



Residential Accessory Structures Explained

“Residential Structure, Accessory” means accessory structures that are not used for human habitation, but the use of which is naturally and normally incidental to, subordinate to, or exclusively devoted to, the principal residential use or dwelling and located on the same lot therewith. Residential accessory structures may include, but are not limited to:

- a change house/cabana;
- private play structure;
- gazebo;
- dog house or dog run;
- private greenhouse;
- shed;
- patio shelter;
- enclosed swimming pool equipment,
- portable tent structures,
- basketball nets permanently affixed to the ground; and,
- stand alone solar panels;
- but shall not include a detached garage, any mechanical equipment as defined under air conditioner, or privacy screens erected on the ground (Zoning By-law 2010-40, amended by By-law 2012-74).



A detached garage is NOT a residential accessory structure; it must comply with the setbacks for the zone on the property and the maximum height is 4.6m.

RESIDENTIAL ACCESSORY STRUCTURES 0M TO 2.8M IN HEIGHT*

- Not permitted in the front yard.
- Must be located at least 1m from the side and rear property lines.
- Contributes to the maximum lot coverage permitted by the zone for the property.
- Maximum size for all residential accessory structures on the property is 15% of the lot area or 75% of the footprint of the house (whichever is smaller).
- Cannot be used for human habitation or for home occupations.

RESIDENTIAL ACCESSORY STRUCTURES 2.8M TO 4.6M IN HEIGHT*

- Not permitted in the front yard.
- Must be located at least 2.4m from the side and rear property lines.
- Contributes to the maximum lot coverage permitted by the zone for the property.
- Maximum size for all residential accessory structures on the property is 15% of the lot area or 75% of the footprint of the house (whichever is smaller).
- Cannot be used for human habitation or for home occupations.



***HEIGHT IS MEASURED FROM THE AVERAGE FINISHED GRADE AROUND THE PERIMETER OF THE STRUCTURE TO THE HIGHEST POINT OF THE STRUCTURE.**

Any structure over 108 sq.ft or 10 sq.m will require a Building Permit. Please contact the Building Division for more information at buildings@newmarket.ca or call 905-953-5300

Contact the Planning Division for Zoning information at planning@newmarket.ca
905-953-5300 ext. 2450

This summary is prepared for information purposes and convenience only. For accurate reference, Zoning By-law 2010-40 as amended should be consulted. Some properties in Newmarket are subject to different Zoning By-laws, confirmation can be obtained from the Planning Division.

Appendix: Illustrations from Zoning By-law 2010-40

Illustration 5 - Height

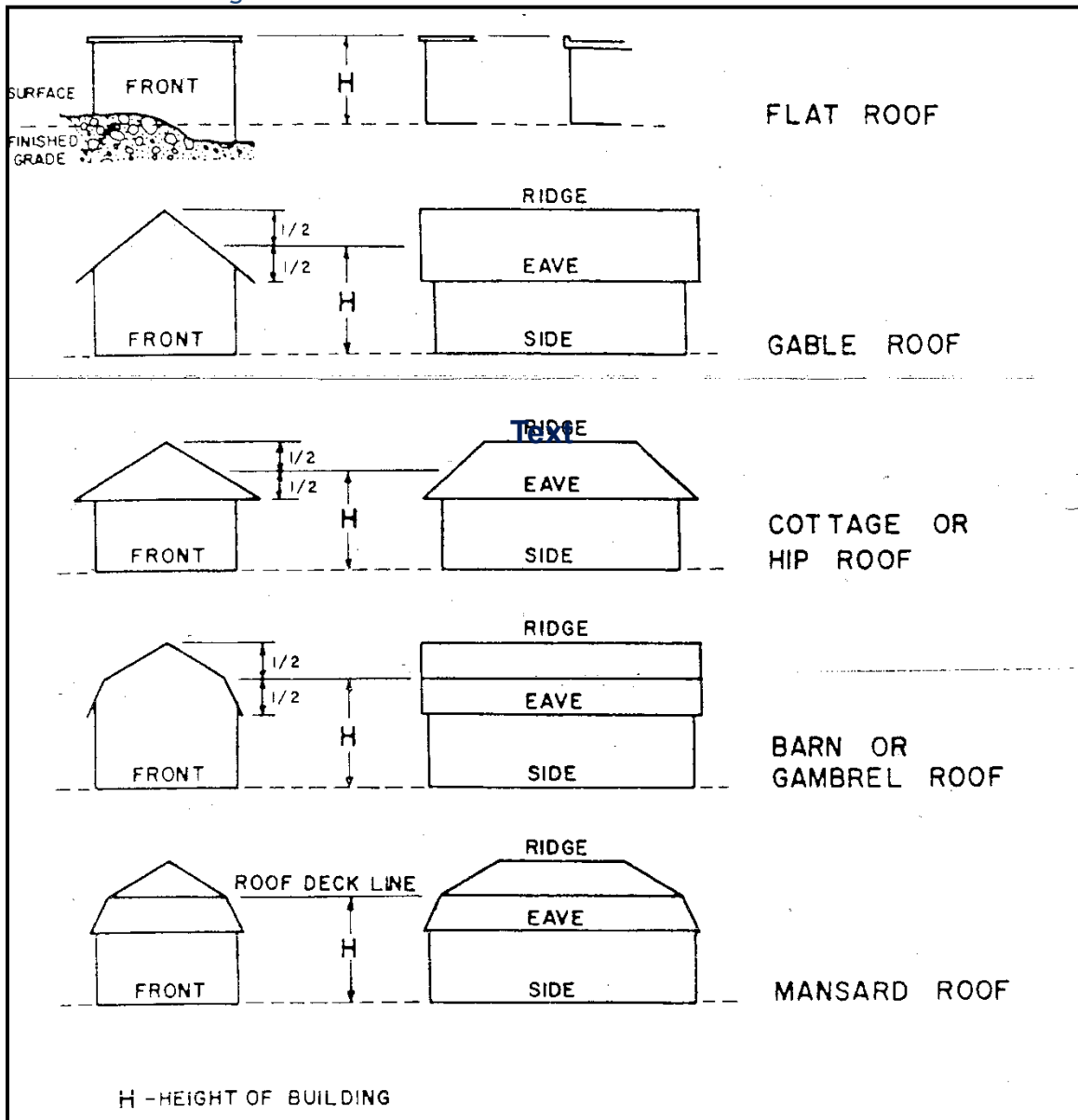


Illustration 7 - Yards and Yard Setbacks

