

# RS-1

## District Schedule

### 1 INTENT AND OVERVIEW

#### 1.1 Intent

The intent of this schedule is generally to maintain the residential character of the area in the form of duplexes, single detached houses, secondary suites and laneway houses. Duplexes on sites larger than 511 m<sup>2</sup> must include at least 1 secondary suite. Retention of character houses is encouraged by permitting infill and multiple conversion dwellings where a character house is retained. Emphasis is placed on encouraging neighbourly development by preserving outdoor space and views. Neighbourhood amenity is enhanced through the maintenance of healthy trees and planting which reflects the established streetscape.

Without limitation, applicable Council policies and guidelines for consideration include the [Boundary and Tanner RS-1 Guidelines](#), [Charles/Adanac RS-1 Guidelines](#), [Deering Island RS-1 Guidelines](#), [Guidelines for Additions, Infill and Multiple Conversion Dwelling in Association with the Retention of a Character House in an RS Zone](#), [RS Zones Impermeable Materials Site Coverage Guidelines for RS-1, RS-1A, RS-1B, RS-2, RS-3, RS-3A, RS-4, RS-5, RS-6, and RS-7 Zones](#) and [RS-1 Caretaker Dwelling Unit Guidelines](#).

#### 1.2 Overview

The table below provides an overview of the outright and conditional approval uses in the RS-1 district, categorized by the minimum site area required, where applicable. Applicable density, form and placement regulations in section 3 of this schedule are cross-referenced in the third column.

Minimum Site Area	Use	Density, Form and Placement Regulations
334 m <sup>2</sup>	Duplex or Duplex with Secondary Suite	<a href="#">3.1</a>
	Single Detached House or Single Detached House with Secondary Suite	<a href="#">3.2</a>
--	Other uses in section <a href="#">2.1</a> of this schedule	<a href="#">3.2</a>

## 2 USE REGULATIONS

### 2.1 Outright and Conditional Approval Uses

All outright and conditional approval uses are subject to all other provisions of this by-law, including [Section 2](#), [Section 10](#) and [Section 11](#), and compliance with the regulations of this schedule including section [2.2](#).

The uses identified in the table below as outright approval uses are permitted in this district and will be issued a permit.

The uses identified in the table below as conditional approval uses may be approved in this district by the Director of Planning, with or without conditions, if the Director of Planning considers:

- (a) the intent of this schedule and all applicable Council policies and guidelines; and
- (b) the submission of any advisory group, property owner or tenant.

Uses are listed under their general land use category. Applicable use-specific regulations in section [2.2](#) of this schedule are cross-referenced in the third column. Cross-references to applicable use-specific regulations are provided for information purposes only and do not form part of this by-law.

Use	Approval	Use-Specific Regulations
<b>Agricultural Uses</b>		
Urban Farm – Class A	Conditional	
<b>Cultural and Recreational Uses</b>		
Community Centre or Neighbourhood House	Conditional	
Golf Course or Driving Range	Conditional	
Library, in combination with Community Centre	Conditional	
Marina	Conditional	
Park or Playground	Conditional	
Stadium or Arena	Conditional	
Zoo or Botanical Garden	Conditional	
<b>Dwelling Uses</b>		
Duplex	Outright	
Duplex with Secondary Suite	Conditional	<a href="#">2.2.1</a>
Infill, in combination with the retention of a character house existing on the site as of January 16, 2018	Conditional	
Infill Single Detached House	Conditional	<a href="#">2.2.2</a>
Laneway House	Conditional	<a href="#">2.2.3</a>
Mixed-Use Residential Building	Conditional	<a href="#">2.2.4</a>

Use	Approval	Use-Specific Regulations
Multiple Conversion Dwelling, resulting from the conversion of a character house existing on the site as of January 16, 2018	Conditional	<a href="#">2.2.5</a>
Principal Dwelling Unit with Lock-off Unit	Conditional	<a href="#">2.2.6</a>
Seniors Supportive or Assisted Housing	Conditional	
Single Detached House	Outright	
Single Detached House with Secondary Suite	Conditional	
<b>Institutional Uses</b>		
Ambulance Station	Conditional	
Child Day Care Facility	Conditional	
Church	Conditional	
Community Care Facility – Class A	Outright	<a href="#">2.2.7</a>
Community Care Facility – Class B	Conditional	
Group Residence	Conditional	
Hospital	Conditional	
Public Authority Use, essential in this district	Conditional	
School – Elementary or Secondary	Conditional	
Social Service Centre	Conditional	
<b>Office Uses</b>		
Temporary Sales Office	Conditional	
<b>Parking Uses</b>		
Parking Area, ancillary to a principal use on an adjacent site	Conditional	
<b>Retail Uses</b>		
Farmers' Market	Conditional	<a href="#">2.2.8</a>
Neighbourhood Grocery Store	Conditional	
Public Bike Share	Conditional	
<b>Service Uses</b>		
Bed and Breakfast Accommodation	Conditional	
Short Term Rental Accommodation	Conditional	
<b>Utility and Communication Uses</b>		
Public Utility	Conditional	
<b>uncategorized</b>		
Accessory Buildings, customarily ancillary to any use listed in this section <a href="#">2.1</a>	Outright	<a href="#">2.2.9</a>
Accessory Buildings, customarily ancillary to any use listed in this section <a href="#">2.1</a> and not permitted as an outright approval use	Conditional	

Use	Approval	Use-Specific Regulations
Accessory Uses, customarily ancillary to any outright approval use listed in this section <a href="#">2.1</a>	Outright	<a href="#">2.2.10</a>
Accessory Uses, customarily ancillary to any conditional approval use listed in this section <a href="#">2.1</a>	Conditional	
Deposition or extraction of material, which alters the configuration of the land	Conditional	

## 2.2 Use-Specific Regulations

- 2.2.1 Duplex with secondary suite must have no more than 1 secondary suite for each dwelling unit.
- 2.2.2 Infill single detached house may be permitted if:
- (a) it is for a caretaker;
  - (b) it complies with the following:
    - (i) section [2.2.9\(a\)](#) below for any portion of the building located within 7.9 m of the ultimate rear property line, and
    - (ii) sections [2.2.9\(b\)](#), [2.2.9\(d\)](#), [2.2.9\(e\)](#) and [2.2.9\(f\)](#) below; and
  - (c) the floor area does not exceed 75 m<sup>2</sup> and is also counted in the accessory building area.
- 2.2.3 Laneway house is regulated by [Section 11](#) of this by-law and sections [3](#) and [4](#) of this schedule do not apply.
- 2.2.4 The only non-dwelling use permitted in a mixed-use residential building is neighbourhood grocery store.
- 2.2.5 Multiple conversion dwelling resulting from the conversion of a character house existing on the site as of January 16, 2018, may be permitted if it contains no housekeeping or sleeping units.
- 2.2.6 Principal dwelling unit with lock-off unit may be permitted only in:
- (a) a duplex and there may be no more than 1 lock-off unit for each dwelling unit; and
  - (b) a duplex with secondary suite if there is only 1 secondary suite and only 1 lock-off unit, and the lock-off unit is in the dwelling unit without a secondary suite.
- 2.2.7 Community care facility – class A is subject to the regulations, variations and relaxations that apply to single detached house.

2.2.8 Farmers' market may be permitted if the Director of Planning considers the appropriateness of the use with respect to compatibility with nearby sites, parking, traffic, noise, hours of operation, size of facility and pedestrian amenity.

2.2.9 Accessory buildings customarily ancillary to any use listed in section 2.1 of this schedule are permitted as an outright approval use if:

(a) no accessory building exceeds 3.7 m in height, measured to:

- (i) the highest point of a flat roof,
- (ii) the deck line of a mansard roof, or
- (iii) the mean height between the eaves and the ridge of a gable, hip or gambrel roof,

provided that no portion of an accessory building exceeds 4.6 m in building height;

(b) all accessory buildings are located:

- (i) within 7.9 m of the ultimate rear property line or within the permitted building depth as prescribed in this schedule, and

(ii) at least 3.1 m from the ultimate centre line of any rear or flanking lane, and

(iii) at least 1.5 m from a flanking street;

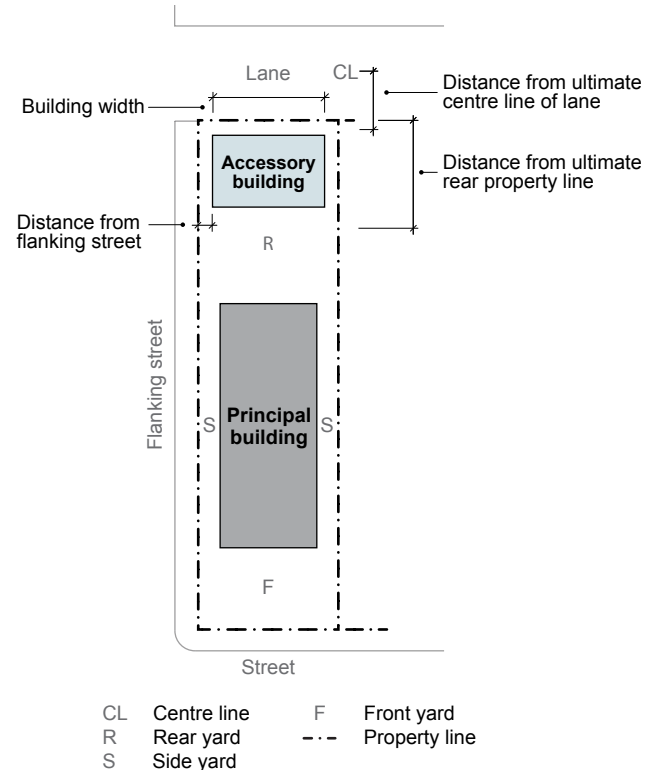
(c) for all uses except for duplex and duplex with secondary suite, the total floor area of all accessory buildings, measured to the extreme outer limits of the building, does not exceed 30% of the minimum rear yard prescribed in this schedule, or 48 m<sup>2</sup>, whichever is greater, except that the total allowable accessory building floor area will be reduced by:

- (i) any floor area previously excluded from existing development pursuant to section 4.1.2(c) of this schedule, and
- (ii) the floor area of a laneway house;

(d) for duplex and duplex with secondary suite, the total floor area of all accessory buildings, measured to the extreme outer limits of the building, does not exceed 48 m<sup>2</sup>;

(e) the combined building width for all accessory buildings does not exceed 80% of the width of the site at the rear property line; and

**Diagram: Building placement for accessory building**



(f) roof decks and decks may only be located on an accessory building that is within the permitted building depth as prescribed in this schedule.

2.2.10 Accessory parking spaces customarily ancillary to any outright approval use listed in section 2.1 of this schedule must comply with the provisions of section 2.2.9(b) above.

### 3 DENSITY, FORM AND PLACEMENT REGULATIONS

This section contains density, form and placement regulations organized by use.

#### 3.1 Duplex and Duplex with Secondary Suite

Duplex and duplex with secondary suite are subject to the following regulations.

##### 3.1.1 Density and Floor Area

- 3.1.1.1 The maximum floor space ratio is 0.70, except that the area of all floors at or above finished grade and of the floors of any storey, basement or cellar located below a storey that has a floor surface located 1.8 m or more above finished grade must not exceed 371 m<sup>2</sup>.

##### 3.1.2 Building Form and Placement

Regulations	RS-1
3.1.2.1 Minimum site area	334 m <sup>2</sup>
3.1.2.2 Maximum site area for:	
(a) duplex	511 m <sup>2</sup>
(b) duplex with secondary suite	no maximum
3.1.2.3 Minimum site width	7.3 m
3.1.2.4 Maximum building height	10.7 m and 3 storeys
3.1.2.5 Minimum front yard depth	20% of the site depth
3.1.2.6 Minimum side yard width where the site width:	
(a) does not exceed 18.3 m	10% of the site width
(b) exceeds 18.3 m and does not exceed 30.5 m	% of the site width = (site width in metres ÷ 1.219) – 5
(c) exceeds 30.5 m	20% of the site width
3.1.2.7 Minimum rear yard depth	40% of the site depth
3.1.2.8 Maximum site coverage for all buildings	45% of the site area
3.1.2.9 Maximum area of impermeable materials	60% of the site area

Regulations	RS-1
3.1.2.10 Maximum building depth	40% of the site depth

**Site Area and Site Width**

- 3.1.2.11 The Director of Planning may reduce the minimum site area on an existing lot of lesser site area on record in the Land Title Office.
- 3.1.2.12 The design of any new dwelling will first require the approval of the Director of Planning if:
  - (a) the site width is less than 9.8 m; or
  - (b) where the Director of Planning has reduced the minimum site area requirements pursuant to section 3.1.2.11.

**Building Height**

- 3.1.2.13 Despite the maximum building height in section 3.1.2.4 above, the third storey must be a partial storey not exceeding 50% of the storey immediately below.

**Front Yard**

- 3.1.2.14 The Director of Planning may vary the required front yard depth on a double fronting site or a site where a building line has been established pursuant to section 8.1.1 of this by-law.

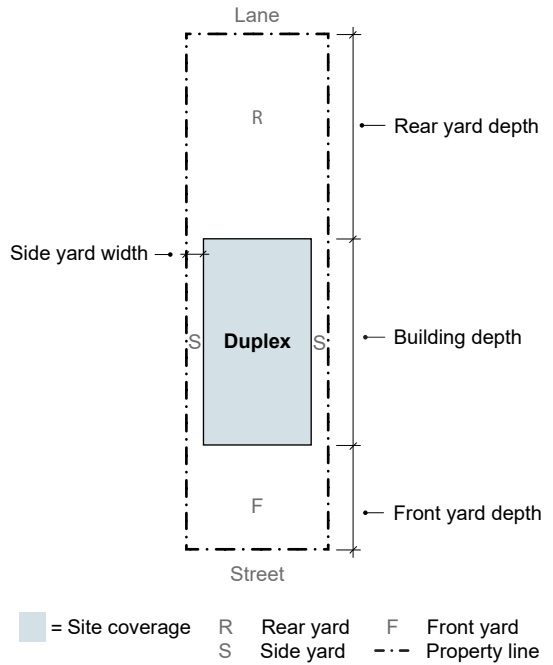
**Rear Yard**

- 3.1.2.15 Despite the minimum rear yard depth in section 3.1.2.7 above, where the permitted building depth is increased in accordance with section 10.33.1 of this by-law, the required rear yard does not apply.

**Area of Impermeable Materials**

- 3.1.2.16 Where developed secondary vehicular access to a site is not available, the Director of Planning may exclude from the area of impermeable materials an amount not exceeding:
  - (a) for the first parking space, the product of the distance, in metres as measured along the driveway centre line, from the point where the driveway crosses the property boundary to the point where it meets the nearest side of the approvable parking space multiplied by 3.1 m; and

**Diagram: Building placement for duplex and duplex with secondary suite**





(b) for each additional parking space, 67 m<sup>2</sup> to accommodate vehicular access and manoeuvring.

3.1.2.17 The Director of Planning may increase the maximum area of impermeable materials for buildings existing prior to May 30, 2000 to a maximum of 70% of the total site area if:

- (a) the percentage of the site area covered by existing impermeable materials is not increased by the proposed development; and
- (b) the Director of Planning considers all applicable Council policies and guidelines.

## 3.2 Other Uses

Single detached house, single detached house with secondary suite, uses involving character house retention, and all other uses not regulated by section 3.1 of this schedule are subject to the following regulations

### 3.2.1 Density and Floor Area

3.2.1.1 The maximum floor space ratio is 0.60, except that:

- (a) for buildings existing prior to April 12, 1988, the area of all floors at or above finished grade and of the floors of any storey, basement or cellar located below a storey that has a floor surface located 2.0 m or more above finished grade, all of which floors are located within the building depth prescribed in section 3.2.2.9 of this schedule, must not exceed a floor space ratio of 0.20 plus 130 m<sup>2</sup>;
- (b) in all cases other than those described in section 3.2.1.1(a) above, the area of all floors at or above finished grade and of the floors of any storey, basement, or cellar located below a storey that has a floor surface located 1.8 m or more above finished grade, all of which floors are located within the building depth prescribed in section 3.2.2.9 of this schedule, must not exceed a floor space ratio of 0.20 plus 130 m<sup>2</sup>;
- (c) the floor space ratio is increased to 0.70 if:
  - (i) the area of all floors at or above finished grade does not exceed the lesser of a floor space ratio of 0.45, and the floor space ratio determined under sections 3.2.1.1(a) or 3.2.1.1(b) above,
  - (ii) the area of any floor, including the basement or cellar, does not exceed a floor space ratio of 0.25, and
  - (iii) no portion of the basement or cellar projects horizontally beyond the perimeter of the first storey, including entries, porches and verandahs; and
- (d) for buildings existing prior to July 7, 2009, the floor space ratio for the area of all floors at, above or below finished grade, is increased to 0.75 to permit the addition of a basement or cellar, if:
  - (i) the area of all floors at or above finished grade does not exceed the lesser of a floor space ratio of 0.50 and the existing floor space ratio,
  - (ii) the area of any floor, including the basement or cellar, does not exceed a floor space ratio of 0.25, and
  - (iii) no portion of the basement or cellar projects horizontally beyond the perimeter of the first storey, including entries, porches and verandahs; and
- (e) the Director of Planning may increase the permitted floor space ratio to a maximum of:
  - (i) 0.75 to facilitate an addition to a character house, or
  - (ii) 0.85 for infill in combination with the retention of a character house,

if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.

### 3.2.2 Building Form and Placement

Regulations	RS-1
3.2.2.1 Minimum site area for:	
(a) single detached house and single detached house with secondary suite	334 m <sup>2</sup>
(b) dwelling unit for a caretaker	3,000 m <sup>2</sup>
3.2.2.2 Minimum site width for single detached house and single detached house with secondary suite	7.3 m
3.2.2.3 Maximum building height	9.5 m and 3 storeys
3.2.2.4 Minimum front yard depth	20% of the site depth
3.2.2.5 Minimum side yard width where the site width:	
(a) does not exceed 18.3 m	10% of the site width
(b) exceeds 18.3 m and does not exceed 30.5 m	% of the site width = (site width in metres ÷ 1.219) – 5
(c) exceeds 30.5 m	20% of the site width
3.2.2.6 Minimum rear yard depth	45% of the site depth
3.2.2.7 Maximum site coverage for all buildings	40% of the site area
3.2.2.8 Maximum area of impermeable materials	60% of the site area
3.2.2.9 Maximum building depth	35% of the site depth

#### Site Area and Site Width

3.2.2.10 The Director of Planning may reduce the minimum site area in section [3.2.2.1\(a\)](#) above on an existing lot of lesser site area on record in the Land Title Office.

3.2.2.11 The design of any new dwelling will first require the approval of the Director of Planning if:

- (a) the site width is less than 9.8 m; or
- (b) the site area is less than 334 m<sup>2</sup>.

**Building Height**

3.2.2.12 Despite the maximum building height in section 3.2.2.3 above, the third storey must be a partial storey not exceeding 50% of the storey immediately below.

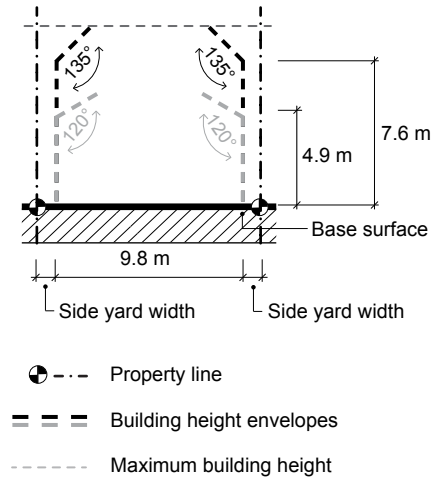
3.2.2.13 Despite the maximum building height in section 3.2.2.3 above, no portion of the building may extend above:

- (a) a primary envelope formed by a vertical line measuring 4.9 m in height at the required minimum side yard and then extending inward and upward at an angle of 120 degrees from the vertical to the point where the planes intersect; and
- (b) a secondary envelope:
  - (i) located between the required side yards,
  - (ii) equal to 60% of the site width, which need not be less than 9.8 m in width except as limited by the required side yard, and
  - (iii) formed by a vertical line measuring 7.6 m in height and then extending inward and upward at an angle of 135 degrees from the vertical to the point where the planes intersect.

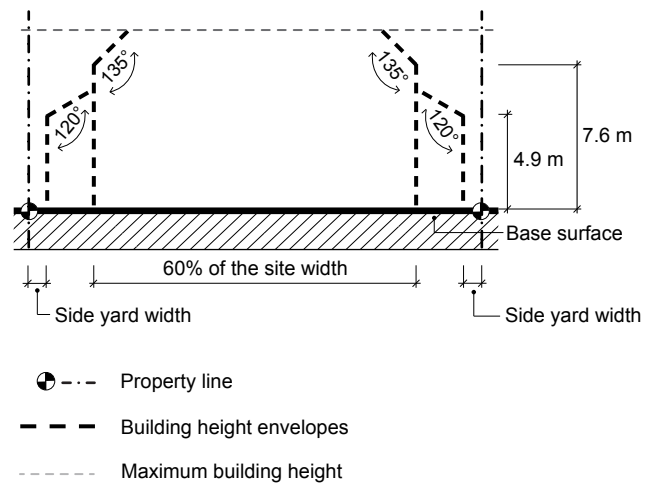
3.2.2.14 For single detached house with secondary suite, the Director of Planning may increase the permitted building height to a height not exceeding 10.7 m if:

- (a) all roofs, other than roofs covering only the first storey:
  - (i) have no flat portions,
  - (ii) have a minimum slope of 7:12 ratio over the whole roof area, and
  - (iii) are limited to gable, hip or gambrel roofs; and
- (b) the Director of Planning considers the relationship between the height of the floors above the basement floor and the adjacent finished grade.

**Diagram: Building height envelopes on a standard site**



**Diagram: Building height envelopes on a wider site**



3.2.2.15 For uses other than single detached house with secondary suite, the Director of Planning may increase the permitted building height to a height not exceeding 10.7 m, if the Director of Planning considers:

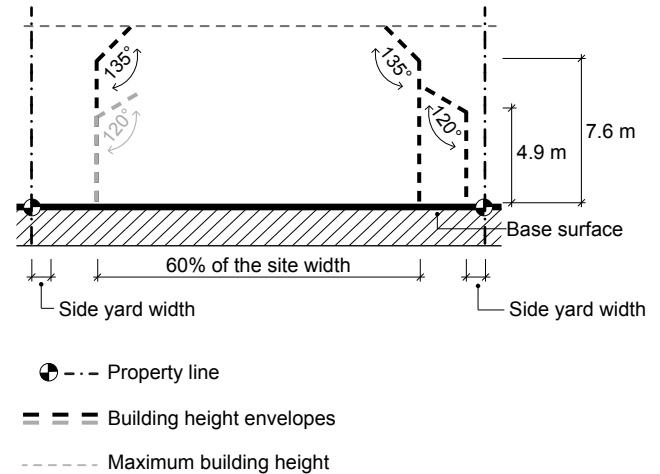
- (a) the impact of the increased building height on adjacent properties, the character of the area and views from surrounding development; and
- (b) the extent to which the increased building height improves the roof lines of the building.

**Front Yard**

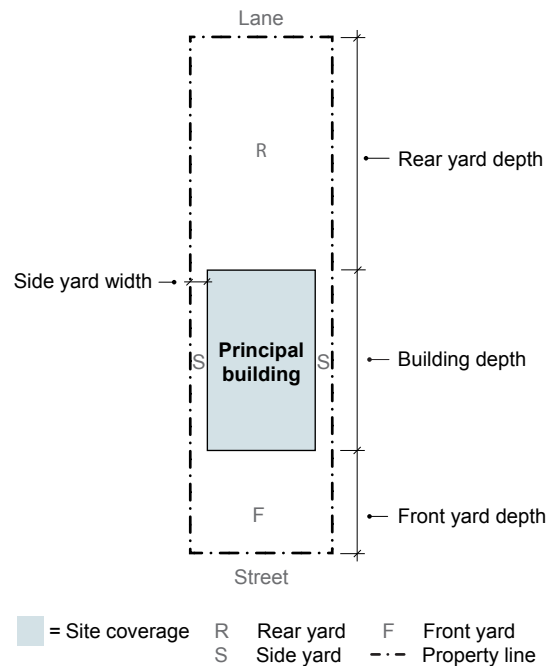
3.2.2.16 Despite the minimum front yard depth in section 3.2.2.4 above, on a site where the average front yard depth of the 2 adjacent sites on each side of the site is more than the 20% depth by at least 1.5 m or is less than the 20% depth, the minimum front yard depth will be that average, subject to the following:

- (a) where an adjacent site is vacant, it is deemed to have a front yard depth of 20% of the site depth;
- (b) if 1 or more of the adjacent sites front on a street other than that of the development site or the adjacent sites are separated by a street or lane, then such adjacent sites will not be used in computing the average; and
- (c) where the site is adjacent to a flanking street or lane, the average depth will be computed using the remainder of the adjacent sites.

**Diagram: Building height envelopes on a wider site**



**Diagram: Building placement for principal building**



3.2.2.17 The Director of Planning may vary the required minimum front yard depth on a double fronting site or a site where a building line has been established pursuant to section 8.1.1 of this by-law.

3.2.2.18 If the provisions of sections 3.2.2.16 and 3.2.2.6 above result in a distance between the front yard and the rear yard that is less than 35% of the site depth, and if the principal building is sited so that it abuts the required rear yard, the required front yard depth will be reduced so that the distance between the front yard and the rear yard is equal to 35% of the site depth.

## Rear Yard

3.2.2.19 Despite the minimum rear yard depth in section 3.2.2.6 above, the required rear yard depth will be reduced to a depth of not less than the largest of the rear yard depths of the sites on either side, subject to the following:

- (a) where an abutting site is vacant, it is deemed to have a rear yard depth of 45% of its site depth;
- (b) where an adjacent site abuts the site by way of its rear property line or is separated by a street or lane, it will not be used in determining the reduction of the required rear yard depth;
- (c) where the site has an exterior side yard, the required rear yard depth will be reduced to that of the abutting site; and
- (d) any portion of the principal building to be located within that part of the minimum rear yard depth decreased as provided for in this section 3.2.2.19 must comply with the provisions of section 2.2.9(a) of this schedule,

except this section 3.2.2.19 does not apply where the maximum building depth in section 3.2.2.9 above is increased in accordance with section 10.33.1 of this by-law.

3.2.2.20 For buildings existing prior to April 12, 1988, the required rear yard depth will be reduced by an amount not exceeding 3.1 m, provided that the resulting depth of the principal building does not exceed 35% of the site depth. The floor of a roof deck or deck located within that part of the rear yard decreased as provided for in this section 3.2.2.20 must not be any higher than the floor of the first storey of the principal building.

## Area of Impermeable Materials

3.2.2.21 Where developed secondary vehicular access to a site is not available, the Director of Planning may exclude from the area of impermeable materials an amount not exceeding:

- (a) for the first parking space, the product of the distance, in metres as measured along the driveway centre line, from the point where the driveway crosses the property boundary to the point where it meets the nearest side of the approvable parking space multiplied by 3.1 m; and
- (b) for each additional parking space, 67 m<sup>2</sup> to accommodate vehicular access and manoeuvring.

3.2.2.22 The Director of Planning may increase the maximum area of impermeable materials for buildings existing prior to May 30, 2000 to a maximum of 70% of the total site area if:

- (a) the percentage of the site area covered by existing impermeable materials is not increased by the proposed development; and
- (b) the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.

## Building Depth

- 3.2.2.23 Despite the maximum building depth in section [3.2.2.9](#) above, if the minimum rear yard depth is reduced pursuant to sections [3.2.2.19](#) and [3.2.2.20](#) above, the maximum building depth will be adjusted accordingly.

## 4 GENERAL REGULATIONS

All uses in this district are subject to the following regulations.

### 4.1 Computation of Floor Area

#### 4.1.1 Computation of floor area must include:

- (a) all floors, including earthen floor, measured to the extreme outer limits of the building including accessory buildings;
- (b) stairways, fire escapes, elevator shafts, and other features that the Director of Planning considers similar to the foregoing, measured by their gross cross-sectional areas and included in the measurements for each floor at which they are located;
- (c) where the distance from a floor to the floor above, or where there is no floor above, to the top of the roof joists, exceeds 3.7 m, an amount equal to the area of the floor below the excess height; and
- (d) the floor area of bay windows, regardless of seat height, location in building or relationship to yard setbacks, which exceeds the product of the total floor area permitted above the basement multiplied by 0.01.

#### 4.1.2 Computation of floor area must exclude:

- (a) balconies and decks, and any other appurtenances that the Director of Planning considers similar to the foregoing, provided that the total area of these exclusions does not exceed 8% of the permitted floor area;
- (b) patios and roof decks, if the Director of Planning considers the impact on privacy and overlook;
- (c) where floors are used for off-street parking and loading, the taking on or discharging of passengers, bicycle storage in multiple conversion dwellings containing 3 or more dwelling units, or uses that the Director of Planning considers similar to the foregoing, those floors or portions thereof not exceeding 7.3 m in length:
  - (i) which are located in an accessory building located within 7.9 m of the ultimate rear property line, or
  - (ii) where a site has no developed secondary access, are contained in a principal building, or in an accessory building located within the building depth prescribed in this schedule, up to a maximum of 42 m<sup>2</sup>;
- (d) child day care facilities to a maximum floor area of 10% of the permitted floor area, if the Director of Planning is satisfied that there is a need for a child day care facility in the immediate neighbourhood;
- (e) areas of undeveloped floors that are located:
  - (i) above the highest storey or partial storey, and to which there is no permanent means of access other than a hatch, or
  - (ii) adjacent to a storey or partial storey with a ceiling height of less than 1.2 m;



- (f) floors located at or below finished grade with a ceiling height of less than 1.2 m;
- (g) entries, porches and verandahs, and covered porches above the first storey, if:
  - (i) for all uses except for duplex and duplex with secondary suite, they face a street or a rear property line and entries, porches and verandahs are located at the basement or first storey,
  - (ii) for duplex and duplex with secondary suite, they face a street or rear property line,
  - (iii) the side facing the street or rear property line is open or protected by guards that do not exceed the required minimum height,
  - (iv) the total area of these exclusions, when combined with the balcony and deck exclusions under section [4.1.2\(a\)](#) above, does not exceed 13% of the permitted floor area,
  - (v) for duplex and duplex with secondary suite, the depth of the total area being excluded for covered porches above the first storey does not exceed 1.83 m, and
  - (vi) the ceiling height, excluding roof structure, of the total area being excluded does not exceed 3.1 m measured from the entry, porch or verandah floor;
- (h) unconditioned floor areas with a ceiling height or height to the underside of joists of less than 2.0 m, located below the floors of entries, porches and verandahs complying with section [4.1.2\(g\)](#) above, to which there is no access from the interior of the building;
- (i) the floor area of a laneway house; and
- (j) for duplex and duplex with secondary suite, areas of floors existing, proposed or as may be extended over open-to-below space located directly below sloping roof rafters or a sloping ceiling where the ceiling is directly attached to the underside of sloping roof rafters, and where the roof joists have a minimum 7:12 pitch and the related ceiling maintains the same pitch as the roof joists, if:
  - (i) the distance from the floor to any part of the roof rafters or ceiling is no higher than 2.3 m and no lower than 1.2 m, both measured vertically, and
  - (ii) the excluded floor area does not exceed 10% of the permitted total floor area,

and despite the definition of “partial storey” in [Section 2](#) of this by-law, for the purposes of this schedule the maximum permitted floor area contained in a partial storey must not include floor area excluded in this section [4.1.2\(j\)](#).

- 4.1.3 In the case of a corner site, where the rear property line of a site adjoins, without the intervention of a lane, the side yard of a site in an R district, the Director of Planning may vary the provisions of section [4.1.2](#) above to permit the exclusion of floor space used for off-street parking in the principal building up to a maximum of 42 m<sup>2</sup>.

## 4.2 Building Height: Measurement

- 4.2.1 Despite the definition of “building height” in [Section 2](#) of this by-law, building height in this district must be measured from a hypothetical surface determined by joining the existing grades at the intersections of the

hypothetical lines defining the front and rear yards and the side property lines, except that if the Director of Planning is of the opinion that the hypothetical surface determined by joining the existing grades is not compatible with the existing grades of adjoining sites or general topography of the area, the Director of Planning may instead require that height be measured from base surface.

### **4.3 Yards: Measurement**

4.3.1 Where a building line has been established pursuant to section 8.1.2 of this by-law, such building line will be deemed to be the southerly boundary of any required rear yard on lands described in “Plan A” of Part III of [Schedule E](#) to this by-law, despite any dimension contained herein.

### **4.4 Site Coverage and Impermeability: Measurement**

4.4.1 The maximum site coverage for any portion of the site used as parking area is 30% except where the principal use of the site is a parking area.

4.4.2 The maximum area of impermeable materials includes site coverage for all buildings.

### **4.5 Building Depth: Measurement**

4.5.1 Building depth means the distance between the front yard and the rear yard of a site.

4.5.2 Projections into front yards permitted under section 4.3.1 in this schedule will not be included in the calculation of building depth.

### **4.6 External Design**

4.6.1 For the purpose of this section 4.6:

- (a) “front entrance” means a door facing the front yard and located at or within 1.8 m of grade or connected to grade by stairs, a ramp or other means; and
- (b) “side entrance” means a door located on that part of a building facing a side yard and at or within 1.8 m of grade or connected to grade by stairs, a ramp or other means.

4.6.2 For single detached house, there must be no more than 1 separate and distinct front entrance.

4.6.3 For single detached house with secondary suite, there must be no more than 2 separate and distinct front entrances.

4.6.4 For single detached house and single detached house with secondary suite, a side entrance must face a street or lane, or be located no less than 5.0 m from the side property line, except that there must be no more than 1 side entrance facing each side property line.

- 4.6.5 The surface of the ground adjoining a building will be lowered only for the purpose of providing:
- (a) a window well for a basement or a cellar, if the lowered surface does not extend more than 1.0 m from the surface of a wall;
  - (b) a sunken entrance for a basement, if:
    - (i) the portion of the building abutting the lowered surface faces either the front street or the rear property line,
    - (ii) the lowered surface does not extend more than 3.1 m into the required front or rear yard, measured from the street-facing wall and including stair runs or vertical change in grade between the basement and the existing grade, and
    - (iii) the sum of the widths of all lowered surfaces abutting the building is not greater than half the building width or 4.6 m, whichever is the lesser; or
  - (c) a sunken entrance for a cellar in buildings existing prior to June 23, 2020, if:
    - (i) it complies with section **4.6.5(b)** above, and
    - (ii) the depth of the lowered surface does not exceed 1.83 m below the average finished grade.
- 4.6.6 Despite sections **4.6.2**, **4.6.3** and **4.6.4** above, the Director of Planning may, on the advice of the Chief Building Official, permit 1 additional entrance facing a front yard or a side yard if it provides access to a building existing prior to March 14, 1989.
- 4.6.7 For duplex and duplex with secondary suite, there must be:
- (a) 2 main entrances, 1 to each principal dwelling unit;
  - (b) on a corner site, 1 main entrance facing the front street and 1 main entrance facing the flanking street; and
  - (c) 1 entry, porch or verandah at each main entrance, with a minimum width and depth of 1.8 m.
- 4.6.8 For duplex and duplex with secondary suite, the roof design must comply with the following provisions:
- (a) all roofs except for dormer roofs must:
    - (i) have a slope not less than 7:12 and not more than 12:12,
    - (ii) be either hip or gable, or a combination of both, and
    - (iii) intersect at its lower portion with the exterior wall face of the building or the vertical projection thereof at a line no higher than the lesser of 7.9 m above the base surface or the floor level of a partial storey, or attic above the second storey;
  - (b) dormer roofs must be gable, hip or shed, and must have a minimum slope of 4:12;
  - (c) the maximum total width of dormers provided on a partial storey above the second storey must not exceed 50% of the width of the elevation of the storey below;

- (d) all exterior dormer walls must be set back a minimum of 0.6 m from the exterior face of the wall of the storey below; and
- (e) despite section 4.6.8(d) above, 1 dormer, which faces an interior side yard and provides headroom over a stair and any intermediate and top landings that provide access from the second storey to the partial storey above, may have its face wall flush or continuous with the second storey exterior wall face below.

4.6.9 Exterior windows in a secondary suite or lock-off unit must have a minimum total glazing area of:

- (a) 10% of the total floor area of the room, in each of the kitchen, living room and dining room; and
- (b) 5% of the total floor area of the room, in all other rooms, except bathrooms and laundry rooms.

4.6.10 For duplex and duplex with secondary suite, the Director of Planning may vary the requirements of sections 4.6.5, 4.6.7, 4.6.8 and 4.6.9 above if, in the opinion of the Director of Planning, the design meets the intent of the regulations for quality and durability of design and architectural expression.

## 5 RELAXATIONS

5.1 Where, due to conditions peculiar either to the site or to the proposed development, literal enforcement would result in unnecessary hardship, the Director of Planning may relax:

- (a) the maximum building height to a height not exceeding 10.7 m;
- (b) the minimum front yard depth to a depth not less than 60% of the specified requirement;
- (c) the minimum side yard width to a width not less than 60% of the specified requirement;
- (d) the minimum rear yard depth to a depth not less than 60% of the specified requirement;
- (e) the maximum building depth; and
- (f) the floor space ratio exclusions for parking in accessory buildings in section 4.1.2(c)(i) of this schedule,

if the Director of Planning considers the submission of any advisory group, property owner or tenant, the intent of this schedule and all applicable Council policies and guidelines.

5.2 Where, due to peculiarities of the site or special circumstances related to the use of the site, literal enforcement would result in unnecessary hardship, the Director of Planning may relax the maximum area of impermeable materials, if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.



