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PURPOSE

The purpose of this Part is to provide a number of Residential Zones, that allow for a variety of housing forms in appropriate locations throughout the City. <sup>1</sup>

**4.1 GENERAL PROVISIONS FOR RESIDENTIAL ZONES**

In addition to the provisions contained in Parts 1 to 3 of this By-law, the following General Provisions for Residential Zones shall also apply:

**4.1.1 Dwelling Unit**

4.1.1.1 A maximum of one **dwelling unit** is permitted on a **lot** in a R1 to R16, RM1 to RM3, RM5 and RM6 zone.

4.1.1.2 In RM4, RM7 to RM12 and RA1 to RA5 Exception Zones, the maximum number of **dwelling units** shall mean the maximum number of **dwelling units** permitted on all lands within that Exception Zone. *(0181-2018/LPAT Order 2019 February 15)*

4.1.1.3 A **dwelling unit** shall be located within a **storey**, but not below the **first storey**.

4.1.1.4 Notwithstanding the provisions of Article 4.1.1.3, a **dwelling unit** shall be permitted in the **basement** of a **duplex, triplex, back to back townhouse, stacked townhouse, apartment, long-term care and retirement building** provided that the finished floor level of the **dwelling unit** is not more than 1.2 metres below the highest grade level immediately adjacent to the **dwelling unit** at any point. *(0174-2017), (0181-2018/LPAT Order 2019 February 15)*

**4.1.2 Accessory Buildings and Structures**

4.1.2.1 **Accessory buildings and structures** shall be permitted on a **lot** in R1 to R11, R15, R16, RM1 to RM9 and RA1 to RA5 zones in compliance with the regulations contained in Table 4.1.2.2 - Accessory Buildings and Structures. *(0308-2011), (0297-2013), (0181-2018/LPAT Order 2019 February 15), (0112-2019)*

4.1.2.1.1 *(0308-2011), (0297-2013), deleted by 0112-2019*

4.1.2.2 For the purpose of Subsection 4.1.2, an outdoor fireplace within 3.0 m of the roof or walls of a dwelling shall be exempt from Line 4.0 contained in Table 4.1.2.2 - Accessory Buildings and Structures. *(0297-2013), (0181-2018/LPAT Order 2019 February 15), (0112-2019)*

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<sup>1</sup> The purpose statement is for clarification purposes and does not form part of this By-law.

Table 4.1.2.2 - Accessory Buildings and Structures

Column A		Column B	
Line 1.0	TYPE	Accessory Buildings and Structures	
		Lot Area Greater than or Equal to 750 m <sup>2</sup>	Lot Area Less than 750 m <sup>2</sup>
2.0	SIZE:		
2.1	Maximum area occupied per accessory building and structure	20 m <sup>2</sup>	10 m <sup>2</sup>
2.2	Maximum area occupied combined for all accessory buildings and structures	60 m <sup>2</sup>	30 m <sup>2</sup>
3.0	MAXIMUM LOT COVERAGE: combined for all accessory buildings and structures	5% of the lot area <sup>(1)</sup>	n/a <sup>(1)</sup>
4.0	MAXIMUM HEIGHT: to highest point of the building or structure	3.5 m	3.0 m
5.0	LOCATION	Not permitted between the front wall of the dwelling and the front lot line	
6.0	SETBACKS:		
6.1	Minimum setback to exterior side lot line	The exterior side yard regulations of the applicable zone shall apply	
6.2	Minimum setback to interior side lot line for accessory buildings and structures located in an interior side yard	The interior side yard regulations of the applicable zone shall apply <sup>(2)(3)</sup>	
6.3	Minimum setback to interior side and rear lot lines for accessory buildings and structures located in the rear yard	1.2 m <sup>(4)</sup>	0.61 m <sup>(4)</sup>

NOTES: n/a means not applicable.

- (1) The maximum lot coverage in an applicable zone is inclusive of the combined total area used for all accessory buildings and structures, including a detached garage.
- (2) In zones where the interior side yard is regulated by the number of storeys, the interior side yard to an accessory structure shall comply with the yard required for a one storey dwelling.
- (3) In zones having a combined width of interior side yards regulation, accessory structures shall comply with the required interior side yard regulation and the combined width of interior side yards regulation.
- (4) See Subsection 4.1.8 of this By-law.

4.1.2.3 Decks and/or balconies are not permitted on top, above or projecting from any part of an accessory building or structure.

4.1.2.4 For the purpose of Subsection 4.1.2, a deck, porch, balcony and/or detached garage shall not be considered to be an accessory building or structure. (0112-2019)

4.1.2.5 For the purpose of Subsection 4.1.2, a building or structure, other than an attached garage, that is connected to a dwelling by an underground corridor or hallway, or by a corridor or hallway above grade with a width less than 5.0 m at any point, shall be considered an accessory building or structure. (0379-2009)

**4.1.3 Play Equipment**

4.1.3.1 **Play equipment** is permitted accessory to a **detached, semi-detached, linked, duplex, triplex** and **street townhouse** and shall comply with the regulations contained in Table 4.1.3.1 - Play Equipment Regulations. *(0297-2013), (0181-2018/LPAT Order 2019 February 15)*

**Table 4.1.3.1 - Play Equipment Regulations**

Column A		B
Line		
<b>1.0</b>	MAXIMUM AREA OCCUPIED	5.5 m <sup>2</sup>
<b>2.0</b>	MAXIMUM HEIGHT: from <b>established grade</b> to highest point of the <b>structure</b>	3.0 m
<b>3.0</b>	LOCATION	<b>rear yard</b> only
<b>4.0</b>	MAXIMUM PERCENTAGE OF THE TOTAL PERIMETER OF THE <b>PLAY EQUIPMENT</b> PERMITTED TO BE ENCLOSED BY WALLS, DOORS AND/OR WINDOWS BUT EXCLUDING SCREENING	50%
<b>5.0</b>	MINIMUM SETBACKS TO <b>INTERIOR SIDE</b> AND <b>REAR LOT LINES</b>	0.61 m

4.1.3.2 **Play equipment** accessory to a **detached, semi-detached, linked, duplex, triplex** and **street townhouse** that does not comply with the regulations contained in Table 4.1.3.1 - Play Equipment Regulations shall be considered to be an **accessory building** or **structure** and shall comply with the regulations contained in Table 4.1.2.2 - Accessory Buildings and Structures. *(0297-2013), (0181-2018/LPAT Order 2019 February 15)*

**4.1.4 Swimming Pool**

4.1.4.1 An outdoor **swimming pool** is permitted accessory to a **detached, semi-detached, linked, duplex, triplex** and **street townhouse** subject to the following regulations: *(0297-2013), (0181-2018/LPAT Order 2019 February 15)*

4.1.4.1.1 No part of an outdoor **swimming pool** is permitted in a **front** or required **exterior side yard**;

4.1.4.1.2 An outdoor **swimming pool** shall be set back a minimum of 1.5 m from all **lot lines**, measured from the inside wall of the outdoor **swimming pool**.

4.1.4.2 An outdoor **swimming pool** is permitted as an **accessory use** on **lots** containing any other form of residential dwelling not identified in Article 4.1.4.1, provided that an outdoor **swimming pool** shall be set back a minimum of 3.0 m from any **lot line**, measured from the inside wall of the outdoor **swimming pool**.

4.1.4.3 A **swimming pool** shall also be permitted within a **building, structure** or part thereof which shall comply with the regulations of the zone in which it is located.

**4.1.5 Encroachments and Projections**

Unless otherwise regulated within this By-law, all required **yards** for **detached, semi-detached, linked, duplex, triplex, and street townhouses** shall be unobstructed except for the following:

*(0297-2013), (0181-2018/LPAT Order 2019 February 15)*

4.1.5.1 A **porch** or a **deck**, located at and accessible from the **first storey** or below the **first storey** of the dwelling, inclusive of stairs, may encroach: *(0325-2008), (0144-2016)*

- (1) a maximum of 1.6 m into a required **front** and/or **exterior side yard**;
- (2) a maximum of 5.0 m into a required **rear yard**.

4.1.5.2 Notwithstanding the provisions of Article 4.1.5.1, a **porch** or **deck** that is located at and accessible from the **first storey** or below the **first storey** of the dwelling, inclusive of stairs, and is located in the **rear yard** shall have a minimum setback of: *(0325-2008), (0144-2016)*

- (1) 1.5 m from the **rear lot line**;
- (2) 0.0 m from an **interior side lot line** for a **lot** with a dwelling requiring a 0.0 m **interior side yard**;
- (3) 0.61 m from an **interior side lot line** for a **lot** with a dwelling requiring more than a 0.0 m **interior side yard**;
- (4) 0.61 m from an **exterior side lot line**.

4.1.5.3 A **porch** or **deck**, located at and accessible from the **first storey** or below the **first storey** of the dwelling inclusive of stairs, and is located in an **interior side yard** shall have a minimum setback of 1.2 m to the **interior side yard lot line**. *(0144-2016)*

4.1.5.4 An awning may encroach a maximum of 0.61 m into a required **front yard** and/or **exterior side yard**; a maximum of 5.0 m into a required **rear yard** provided that the awning shall have a minimum setback of 1.5 m to a **lot line**; and a maximum of 0.61 m into a required **interior side yard** provided that the **interior side yard** is a minimum of 1.2 m. *(0297-2013)*

4.1.5.5 A window, **chimney**, pilaster or corbel, window well, and stairs with a maximum of three risers, may encroach a maximum of 0.61 m into a required **yard** provided that the **yard** is a minimum of 1.2 m. *(0325-2008), (0297-2013)*

4.1.5.6 Notwithstanding the provisions of Articles 4.1.5.1 to 4.1.5.6 and 4.1.5.8 to 4.1.5.11, encroachments and/or projections shall not be permitted in a minimum required setback to a Greenlands Zone contained in Table 4.1.8.1 of this By-law. *(0144-2016)*

4.1.5.7 Decorative paving, pool decking, and other hard surfaced landscape material are permitted an unlimited encroachment in a required **rear yard**, provided that they do not exceed 0.3 m in height above grade at any point, and maintain a minimum setback to any **lot line** of 0.61 m. *(0297-2013), (0190-2014), (0144-2016)*

4.1.5.8 Notwithstanding the provisions of Article 4.1.5.5, stairs, stairwells or retaining walls to facilitate an entrance below grade at any point shall be permitted in required **rear yards** and **interior side yards** provided that the minimum setback to an **interior side lot line** and **rear lot line** shall be 1.2 m. *(0158-2013)*

4.1.5.8.1 Stairs, stairwells or retaining walls to facilitate an entrance below grade at any point shall not be permitted in **front yards** or **exterior side yards**. *(0158-2013), (0144-2016)*

4.1.5.9 A building projection, with windows that cover a minimum of 50% of the total projection, may encroach a maximum of 0.61 m into a required **front, exterior** and/or **rear yard**, provided that the building projection is not more than 3.0 m wide. *(0325-2008)*

4.1.5.10 A **balcony** may encroach a maximum of 1.0 m into a required **front, exterior side** or **rear yard**. *(0158-2013), (0144-2016)*

4.1.5.11 A freestanding **deck** may be located in a **rear yard** provided that it does not exceed 1.2 m in height above grade at any point, is uncovered and is not closer than 0.61 m to any side **lot line** and 1.5 m to any **rear lot line**. *(0297-2013)*



**4.1.6 External Heating, Air Conditioning, Home Back-up Generator, and Pool Heating/Filtering Equipment**  
(0212-2015)

- 4.1.6.1 External heating, air conditioning, home back-up generator, and pool heating/filtering equipment may be located in a required **yard**, other than a **front yard**, provided that it is not closer than 0.61 m to any **lot line**. (0212-2015)
- 4.1.6.2 Roof top external heating and/or air conditioning equipment are not permitted in R1 to R16 and RM1 to RM7 zones. (0181-2018/LPAT Order 2019 February 15)

**4.1.7 Setback to Railway Right-of-Way**

The minimum setback for all dwellings to a railway right-of-way shall be 30.0 m.

**4.1.8 Setbacks to Greenlands Zones**

- 4.1.8.1 The minimum setback for all **buildings, structures, parking areas** and **swimming pools** in Residential Zones to all lands zoned G1 or G2 Base Zone, shall be the greater of 5.0 m or the required **yard/setback**. (0179-2018)
- 4.1.8.2 The setback for an outdoor **swimming pool** shall be measured from the inside wall of the **swimming pool** to a G1 or G2 Base Zone or a G1 or G2 Exception Zone. (0179-2018)

**4.1.9 Driveways and Parking**

All **driveways** and parking in Residential Zones shall comply with the provisions contained in Part 3 of this By-law and the following:

- 4.1.9.1 The calculation of **driveway** width shall include any continuous hard surface area that may be used for the parking of **motor vehicles**;
- 4.1.9.1.1 Where a **driveway** width includes a required **aisle**, the maximum **driveway** width shall not apply; (0379-2009)
- 4.1.9.1.2 A maximum of one (1) **driveway** shall be permitted per **lot** in R1 to R16, RM1 to RM3 and RM6 zones; (0297-2013), (0190-2014)
- 4.1.9.2 Any hard surface area used or accessible for the purpose of parking a **motor vehicle** shall be included in the **driveway** width calculation; (0325-2008), (0308-2011), (0190-2014)
- 4.1.9.2.1 Notwithstanding Article 4.1.9.2, one walkway attached to a **driveway** with a maximum attachment of 1.5 m shall be permitted on each side of a **driveway**; (0308-2011)
- See Illustration No. 14 - Section 1.3 - Illustrations
- 4.1.9.2.2 Parking of **motor vehicles** shall not be permitted on a **landscaped soft area**; (0190-2014)
- 4.1.9.3 Tandem parking is permitted on a **driveway** in all Residential Zones except RA1 to RA5 zones;
- 4.1.9.4 The nearest part of a **driveway** or any other **parking area** for a **detached, semi-detached, linked, duplex, triplex**, and end unit of a **street townhouse** shall be a minimum distance of 0.6 m from any side **lot line** other than the common side **lot line** separating an attached **semi-detached**, an attached **street townhouse** or a detached **garage** with a joint party wall;  
(0325-2008), (0297-2013), (0174-2017), (0181-2018/LPAT Order 2019 February 15)
- 4.1.9.5 A **hammerhead** shall only be permitted on a **lot** with a **lot frontage** greater than or equal to 15.0 m;
- 4.1.9.6 A **hammerhead** shall have a maximum width of 2.6 m and a maximum length of 3.0 m extending perpendicularly from the **driveway** and shall be set back a minimum of 0.6 m from the front, interior and exterior **lot lines**;

See Illustration No. 5 - Section 1.3 - Illustrations.

- 4.1.9.7 The outdoor parking of a **motor vehicle** shall only be permitted on a **driveway** and/or **parking space**;
- 4.1.9.8 **Parking spaces** shall only be accessed by a **driveway** and/or **aisle**;
- 4.1.9.9 A **circular driveway** shall only be permitted on a **lot** with a **lot frontage** greater than or equal to 22.5 m, provided that the **circular driveway** is located in a **front** or **exterior side yard**; (0212-2015)
- See Illustration No. 12 - Section 1.3 - Illustrations.
- 4.1.9.10 A **circular driveway** and the access points shall only be located in one **yard**; (0190-2014)
- 4.1.9.11 A **circular driveway** shall not cover more than 50% of the **yard** in which it is located; (0190-2014)
- 4.1.9.12 The combined width of the two points of access of a **circular driveway** shall not exceed 8.5 m; (0190-2014), (0212-2015)
- 4.1.9.13 For **lots** having a **lot frontage** of 18.0 m or greater, the maximum **driveway** width may be increased to 10.5 m for that portion of the **driveway** that is within 6.0 m of the **garage face** and which is providing direct vehicular access to the **garage**. The **driveway** width for that portion of the **driveway** that is beyond 6.0 m from the **garage face** is a maximum width of 8.5 m. The **driveway** shall not cover more than 50% of the area of the **front yard** and/or **exterior side yard**. (0212-2015), (0181-2018/LPAT Order 2019 February 15)
- See Illustration No. 11 - Section 1.3 - Illustrations.
- 4.1.9.14 *deleted by 0212-2015*
- 4.1.10 Parking of Commercial Motor Vehicles**
- The parking of a **commercial motor vehicle** in Residential Zones shall comply with the provisions contained in Part 3 of this By-law and the following:
- 4.1.10.1 A **commercial motor vehicle** shall only be parked on a **driveway** or within a **garage**; (0325-2008)
- 4.1.10.2 A maximum of one **commercial motor vehicle** shall be parked on a **lot** in a Residential Zone subject to the following:
- 4.1.10.2.1 The **commercial motor vehicle** shall be less than or equal to 3 000 kg registered gross weight or 2 600 kg vehicle curb weight and be less than 5.6 m in length and 2.0 m in **height**;
- 4.1.10.2.2 The required number of **motor vehicle parking spaces** for the applicable Residential Zone shall be maintained, not including the space used for the parking of a **commercial motor vehicle**;
- 4.1.10.3 A **commercial motor vehicle** that is actively engaged in a delivery and/or service is deemed not to be in contravention of this By-law;
- 4.1.10.4 A maximum of one **commercial motor vehicle** shall be permitted to park entirely within an enclosed **garage** provided that the vehicle can legally access the property and provided that the required number of **parking spaces** for the applicable Residential Zone is maintained;
- 4.1.10.5 The outdoor parking of school buses shall be permitted on lands used for a **place of religious assembly, public school** or **private school**, provided that such parking shall not be permitted within the required **yards**.

**4.1.11 Trailer and Recreational Vehicle Parking**

4.1.11.1 Outdoor parking of a trailer, with or without a boat, personal watercraft or snowmobile, or a recreational vehicle shall only be permitted in a Residential Zone, in compliance with the provisions contained in Part 3 of this By-law and Sentence 4.1.11.1.1 or 4.1.11.1.2.

4.1.11.1.1 One (1) trailer, with or without one (1) boat, or up to two (2) personal watercraft or snowmobiles, or one (1) recreational vehicle, is permitted on a **driveway** subject to the following:

- (1) the maximum combined length of a trailer, exclusive of tongue, with or without a boat, inclusive of attached motor, personal watercraft or snowmobile, or a recreational vehicle shall be 5.2 m;
- (2) the maximum combined **height** of a trailer, with or without a boat, inclusive of attached motor, personal watercraft or snowmobile, or a recreational vehicle shall be 2.0 m;
- (3) the **parking space** used for a trailer, with or without a boat, personal watercraft or snowmobile, or a recreational vehicle shall be in addition to the required number of **parking spaces** for the applicable Residential Zone;
- (4) the minimum setback of a trailer, with or without a boat, personal watercraft or snowmobile, or a recreational vehicle to a **lot line** shall be 0.6 m.

4.1.11.1.2 One (1) trailer, with or without one (1) boat, or up to two (2) personal watercraft or snowmobiles, or one (1) recreational vehicle, is permitted subject to the following: (0325-2008)

- (1) the maximum combined length of a trailer, exclusive of tongue, with or without a boat, inclusive of attached motor, personal watercraft or snowmobile, or a recreational vehicle shall be 7.0 m;
- (2) the maximum combined **height** of a trailer, with or without a boat, inclusive of attached motor, personal watercraft or snowmobile, or a recreational vehicle shall be 3.0 m;
- (3) the **parking space** used for a trailer, with or without a boat, personal watercraft or snowmobile, or a recreational vehicle shall be in addition to the required number of **parking spaces** for the applicable Residential Zone;
- (4) the trailer, with or without a boat, personal watercraft or snowmobile, or a recreational vehicle shall be parked only in an **interior side yard** behind the **front wall** of the dwelling or in the **rear yard**;
- (5) the minimum setback of a trailer, with or without a boat, personal watercraft or snowmobile, or a recreational vehicle to an **interior side lot line** or **rear lot line** shall be 1.2 m; (0297-2013)
- (6) the minimum setback of a trailer, with or without a boat, personal watercraft or snowmobile, or a recreational vehicle to the **exterior side lot line** and/or **rear lot line**, where the **rear lot line** abuts a **street**, shall be 7.5 m. (0325-2008)

4.1.11.2 Notwithstanding Sentence 4.1.11.1.1, a maximum of one (1) trailer exclusive of tongue, with or without one (1) boat inclusive of attached motor, personal watercraft or snowmobile, or one (1) recreational vehicle, less than or equal to 7.0 m in length, and less than 3.0 m in combined **height**, may be parked on a **driveway** in a Residential Zone, on a temporary basis for a period of not more than 72 hours in any one (1) calendar month. (0308-2011)

**4.1.12 Garage Regulations**

4.1.12.1 An attached **garage** in R1 to R16 and RM1 to RM12 zones shall comply with the regulations contained in Table 4.1.12.1 - Garage Regulations. (0325-2008), (0181-2018/LPAT Order 2019 February 15), (0112-2019)

4.1.12.2 A detached **garage** in R1 to R11, R15, RM1, RM2, RM7 and RM8 zones shall comply with the regulations contained in Table 4.1.12.1 - Garage Regulations. (0112-2019)

**Table 4.1.12.1 - Garage Regulations**  
(0325-2008), (0297-2013), (0181-2018/LPAT Order 2019 February 15), (0112-2019)

Column A		B	C
Line		Attached Garage	Detached Garage
1.0	MAXIMUM NUMBER PERMITTED PER LOT	1 <sup>(1)(2)</sup>	1 <sup>(1)</sup>
2.0	SIZE:		
2.1	Maximum floor area measured from the inside face of walls	75 m <sup>2</sup>	75 m <sup>2</sup>
2.2	Minimum rectangular area measured from the inside face of walls (width x length)	2.75 m x 6.0 m	2.75 m x 6.0 m
2.3	Minimum unobstructed area for parking (width x length x height)	2.75 m x 5.2 m x 2.0 m	2.75 m x 5.2 m x 2.0 m
3.0	MAXIMUM LOT COVERAGE	The maximum <b>lot coverage</b> for the dwelling in the applicable zone is inclusive of the attached <b>garage</b>	10% of the <b>lot area</b> <sup>(3)</sup>
4.0	MAXIMUM HEIGHT:		
4.1	<b>Sloped roof - highest ridge</b>	The maximum <b>height</b> for the dwelling in the applicable zone	4.6 m
4.2	<b>Flat roof</b>	The maximum <b>height</b> for the dwelling in the applicable zone	3.0 m
4.3	Maximum height of eaves	n/a	3.0 m
5.0	LOCATION	n/a	Not permitted between the <b>front wall</b> of the dwelling and the <b>front lot line</b>
6.0	SETBACKS:		
6.1	Minimum setback to <b>exterior side lot line</b>	The <b>exterior side yard</b> regulations of the applicable zone shall apply	The <b>exterior side yard</b> regulations of the applicable zone shall apply
6.2	Minimum setback to <b>interior side lot line</b> for <b>garage</b> located in an <b>interior side yard</b>	The <b>interior side yard</b> regulations of the applicable zone shall apply	The <b>interior side yard</b> regulations of the applicable zone shall apply <sup>(4)(5)</sup>
6.3	Minimum setbacks to <b>interior side</b> and <b>rear lot lines</b> for detached <b>garage</b> located in the <b>rear yard</b> where <b>lot area</b> greater than or equal to 750 m <sup>2</sup>	n/a	1.2 m <sup>(6)(7)</sup>
6.4	Minimum setbacks to <b>interior side</b> and <b>rear lot lines</b> for detached <b>garage</b> located in the <b>rear yard</b> where <b>lot area</b> less than 750 m <sup>2</sup>	n/a	0.61 m <sup>(6)(7)</sup>

Table 4.1.12.1 continued on next page

**Part 4 - Residential Zones**

Column A		B	C
Line		Attached Garage	Detached Garage
<b>Table 4.1.12.1 continued from previous page</b>			
6.5	Minimum setback of a detached <b>garage</b> located in the <b>rear yard</b> to the dwelling on the same <b>lot</b>	n/a	1.2 m
<b>7.0</b>	<b>MINIMUM AREA OF ATTACHMENT OF A DWELLING AND ATTACHED GARAGE ABOVE GRADE</b>	5.0 m in length and 2.0 m in <b>height</b>	n/a

**NOTE:** n/a means not applicable.

- (1) Only one attached **garage** or one detached **garage** shall be permitted per **lot**.
- (2) Line 1.0 shall not apply in RM4, RM7 to RM12 zones.
- (3) The maximum **lot coverage** in an applicable zone is inclusive of the combined total area used for a detached **garage** and all other **accessory buildings** and **structures**.
- (4) In zones where the **interior side yard** is regulated by the number of **storeys**, the **interior side yard** to a detached **garage** shall comply with the **yard** required for a one **storey** dwelling.
- (5) In zones having a combined width of **interior side yards** regulation, detached **garages** shall comply with the required **interior side yard** regulation and the combined width of **interior side yards** regulation.
- (6) See Subsection 4.1.8 of this By-law.
- (7) On two adjoining **lots** in a Residential Zone, a detached **garage** with a joint **party wall** is permitted.

4.1.12.3 A **deck** is not permitted on top, above or projecting from an attached **garage**.  
(0112-2019)

4.1.12.4 A **balcony** with a maximum area of 10 m<sup>2</sup> is permitted on top of an attached **garage**, provided that the **balcony** does not project more than 1.0 m beyond the **garage face**.  
(0325-2008), (0181-2018/LPAT Order 2019 February 15), (0112-2019)

**4.1.13 Minimum Gross Floor Area - Residential**

All **dwelling units** in R1 to R16 and RM1 to RM6 zones shall have a minimum **gross floor area - residential** of 60 m<sup>2</sup>.

**4.1.14 Common Element Condominium (CEC)**  
(0297-2013)

4.1.14.1 CEC - visitor **parking spaces** shall be provided within a **common element** area.

4.1.14.2 The width of the paved portion of a **CEC - road** shall be the perpendicular distance measured between the inside faces of opposing curbs. At the point where a CEC - visitor parallel **parking space** abuts a **CEC - road**, the width of the paved portion of the **CEC - road** shall be the perpendicular distance measured between the CEC - visitor parallel **parking space** and the inside face of the opposing curb.  
(0181-2018/LPAT Order 2019 February 15)

**4.1.15 Apartment Zones**

**4.1.15.1 Accessory Uses**

**Accessory uses** are permitted within RA1 to RA5 zones, subject to the following provisions:

4.1.15.1.1 **Accessory uses** are limited to a **retail store, personal service establishment, financial institution, office and medical office - restricted**; (0325-2008)

4.1.15.1.2 An **accessory use** shall only be permitted in an **apartment** having 75 or more **dwelling units**, or in a **long-term care building** having 75 or more beds, or in a **retirement building** having 75 or more **retirement dwelling units**; (0174-2017)

4.1.15.1.3 The **accessory use** shall be wholly contained within the dwelling and the entrance to the **accessory use** shall only be from within the dwelling;

4.1.15.1.4 An **accessory use** shall not be permitted above the **first storey** of an **apartment, retirement building or long-term care building**; (0174-2017)

4.1.15.1.5 Each **accessory use** shall have maximum **gross floor area - non-residential** of 186 m<sup>2</sup>;

4.1.15.1.6 The maximum total **gross floor area - non-residential** for all **accessory uses** shall be lesser of 10% of the total **gross floor area - apartment zone**, or the **gross floor area - apartment zone** of one **storey** of the dwelling; (0174-2017)

4.1.15.1.7 Additional on-site parking is not required for **accessory uses** permitted in Sentence 4.1.15.1.1.

**4.1.15.2 Long-Term Care Buildings**

For the purpose of calculating the number of **dwelling units** in a **long-term care building**, two long-term care beds shall equal one long-term care **dwelling unit**. (0174-2017)

**4.1.15.3 Height**

Notwithstanding any other provisions of this By-law, the calculation of **height** for **apartment, long-term care and retirement buildings**, shall be exclusive of mechanical or architectural appurtenances such as mechanical equipment, mechanical penthouse, elevator machine rooms, telecommunication equipment and enclosures, parapets, turrets, cupolas, stairs and stair enclosures, located on the roof of a dwelling provided that the maximum **height** of the top of such elements is no higher than 6.0 m above the **height** limit otherwise applicable. (0174-2017)

**4.1.15.4 Reduced Landscaped Buffer**

The required **landscaped buffer** of two abutting properties with zoning to permit **apartment, long-term care and/or retirement buildings** may be reduced to 0.0 m for that portion of the common **lot line** where there are shared **driveways** and/or **aisles**. (0174-2017)

**4.1.15.5 Guest Units**

Guest units are permitted within RA1 to RA5 zones, subject to the following: (0190-2014)

4.1.15.5.1 Guest units shall only be permitted in an **apartment** having 75 or more **dwelling units**, or in a **long-term care building** having 75 or more beds, or in a **retirement building** having 75 or more **retirement dwelling units**; (0174-2017)

4.1.15.5.2 A maximum of 5 guest units are permitted;

4.1.15.5.3 The maximum size of a guest unit shall not exceed 30 m<sup>2</sup>;

4.1.15.5.4 A kitchen is not permitted within a guest unit;

4.1.15.5.5 Additional on-site parking is not required for a guest unit permitted in Article 4.1.15.5.

- 4.1.16 Home Occupation**  
*(0297-2013), (0144-2016)*
- 4.1.16.1 A **home occupation** is permitted within a **detached dwelling** in a Residential Zone subject to the following:
- 4.1.16.1.1 The following **home occupations** are permitted:
- (1) **tutoring**;
  - (2) music instruction;
  - (3) artist or artisan;
  - (4) **office** (excluding resident **physician, dentist, drugless practitioner** or **health professional's office**).
- 4.1.16.1.2 The total area used for a **home occupation** shall not exceed 25% of the **gross floor area - residential** of the **detached dwelling**, to a maximum of 50 m<sup>2</sup>;
- 4.1.16.1.3 For the purpose of calculating the area devoted to a **home occupation, gross floor area - residential** shall include all areas above and below **established grade** used for the **home occupation**;
- 4.1.16.1.4 A **home occupation** shall be conducted wholly within a **detached dwelling**;
- 4.1.16.1.5 Only one (1) **home occupation** shall be permitted within a **detached dwelling**;
- 4.1.16.1.6 The dwelling in which the **home occupation** is located shall be the principal private residence of a person or persons conducting the **home occupation** and they must not be an occasional or casual resident thereof;
- 4.1.16.1.7 A **home occupation** shall not employ staff who are not a resident of the **detached dwelling**;
- 4.1.16.1.8 **Outdoor storage** or outdoor display of merchandise, material or equipment associated with a **home occupation** is not permitted;
- 4.1.16.1.9 There shall be no visible indication from the exterior of the **detached dwelling** that a **home occupation** is carried on in the **detached dwelling**;
- 4.1.16.1.10 The maximum number of clients attending a **home occupation** at any one time shall be two (2);
- 4.1.16.1.11 A **home occupation** shall not create noise, vibration, fumes, odour, dust, glare, or radiation which is detectable outside of the **detached dwelling**;
- 4.1.16.1.12 In addition to the required number of **parking spaces** for the **detached dwelling**, one (1) additional **parking space** for the **home occupation** shall be provided;
- 4.1.16.1.13 **Tandem parking spaces** shall be permitted;
- 4.1.16.1.14 An **aisle** adjacent to **parking spaces** is not required.
- 4.1.16.2 *(0297-2013), deleted by 0144-2016*

**4.1.17 Resident Physician, Dentist, Drugless Practitioner or Health Professional**

An **office** of a resident **physician, dentist, drugless practitioner or health professional** is permitted in a **detached dwelling** subject to the following:

- 4.1.17.1 The **detached dwelling** must be the principal private residence of the **physician, dentist, drugless practitioner or health professional** and the **physician, dentist, drugless practitioner or health professional** must not be an occasional or casual resident thereof;
- 4.1.17.2 The **detached dwelling** must not be located within an 800.0 m radius of an **existing office** of a resident **physician, dentist, drugless practitioner or health professional** in a Residential Zone;
- 4.1.17.3 The **lot** shall have a minimum frontage of 15.0 m;
- 4.1.17.4 A maximum of one (1) resident **physician, dentist, drugless practitioner or health professional** and a maximum of one (1) employee shall be permitted;
- 4.1.17.5 The accommodation of patients overnight shall not be permitted;
- 4.1.17.6 The maximum **gross floor area - residential** of an **office** of a resident **physician, dentist, drugless practitioner or health professional** shall be 100 m<sup>2</sup>;
- 4.1.17.7 Parking shall be provided in compliance with the regulations contained in Table 3.1.2.1 of this By-law;
- 4.1.17.8 An **aisle** adjacent to **parking spaces** is not required.

**4.1.18 Group Home**

A **group home** shall only be permitted within a **detached dwelling** in a Residential Zone subject to the following: *(0379-2009)*

- 4.1.18.1 A **group home** shall not be located within an 800.0 m radius of the **lot line** of an **existing group home**;
- 4.1.18.2 A **group home** shall be occupied by a maximum of eight (8) persons, exclusive of staff and/or receiving family. *(0379-2009)*
- 4.1.18.3 Parking shall be provided in compliance with the regulations in Table 3.1.2.1 contained in Article 3.1.2.1 of this By-law. *(0308-2011)*

**4.1.19 Receiving/Telecommunication Device**

A **receiving/telecommunication device** with a dish diameter exceeding 1.0 m shall comply with the regulations contained in Table 4.1.19 - Receiving/Telecommunication Device Regulations.

**Table 4.1.19 - Receiving/Telecommunication Device Regulations**

Column A		B
Line		
1.0	Location	<b>Rear yard</b> only or on the roof of a dwelling with more than three (3) <b>storeys</b>
2.0	Maximum <b>height</b> from <b>established grade</b> to top of <b>receiving/telecommunication device</b> located in a <b>rear yard</b>	4.0 m
3.0	Minimum setback to any <b>lot line</b> where a <b>receiving/telecommunication device</b> is located in a <b>rear yard</b>	1.8 m



**4.1.20 Second Unit**

A **second unit** shall be permitted accessory to and located within a **detached dwelling** or a **dwelling unit** located in a **semi-detached, townhouse, linked dwelling, street townhouse** and a **townhouse** on a **CEC - road** in a Residential Zone subject to the following: *(0158-2013), (0174-2017), (0181-2018/LPAT Order 2019 February 15)*

- 4.1.20.1 The provisions of Article 4.1.1.3 of this By-law shall not apply;
- 4.1.20.2 Notwithstanding the provisions of Article 4.1.1.1 of this By-law, a maximum of one **second unit** shall be permitted;
- 4.1.20.3 A **second unit** shall not be permitted in a **lodging house, a group home or dwelling unit** containing an accessory non-residential **use**;
- 4.1.20.4 An addition to facilitate a **second unit** shall not alter the **existing use** of the subject dwelling as defined by this By-law;
- 4.1.20.5 Notwithstanding Subsection 4.1.13 of this By-law, the minimum **gross floor area - residential** of a **second unit** shall be 35 m<sup>2</sup>;
- 4.1.20.6 A **second unit** shall not occupy more than 50% of the **gross floor area** of the dwelling within which it is located; *(0190-2014)*
- 4.1.20.7 A new pedestrian entrance facing a **street, a private road or a CEC - road**, to facilitate a **second unit**, shall not be permitted; *(0181-2018/LPAT Order 2019 February 15)*
- 4.1.20.8 A **deck** located above the **first storey** to facilitate an entrance to a **second unit** shall not be permitted;
- 4.1.20.9 In addition to the required number of **parking spaces** for the dwelling, one **parking space** shall be required for a **second unit**;
- 4.1.20.10 **Tandem parking spaces** to accommodate a **second unit** shall be permitted;
- 4.1.20.11 A **lot** with a **second unit** shall have one and not more than one **driveway**.

