

# RS-5

## District Schedule

### 1 INTENT AND OVERVIEW

#### 1.1 Intent

The intent of this schedule is to maintain the residential character of the area in the form of duplexes, single detached houses, secondary suites, and laneway houses by encouraging new development that is compatible with the form and design of existing development and the established streetscape. 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.

Without limitation, applicable Council policies and guidelines for consideration include the [RS-3, RS-3A and RS-5 Design Guidelines](#) and [Guidelines for Additions, Infill and Multiple Conversion Dwelling in Association with the Retention of a Character House in an RS Zone](#).

#### 1.2 Overview

The table below provides an overview of the outright and conditional approval uses in the RS-5 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="#">3.1</a>
--	Other uses in section <a href="#">2.1</a> of this schedule	<a href="#">3.1</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	<a href="#">2.2.10</a>

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="#">2.2.11</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:
- the highest point of a flat roof,
  - the deck line of a mansard roof, or
  - 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:

- within 7.9 m of the ultimate rear property line or within the permitted building depth as prescribed in this schedule, and
- at least 3.1 m from the ultimate centre line of any rear or flanking lane, and
- at least 1.5 m from a flanking street;

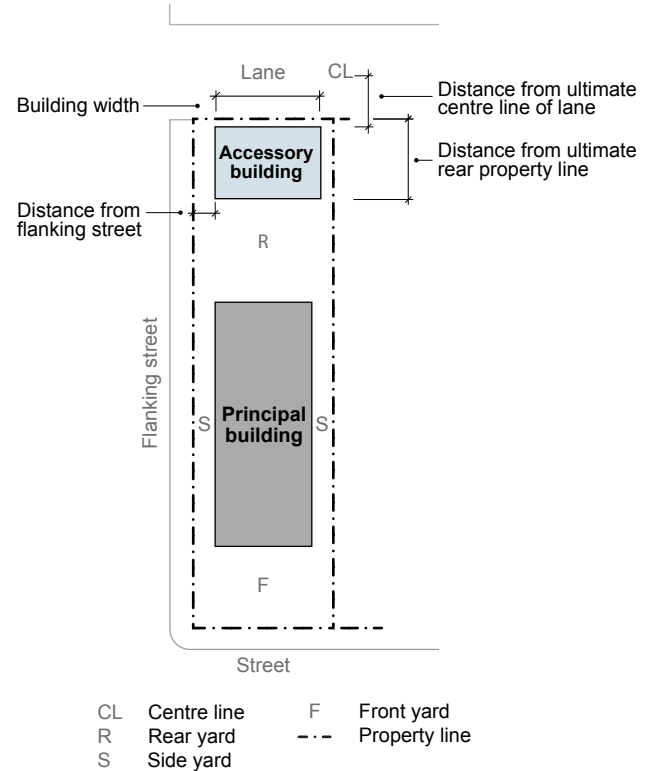
(c) for all uses except for duplex and duplex with secondary suite, the total floor area of all accessory buildings, measured to the extreme outer limits of the building, does not exceed the area given by the formula (site width in metres x 3.0 m) + 20 m<sup>2</sup>, except:

- this area need not be less than 48 m<sup>2</sup>, and
- the floor area of a laneway house will be deducted from the total allowable accessory building floor area;

(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 40% of the width of the site plus 4.2 m, where the width of the site is the average width of the portion of the site located within 7.9 m of the ultimate 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 buildings customarily ancillary to any dwelling use listed in section 2.1 and not permitted as an outright approval use must not exceed the total floor area permitted in section 2.2.9 above.

2.2.11 Accessory parking spaces customarily ancillary to any outright approval use listed in section 2.1 of this schedule must be located within 7.9 m of the ultimate rear property line.

### 3 DENSITY, FORM AND PLACEMENT REGULATIONS

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

#### 3.1 All Uses

Duplex, duplex with secondary suite, single detached house and single detached house with secondary suite, uses involving character house retention, and all other uses in this district are subject to the following regulations.

##### 3.1.1 Density and Floor Area

3.1.1.1 The maximum floor space ratio for all uses except duplex and duplex with secondary suite 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 must not exceed a floor space ratio of 0.20 plus 130 m<sup>2</sup>;
- (b) in all cases other than those specified in section [3.1.1.1\(a\)](#) 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 must not exceed a floor space ratio of 0.16 plus 130 m<sup>2</sup>;
- (c) the Director of Planning may increase the permitted floor space ratio to a maximum of 0.70, and may permit an increase in the area of all floors described in sections [3.1.1.1\(a\)](#) and [3.1.1.1\(b\)](#) above to a floor space ratio not exceeding 0.24 plus 130 m<sup>2</sup>, if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines;
- (d) the maximum 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 [3.1.1.1\(a\)](#) and [3.1.1.1\(b\)](#) 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;
- (e) 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 entry, porch and verandah; and

(f) the Director of Planning may increase the permitted floor space ratio to a maximum of:

(i) 0.75 to facilitate converting a character house to a multiple conversion dwelling, or

(ii) 0.85 for infill in combination with retention of a character house,

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

3.1.1.2 The maximum floor space ratio for duplex and duplex with secondary suite 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-5
3.1.2.1 Minimum site area for:	
(a) duplex and duplex with secondary suite	334 m <sup>2</sup>
(b) single detached house and single detached house with secondary suite	334 m <sup>2</sup>
(c) a dwelling unit for a caretaker	3,000 m <sup>2</sup>
3.1.2.2 Maximum site area for duplex	511 m <sup>2</sup>
3.1.2.3 Minimum site width for:	
(a) single detached house and single detached house with secondary suite	7.3 m
(b) duplex and duplex with secondary suite	
3.1.2.4 Maximum building height for:	
(a) duplex and duplex with secondary suite	10.7 m and 3 storeys
(b) all other uses	9.2 m and 3 storeys
3.1.2.5 Required front yard depth	the average depth of the front yards of 2 adjacent sites on each side of the site



Regulations	RS-5
3.1.2.6 Minimum side yard width where the site width:	
(a) does not exceed 10.0 m	12% of the site width
(b) exceeds 10.0 m and is less than 13.0 m	percentage of site width = site width in metres + 2
(c) is equal to or exceeds 13.0 m	15% of the site width
3.1.2.7 Minimum rear yard depth	10.7 m
3.1.2.8 Maximum site coverage for all buildings for:	
(a) duplex and duplex with secondary suite	45% of the site area
(b) all other uses	40% of the site area
3.1.2.9 Maximum area of impermeable materials	60% of the site area
3.1.2.10 Maximum building depth	40% of the site depth

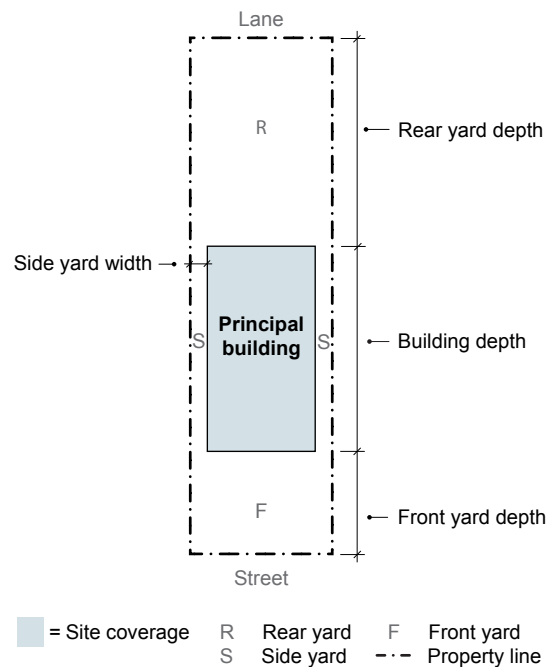
**Site Area and Site Width**

- 3.1.2.11 The Director of Planning may reduce the minimum site area in sections 3.1.2.1(a) and 3.1.2.1.(b) above if the existing lot is 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) the site area is less than 334 m<sup>2</sup>.

**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.
- 3.1.2.14 The Director of Planning may increase the permitted building height in section 3.1.2.4(b) above to a height not exceeding 10.7 m if:

**Diagram: Building placement for principal building**



- (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, except for dormer roofs, which may have a minimum slope of 4:12 ratio, and
  - (iii) are limited to gable, hip or gambrel roofs, or
- (b) the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.

## Front Yard

- 3.1.2.15 Despite the required front yard depth in section [3.1.2.5](#) above:
- (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.
- 3.1.2.16 If the provisions of sections [3.1.2.5](#), [3.1.2.7](#) and [3.1.2.15](#) above result in a distance between the front yard and the rear yard that is less than 40% 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 40% of the site depth.
- 3.1.2.17 If the depth of the required front yard is greater than 20% of the site depth, the Director of Planning may permit a reduction in the required front yard depth by an amount not exceeding 60% of the difference between the required front yard depth and 20% of the site depth, provided that the reduction must not exceed 1.5 m.
- 3.1.2.18 The Director of Planning may decrease 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.

## Side Yard

- 3.1.2.19 Despite the minimum side yard width in section [3.1.2.6\(c\)](#) above, a side yard on 1 side of a building may be decreased to 10% of the site width provided that the portion of the building abutting the decreased side yard:
- (a) does not exceed 65% of the permitted building depth;
  - (b) is set back a minimum of 1.0 m from the required front yard;
  - (c) does not exceed 1 storey in height; and

- (d) does not include a roof deck, except that the Director of Planning may permit a roof deck if the Director of Planning considers the impact on the privacy of the adjacent property.

3.1.2.20 Despite the minimum side yard width in section 3.1.2.6 above and the requirements of section 10.4 of this by-law, in the case of a corner site that has located at its rear, with or without the intervention of a lane, a site that fronts on the street flanking the corner site, the exterior side yard may be reduced to 10% of the site width provided that the portion of building abutting the decreased side yard:

- (a) does not exceed 65% of the permitted building depth;
- (b) is set back a minimum of 1.0 m from the required front yard; and
- (c) does not exceed 1 storey in height.

### **Area of Impermeable Materials**

3.1.2.21 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.

3.1.2.22 The Director of Planning may increase the maximum area of impermeable materials for buildings existing prior to October 8, 1996 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.

## 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 permitted floor area 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 that:
  - (i) 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 located 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, provided 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) 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 floor area above finished grade, 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 the side yard of a site in an R district, without the intervention of a lane, 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 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 building height be measured from base surface.

### 4.3 Site Coverage and Impermeability: Measurement

4.3.1 Except where the principal use of the site is a parking area, the maximum site coverage for any portion of the site used as parking area is 30%.

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

### 4.4 Building Depth: Measurement

4.4.1 Building depth means the distance from the required front yard, measured in a straight line to a point directly opposite thereto along the exterior wall, including projections, facing the rear yard, except that where an existing building encroaches into the required front yard, the distance will be measured from the front exterior wall rather than the required front yard.

4.4.2 Projections into front yards permitted under [Section 10](#) of this by-law will not be included in the calculation of building depth.

### 4.5 External Design

4.5.1 For the purpose of this section [4.5](#):

- (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 facing a side yard and located at or within 1.8 m of grade or connected to grade by stairs, a ramp or other means.

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

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

4.5.4 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.

4.5.5 Despite sections [4.5.2](#), [4.5.3](#) and [4.5.4](#) 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.

- 4.5.6 The surface of the ground adjoining a building may 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 [4.5.6\(b\)](#) above, and
    - (ii) the depth of the lowered surface does not exceed 1.83 m below the average finished grade.
- 4.5.7 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.
- 4.5.8 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 [4.5.8\(d\)](#) 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.

4.5.9 Exterior windows in a secondary suite or lock-off unit must have:

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

4.5.10 For duplex and duplex with secondary suite, the Director of Planning may vary the requirements of sections [4.5.6](#), [4.5.7](#), [4.5.8](#), and [4.5.9](#) 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 minimum front yard depth, but in no case may the depth be reduced to less than 60% of the depth required in this schedule;
- (b) the minimum side yard width, but in no case may the width be reduced to less than 60% of the width required in this schedule;
- (c) the minimum rear yard depth, but in no case may the depth be reduced to less than 60% of the depth required in this schedule;
- (d) the maximum building depth; and
- (e) 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 the 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.