

2.8 Accessory Buildings

2.8.1 General Provisions

- a) Accessory buildings shall be permitted in any zone in accordance with the applicable zone regulations and with the following:
 - i) No accessory building shall be erected prior to the erection of the permitted dwelling or principal building on the same lot except where it is necessary for the storage of tools and materials for use in connection with the construction of such dwelling or building and no accessory building shall be used prior to the erection of such dwelling or building for any purpose other than such storage for a period not to exceed 18 months provided that the property owner has first entered into a Development Agreement with the City in a form authorized generally or specifically by City Council from time to time to allow the temporary use.
 - ii) No accessory building shall exceed a height of 6 metres, except as otherwise permitted in Section 2.15.2.
 - iii) No accessory building shall be located in a front yard or corner side yard. Notwithstanding the aforementioned restriction, no accessory building shall be located in a required minimum front yard or corner side yard setback on lots that abut the Lake Erie shoreline.
 - iv) No accessory building shall be located closer than 1.5 metres to a main building.
 - v) no accessory structure shall be located less than 1 metre from an interior side or rear lot line.
 - vi) The regulations governing the location of any accessory building in relation to a lot line, shall not apply to prevent the erection or use of a jointly-owned double garage which services two dwellings whose common lot line shall be the dividing line of such garage provided that such garage is not located in a required front yard or closer than 1.0 metre to any other lot line.

- vii) Notwithstanding subsections (i) through (vii) inclusive, where the accessory building is located within an Environmental Protection Zone, the Niagara Peninsula Conservation Authority regulations shall apply.

2.8.2 Lot Coverage

- a) For a lot with municipal sanitary sewers and municipal water services the total accessory lot coverage shall not exceed 10% of the lot area of the said lot, excluding swimming pools.
- b) For a lot with no municipal services the total accessory lot coverage shall not exceed 5% of the lot area of said lot, excluding swimming pools.
- c) For a lot zoned Agriculture (A) or Rural (RU) the total accessory lot coverage shall not exceed 1% of the lot area of said lot, excluding swimming pools.
- d) Where total coverage of all buildings on a lot is specified in a specific zone, the coverage for the accessory building must also conform to the overall coverage requirement.
- e) This section shall not apply to uncovered decks that are attached to a dwelling

2.9 Accessory Uses to a Dwelling

2.9.1 Accessory Dwelling Unit

- a) Notwithstanding any other provisions of this By-law, any single detached, semi-detached and townhouse dwelling units permitted in any zone may be internally converted or by way of an addition to the existing dwelling or creation of a standalone structure or building, provide an accessory dwelling unit, subject to the specific zone requirements and the following:
 - i) Only one accessory dwelling unit is permitted per dwelling unit.
 - ii) Where the parcel proposed for an accessory dwelling unit is not serviced by municipal sewer and/or municipal water services, the minimum lot size shall be 0.4 hectares and all relevant requirements of the Region of Niagara are complied with.
 - iii) The maximum floor area for the accessory dwelling unit shall not exceed 40% of the gross floor area of the dwelling.
 - iv) One additional on-site parking space shall be provided for the accessory dwelling unit, and parking spaces may be stacked.
 - v) All relevant requirements of the Ontario Building Code and Ontario Fire Code are complied with.

2.9.1.1 Dwelling Unit, Interior Accessory

- a) Notwithstanding any other provisions of this By-law, one interior accessory dwelling unit is permitted in any detached dwelling, semi-detached dwelling unit or townhouse dwelling unit provided it complies with Section 2.9.1 i) to (v) and:
- i) The interior accessory dwelling unit is entirely within the exterior walls of the principal dwelling unit.
 - ii) The external appearance and character of the single detached dwelling, landscaped area and outdoor amenity areas are to be preserved.
 - iii) Additions shall be architecturally similar to the existing dwelling unit and use similar exterior building materials.
 - iv) The entrance to the accessory dwelling unit shall be located only in the interior side or rear yard and no exterior stairway to the second floor of the dwelling or accessory dwelling unit shall be permitted in the front or corner side yard.

2.9.1.2 Dwelling Unit, Detached Accessory

- a) Notwithstanding any other provisions of this By-law, one detached accessory dwelling unit is permitted in any residential zone provided it complies with Section 2.9.1 (i) to (v) and shall not:
- i) Be located in a required front yard or corner side yard.
 - ii) Be located within any sight triangle.
 - iii) Exceed a building height of 6 metres.
 - iv) Be located less than 1 metres from an interior side or rear lot line.
 - v) Be located closer than 1.5 metres to a main building.