



Municipality of  
**Leamington**  
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# Municipality of Leamington Building Department

## Guide To Accessory Structures

**Revised: September 13, 2023**



## Accessory Structures

An accessory structure is a building or structure detached from a main building and used for purposes incidental to those of the main building. Anything that is constructed with a fixed location on or in the ground. This can include but is not limited to sheds, garages, pole barns, gazebos, pool houses etc.

Prior to submitting a building application, it is best practice to review the general requirements. Listed below are some general requirements for accessory structures in residential zones. Reference the [Leamington Zoning By-law 890-09](#) for additional information.

## Structures that Do Not Require a Building Permit

Structures that do not require a Building Permit are detached accessory structures that are less than 160 square feet in area and do not have plumbing within the structure.

Construction requirements are:

- Not regulated by the Ontario Building Code
- Must comply with the Leamington Zoning By-law 890-09 – Section 4.1 Accessory Uses, Buildings and Structures (See Appendix A)
- Must comply with all Municipal By-laws
- Existing rear yard drain must be maintained

## What Size of Structure Can I Build on My Property?

The size of structure that can be built depends on several factors. These factors consist of the following:

- Zoning
- Size of Property
- Size of Existing Residence
- Size of All Existing Structures on the Property

The zoning of a property will determine the maximum lot coverage, height, and setbacks. There are multiple zoning designations within the Municipality of Leamington. Confirmation of the zoning of your property should be obtained before submission of the application due to the **different zone provisions**. Please refer to the Leamington Zoning By-law 890-09.

### For example:

For a Residential R1 Zoning property, the maximum lot coverage is 35%, which includes the dwelling unit and any other structures on the property. The accessory building shall not exceed one storey and have a maximum height of 4.5 m (14.76 ft). The Total Lot Area coverage shall not exceed 10%.

When calculating the size of the structure, you must meet the following conditions:

- Does the area of the main house and any other structures on my property equal or is less than 35% of my lot size? (Note: the percentage of coverage depends on the zoning of your property)
- Is the proposed structure less than 10% of the total lot area?
- Is the proposed structure only one storey?
- Does the structure comply with the maximum height as defined in the Zoning by-law?
  - In all residential zones – 4.5 m (14.76 ft)
  - In all agricultural zones – 6 m (19.68 ft)
  - In all other zones – 10 m (32.80 ft)

## What Documents are Required for a Building Permit for an Accessory Structure?

Along with the building permit application, the following drawings are required:

- Site plan that must include the following:
  - existing structures and measurements
  - location and size of the proposed structure
  - property measurements
  - known easements
  - indicate front, side, and rear setbacks from the lot lines
  - setbacks from all building
- Foundation Plan
- Floor Plan
- Elevations
- Sections and Details

Other approvals that **may be** required for your project upon applying and prior to issuance of the building permit are:

- ERCA / LTVCA
- Septic Sewage System Approval
- Ministry of Transportation (MTO)
- County Road Approval
- Leamington Encroachment Permit
- Committee of Adjustment
- Minor Variance
- Site Plan Agreement

Sample drawing below.

## General Provisions

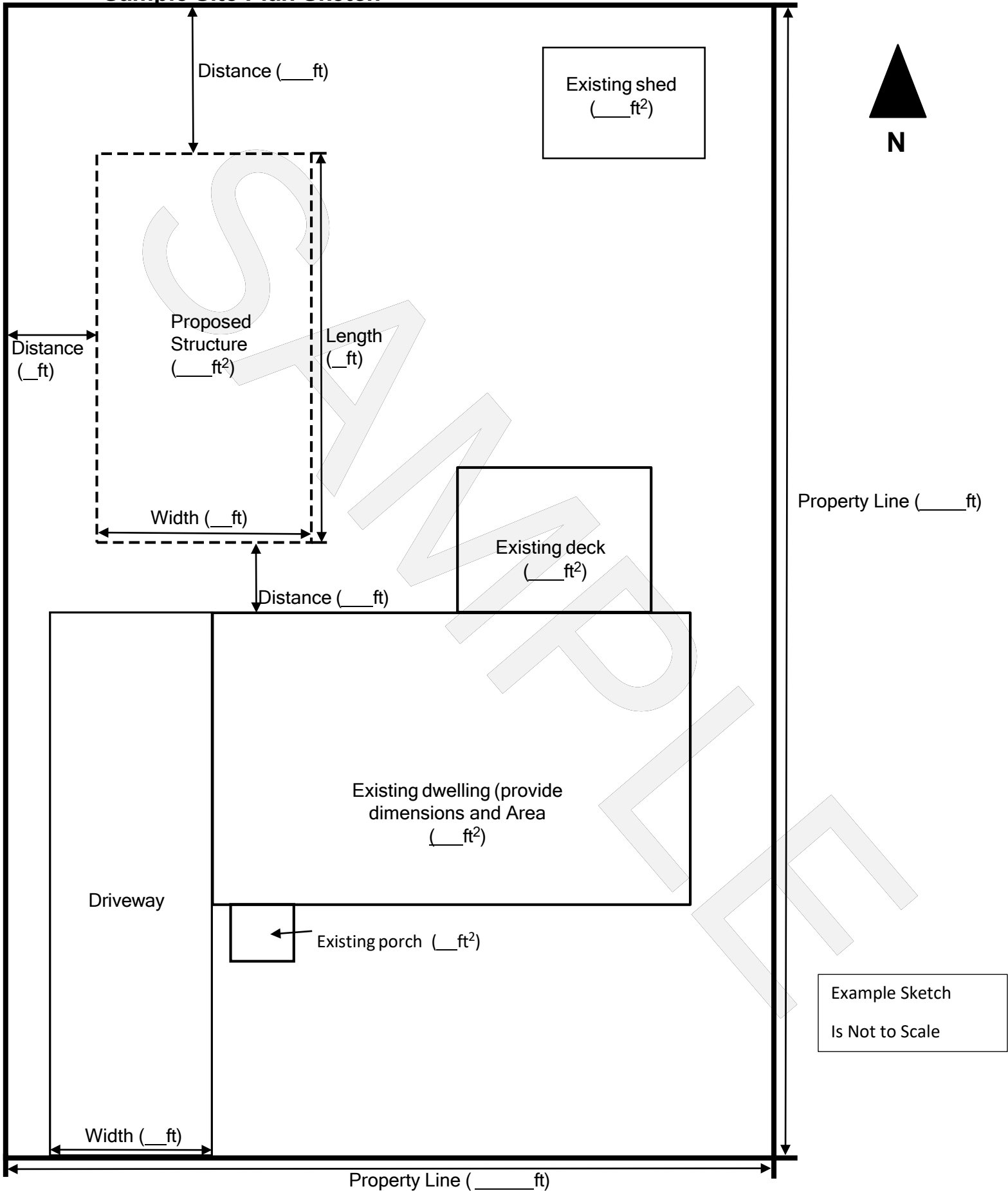
### 4.1 Accessory Uses, Buildings and Structures

Accessory uses, buildings or structures are permitted in any yard, in any zone, subject to the provisions of this By-law for the particular zone in which said building or structure is in or use is located and provided that they:

- a) shall not be used for human habitation, except where a residential dwelling unit is a permitted accessory use;
- b) shall not be built closer to the front lot line or exterior side lot line than the minimum distance required by this By-law for the main building on the lot unless the lot abuts Lake Erie. Accessory buildings or structures shall not be built closer than 1 m (3.28 ft) from the front lot line for lots that abut Lake Erie
- c) shall not be built closer than 1 m (3.28 ft) to any interior side lot line and 1 m (3.28 ft) to any rear lot line except:
  - i) that common semi-detached private garages, decks or carports may be centred on a mutual side lot line;
  - ii) that in the case where a side or rear lot line for a commercial or industrial use abuts a residential or holding residential zone, accessory uses, buildings or structures shall comply with the minimum required yard for the main building on the lot;
- d) shall not exceed 10 % coverage of the total lot area;
- e) shall not exceed one storey and the following maximum heights:
  - i) in all residential zones, 4.5 m (14.76 ft);
  - ii) in all agricultural zones, 6 m (19.68 ft);
  - iii) in all other zones, 10 m (32.80 ft);
- f) shall not be built within 2 m (6.56 ft) of the main building or from another accessory building, structure or use;
- g) shall not be considered as an accessory building or structure if attached to the main building in any way;
- h) shall not be permitted without a main building or structure; and
- i) where a required rear yard abuts a required front yard of an abutting property, the accessory building or structure shall not be located within a triangular space for a distance of 6 m (19.68 ft) measured along the exterior lot line and the interior lot line of the abutting lot (see illustration of "Yard" in the definitions).

# Appendix "B"

## Sample Site Plan Sketch



Example Sketch  
Is Not to Scale

Property Line (\_\_\_\_ ft)

(Street Name)

## Site Plan Notes and Tips

The example of the site plan is for information and guidance only. This will not be accepted as plans for a Building Permit Application.

1. Provide the name of the street the lot is on. For corner lots give both street names.
2. If property lines do not match, please show all dimensions.
3. Provide all setbacks for existing and proposed structures.
4. Location and width of driveway
5. Swimming pools must be included on the sketch.
6. Include north arrow relevant to property angle.
7. Location of Municipal Drains or water-course and the setbacks, where applicable.
8. Septic tank and filed locations where applicable
9. Easements or Right-of-Ways, where applicable

If you have any questions for Building Services please email [bldgdept@leamington.ca](mailto:bldgdept@leamington.ca) or call 519-326-5761 ext. 1440.

For more information regarding zoning see the Municipality's Zoning By law found here: <https://www.leamington.ca/en/municipal-services/zoning-bylaw.aspx>

If you have any questions for Planning Services, please email [planning@leamington.ca](mailto:planning@leamington.ca) or call 519-326-5761 ext. 1407.