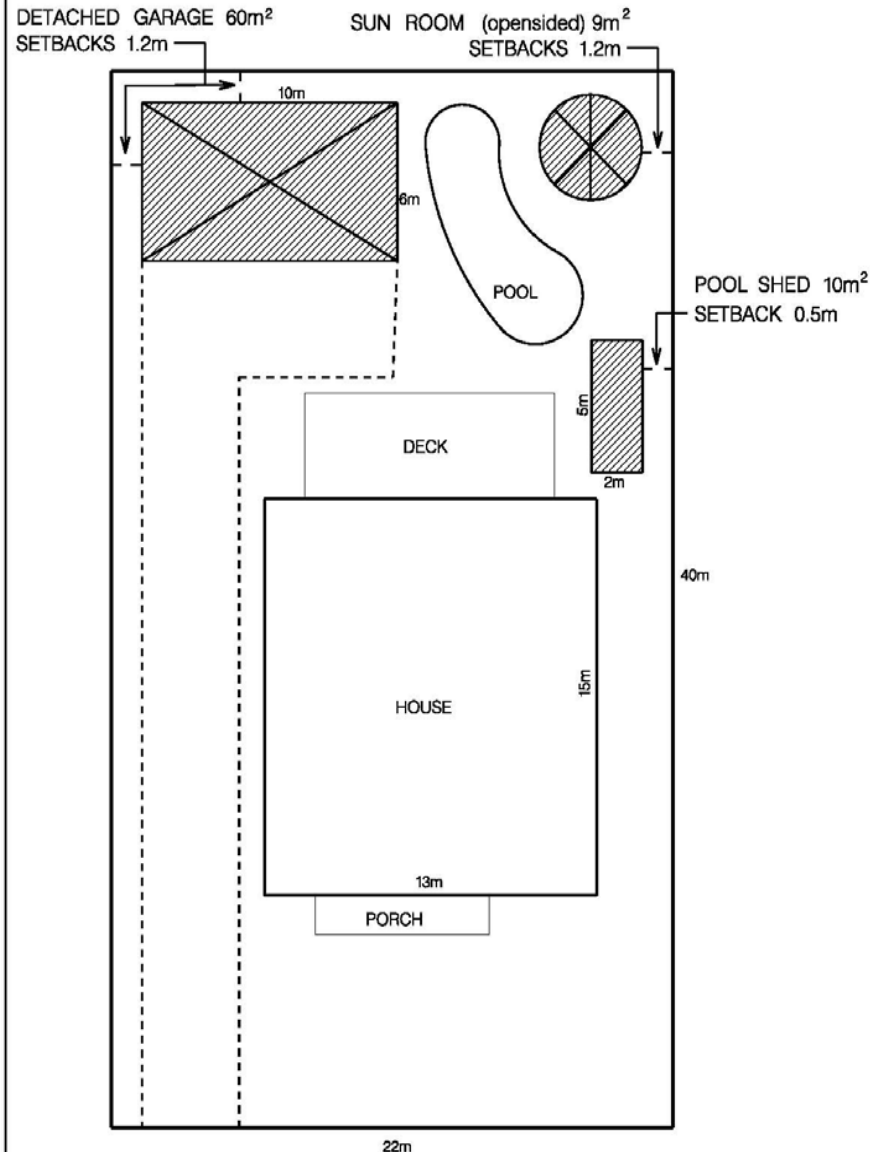


TIER 1 – lots less than 1,000m²

Scenario 2 –

Lot area 880m²
(9,472ft²)

A mid-size lot in Tier 1



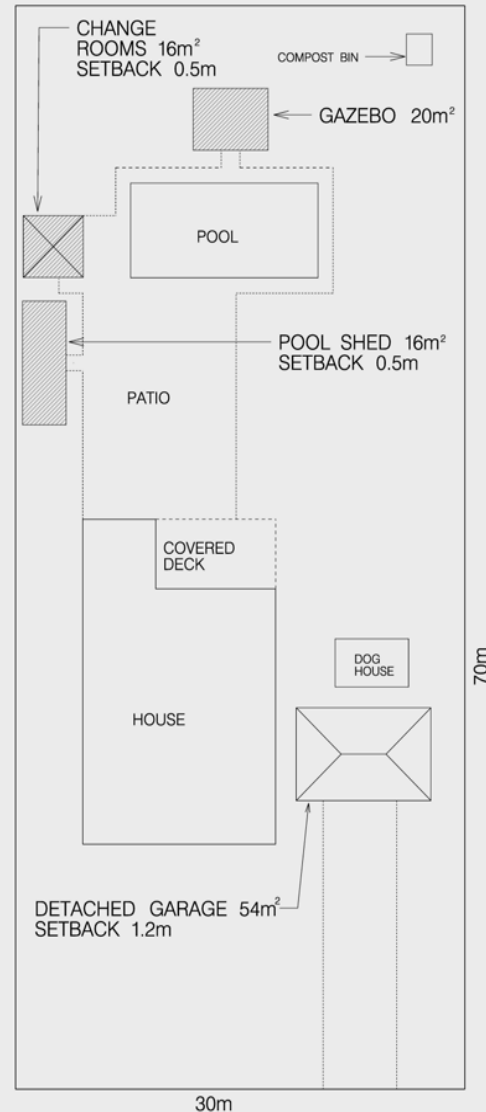
TIER 2 – lots between 1,000m² and 4,000m²

Scenario 3 –

Lot area 2,100m²

(22,600 ft²)

A mid-size lot in Tier 2

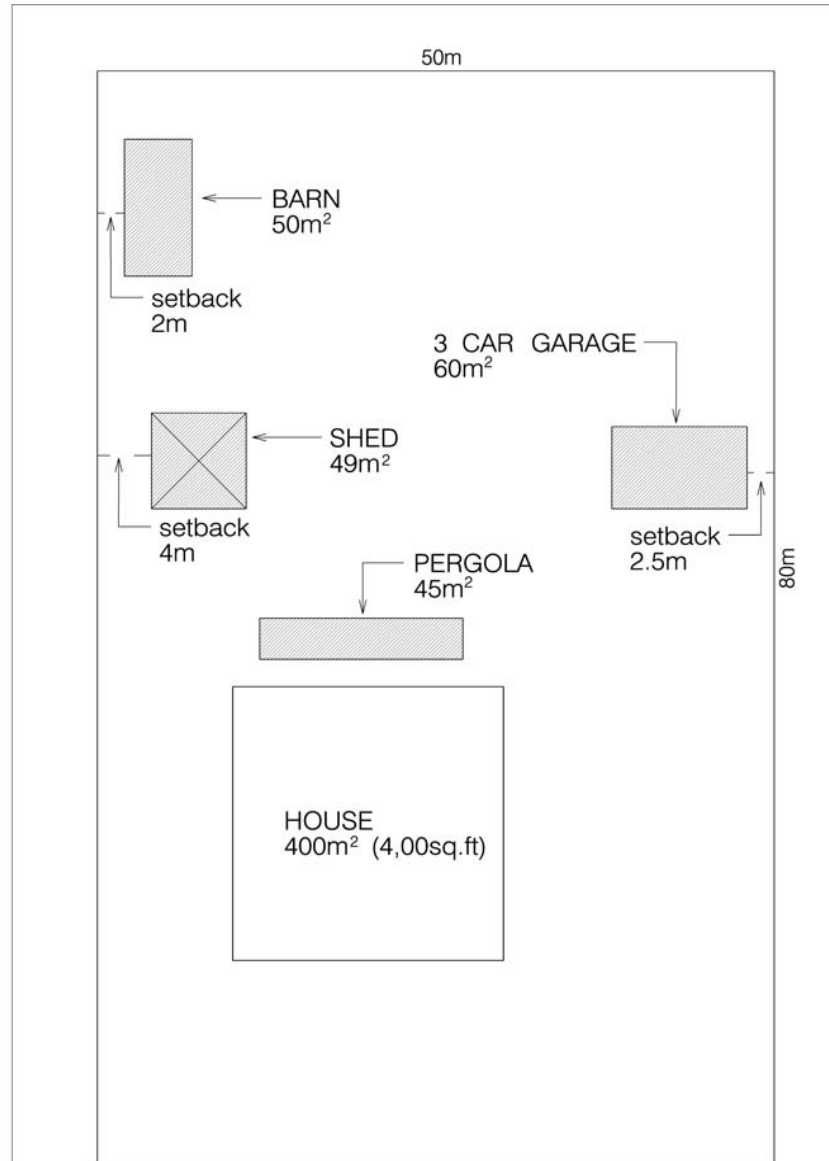


TIER 3 – lots greater than 4,000m²

Scenario 4 –

**Lot area 4,000m²
(22,600 ft²)**

The smallest lot in Tier 3



Next Steps

- Discussions and Questions
- Present the Zoning by-law amendment at a Public Meeting with the development standards as shown today
- Present a refined version of the proposed standards at a Public Meeting based on today's discussions
- Revise the provisions based on today's discussion and report back to DSC prior to holding a Public Meeting

Table 1: Standards for Accessory Buildings and Accessory Structures in Residential Zones

	TIER 1: For lots having a lot area of 0.1 ha (1,000m ²) or less	TIER 2: For lots having a lot area between 0.1 ha (1,000m ²) and 0.4 ha (4,000m ²)	TIER 3: For lots having a lot area of 0.4 ha (4,000m ²) or greater
Permitted Yards	Rear yards		
Minimum setback from rear and interior side lot lines	1.2m (1)	1.2m (1)	1.2m
Minimum setback from exterior side lot line	No closer to the exterior side lot line than the distance equal to the minimum required exterior side yard for the main building		
Maximum floor area per accessory building or accessory structure	10.0m ²	20.0m ²	50.0m ²
Maximum height	3.5m	3.5m	4.5m
Maximum number of accessory buildings or accessory structures per lot (not including a detached private garage)	2	3	3

SPECIAL PROVISIONS

(1) May be reduced to 0.5 metres if the entire length of the side of the accessory building or the accessory structure facing the rear or interior side lot line is a solid wall.

Table 2: Standards for Detached Private Garages in Residential Zones

	For lots having a lot area of 0.1 ha (1,000m ²) or less	For lots having a lot area between 0.1 ha (1,000m ²) and 0.4 ha (4,000m ²)	For lots having a lot area of 0.4 ha (4,000m ²) or greater
Permitted Yards	Interior side, exterior side and rear yards		
Minimum setback from rear and interior side lot lines	1.2m (1)	1.2m (2)	1.2m (2)
Minimum setback from exterior side lot line	No closer to the exterior side lot line than the distance equal to the minimum required exterior side yard for the main building		
Maximum floor area of detached garage	40.0m ² (= 2 car garage)	60.0m ² (=3 car garage)	60.0m ² (=3 car garage)
Maximum height	4.5m	4.5m	4.5m
Maximum number of detached private garages per lot	1	1	1

SPECIAL PROVISIONS

- (1) The wall of a detached private garage that contains the opening for motor vehicle access shall be set back a minimum of 5.8 metres from the lot line that the driveway crosses to access the private garage. This set back can be reduced to 4.5 metres if the driveway does not cross a sidewalk.
- (2) Garage to be set back greater of 5.8 metres or distance equal to the setback of the dwelling. In no case should a detached garage be located in the front yard.