

**TABLE OF CONTENTS**  
**Part 4: Residential Zones**

PURPOSE .....	4.1 ~ 1
<b>4.1 GENERAL PROVISIONS FOR RESIDENTIAL ZONES .....</b>	<b>4.1 ~ 1 to 14</b>
4.1.1 Dwelling Unit .....	4.1 ~ 1
4.1.2 Accessory Buildings and Structures .....	4.1 ~ 1
4.1.3 Play Equipment .....	4.1 ~ 3
4.1.4 Swimming Pool .....	4.1 ~ 3
4.1.5 Encroachments and Projections .....	4.1 ~ 4
4.1.6 External Heating, Air Conditioning, Home Back-up Generator, and Pool Heating/Filtering Equipment .....	4.1 ~ 5
4.1.7 Setback to Railway Right-of-Way .....	4.1 ~ 5
4.1.8 Setbacks to Greenlands Zones .....	4.1 ~ 5
4.1.9 Driveways and Parking .....	4.1 ~ 5
4.1.10 Parking of Commercial Motor Vehicles .....	4.1 ~ 6
4.1.11 Trailer and Recreational Vehicle Parking .....	4.1 ~ 7
4.1.12 Garage Regulations .....	4.1 ~ 8
4.1.13 Minimum Gross Floor Area - Residential .....	4.1 ~ 9
4.1.14 Common Element Condominium (CEC) .....	4.1 ~ 9
4.1.15 Apartment Zones .....	4.1 ~ 10
4.1.15.1 Additional Uses .....	4.1 ~ 10
4.1.15.2 Long-Term Care Buildings .....	4.1 ~ 10
4.1.15.3 <i>deleted by 0111-2019/LPAT Order 2021 March 09</i> .....	4.1 ~ 10
4.1.15.4 Reduced Landscaped Buffer .....	4.1 ~ 10
4.1.15.5 Guest Units .....	4.1 ~ 10
4.1.16 Home Occupation .....	4.1 ~ 11
4.1.17 Resident Physician, Dentist, Drugless Practitioner or Health Professional .....	4.1 ~ 11
4.1.18 Group Home .....	4.1 ~ 12
4.1.19 Receiving/Telecommunication Device .....	4.1 ~ 12
4.1.20 Second Unit .....	4.1 ~ 12
4.1.21 Height .....	4.1 ~ 13
<b>4.2 R1 TO R5 ZONES</b> <b>(DETACHED DWELLINGS - TYPICAL LOTS) .....</b>	<b>4.2.1 ~ 1 to 4.2.6 ~ 20</b>
4.2.1 R1 to R5 Permitted Uses and Zone Regulations .....	4.2.1 ~ 1
4.2.2 R1 Exception Zones .....	4.2.2 ~ 1
4.2.3 R2 Exception Zones .....	4.2.3 ~ 1
4.2.4 R3 Exception Zones .....	4.2.4 ~ 1
4.2.5 R4 Exception Zones .....	4.2.5 ~ 1
4.2.6 R5 Exception Zones .....	4.2.6 ~ 1
<b>4.3 R6 AND R7 ZONES</b> <b>(DETACHED DWELLINGS - SHALLOW LOTS) .....</b>	<b>4.3.1 ~ 1 to 4.3.3 ~ 10</b>
4.3.1 R6 and R7 Permitted Uses and Zone Regulations .....	4.3.1 ~ 1
4.3.2 R6 Exception Zones .....	4.3.2 ~ 1
4.3.3 R7 Exception Zones .....	4.3.3 ~ 1
<b>4.4 R8 TO R11 ZONES</b> <b>(DETACHED DWELLINGS - GARAGE CONTROL LOTS) .....</b>	<b>4.4.1 ~ 1 to 4.4.5 ~ 6</b>
4.4.1 R8 to R11 Permitted Uses and Zone Regulations .....	4.4.1 ~ 1
4.4.2 R8 Exception Zones .....	4.4.2 ~ 1
4.4.3 R9 Exception Zones .....	4.4.3 ~ 1
4.4.4 R10 Exception Zones .....	4.4.4 ~ 1
4.4.5 R11 Exception Zones .....	4.4.5 ~ 1
<b>4.5 R12 TO R14 ZONES</b> <b>(DETACHED DWELLINGS - MODULAR LOTS) .....</b>	<b>4.5.1 ~ 1 to 4.5.4 ~ 2</b>
4.5.1 R12 to R14 Permitted Uses and Zone Regulations .....	4.5.1 ~ 1
4.5.2 R12 Exception Zones .....	4.5.2 ~ 1
4.5.3 R13 Exception Zones .....	4.5.3 ~ 1
4.5.4 R14 Exception Zones .....	4.5.4 ~ 1

<b>4.6</b>	<b>R15 ZONE</b>	
(DETACHED DWELLINGS - PORT CREDIT) .....	4.6.1 ~ 1 to 4.6.2 ~ 8	
4.6.1 R15 Permitted Uses and Zone Regulations .....	4.6.1 ~ 1	
4.6.2 R15 Exception Zones .....	4.6.2 ~ 1	
<b>4.7</b>	<b>R16 ZONE</b>	
(DETACHED DWELLINGS ON A CEC - ROAD) .....	4.7.1 ~ 1 to 4.7.2 ~ 14	
4.7.1 R16 Permitted Uses and Zone Regulations .....	4.7.1 ~ 1	
4.7.2 R16 Exception Zones .....	4.7.2 ~ 1	
<b>4.8</b>	<b>RM1 AND RM2 ZONES</b>	
(SEMI-DETACHED) .....	4.8.1 ~ 1 to 4.8.3 ~ 36	
4.8.1 RM1 and RM2 Permitted Uses and Zone Regulations .....	4.8.1 ~ 1	
4.8.2 RM1 Exception Zones .....	4.8.2 ~ 1	
4.8.3 RM2 Exception Zones .....	4.8.3 ~ 1	
<b>4.9</b>	<b>RM3 ZONE</b>	
(SEMI-DETACHED ON A CEC - ROAD) .....	4.9.1 ~ 1 to 4.9.2 ~ 4	
4.9.1 RM3 Permitted Uses and Zone Regulations.....	4.9.1 ~ 1	
4.9.2 RM3 Exception Zones .....	4.9.2 ~ 1	
<b>4.10</b>	<b>RM4 ZONE</b>	
(TOWNHOUSES) .....	4.10.1 ~ 1 to 4.10.2 ~ 72	
4.10.1 RM4 Permitted Uses and Zone Regulations .....	4.10.1 ~ 1	
4.10.2 RM4 Exception Zones .....	4.10.2 ~ 1	
<b>4.11</b>	<b>RM5 ZONE</b>	
(STREET TOWNHOUSES) .....	4.11.1 ~ 1 to 4.11.2 ~ 68	
4.11.1 RM5 Permitted Uses and Zone Regulations .....	4.11.1 ~ 1	
4.11.2 RM5 Exception Zones .....	4.11.2 ~ 1	
<b>4.12</b>	<b>RM6 ZONE</b>	
(TOWNHOUSES ON A CEC - ROAD) .....	4.12.1 ~ 1 to 4.12.2 ~ 26	
4.12.1 RM6 Permitted Uses and Zone Regulations .....	4.12.1 ~ 1	
4.12.2 RM6 Exception Zones .....	4.12.2 ~ 1	
<b>4.13</b>	<b>RM7 ZONE</b>	
(DETACHED, SEMI-DETACHED, DUPLEX AND TRIPLEX) .....	4.13.1 ~ 1 to 4.13.2 ~ 6	
4.13.1 RM7 Permitted Uses and Zone Regulations .....	4.13.1 ~ 1	
4.13.2 RM7 Exception Zones .....	4.13.2 ~ 1	
<b>4.13A</b>	<b>RM8 ZONE</b>	
(BACK TO BACK AND/OR STACKED TOWNHOUSES) .....	4.13A.1 ~ 1 to 4.13A.2 ~ 22	
4.13A.1 RM8 Permitted Uses and Zone Regulations .....	4.13A.1 ~ 1	
4.13A.2 RM8 Exception Zones .....	4.13A.2 ~ 1	
<b>4.14</b>	<b>RM9 AND RM10 ZONES</b>	
(BACK TO BACK AND STACKED TOWNHOUSES) .....	4.14.1 ~ 1 to 4.14.3 ~ 2	
4.14.1 RM9 and RM10 Permitted Uses and Zone Regulations .....	4.14.1 ~ 1	
4.14.2 RM9 Exception Zones .....	4.14.2 ~ 1	
4.14.3 RM10 Exception Zones .....	4.14.3 ~ 1	

<b>4.14A</b>	<b>RM11 ZONE (BACK TO BACK TOWNHOUSES ON A CEC - ROAD) .....</b>	4.14A.1 ~ 1 to 4.14A.2 ~ 2
4.14A.1	RM11 Permitted Uses and Zone Regulations .....	4.14A.1 ~ 1
4.14A.2	RM11 Exception Zones .....	4.14A.2 ~ 1
<b>4.14B</b>	<b>RM12 ZONE (BACK TO BACK TOWNHOUSES ON A STREET) .....</b>	4.14B.1 ~ 1 to 4.14B.2 ~ 2
4.14B.1	RM12 Permitted Uses and Zone Regulations .....	4.14B.1 ~ 1
4.14B.2	RM12 Exception Zones .....	4.14B.2 ~ 1
<b>4.15</b>	<b>RA1 TO RA5 ZONES (APARTMENTS) .....</b>	4.15.1 ~ 1 to 4.15.6 ~ 78
4.15.1	RA1 to RA5 Permitted Uses and Zone Regulations .....	4.15.1 ~ 1
4.15.2	RA1 Exception Zones .....	4.15.2 ~ 1
4.15.3	RA2 Exception Zones .....	4.15.3 ~ 1
4.15.4	RA3 Exception Zones .....	4.15.4 ~ 1
4.15.5	RA4 Exception Zones .....	4.15.5 ~ 1
4.15.6	RA5 Exception Zones .....	4.15.6 ~ 1



**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**  
 (0112-2019), (0018-2021)

Column A		B	
Line 1.0	TYPE	Accessory Buildings and Structures	
2.0	SIZE:		
2.1	Maximum area occupied per <b>accessory building and structure</b>	20 m <sup>2</sup>	10 m <sup>2</sup>
2.2	Maximum area occupied combined for all <b>accessory buildings and structures</b>	60 m <sup>2</sup>	30 m <sup>2</sup>
3.0	<b>MAXIMUM LOT COVERAGE:</b> combined for all <b>accessory buildings and structures</b>	5% of the <b>lot area</b> <sup>(1)</sup>	n/a <sup>(1)</sup>
4.0	<b>MAXIMUM HEIGHT:</b> to highest point of the <b>building or structure</b>	3.5 m	3.0 m
5.0	LOCATION	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	
6.2	Minimum setback to <b>interior side lot line</b> for <b>accessory buildings and structures</b> located in an <b>interior side yard</b>	The <b>interior side yard</b> regulations of the applicable zone shall apply <sup>(2)(3)</sup>	
6.3	Minimum setback to <b>interior side and rear lot lines</b> for <b>accessory buildings and structures</b> located in the <b>rear yard</b>	1.2 m <sup>(4)</sup>	0.61 m <sup>(4)</sup>

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

(1) See Article 4.1.2.6 of this By-law.

(2) See Article 4.1.2.7 of this By-law.

(3) See Article 4.1.2.8 of this By-law.

(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 of this By-law, 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 of this By-law, 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)

4.1.2.6 The maximum **lot coverage** in an applicable zone is inclusive of the combined total area used for all **accessory buildings and structures**, as well as a detached **garage**. (0018-2021)

4.1.2.7 In zones where the **interior side yard** is regulated by the number of **storeys**, the **interior side yard** to an **accessory structure**, and a detached **garage** shall comply with the **yard** required for a one **storey** dwelling. (0018-2021)

4.1.2.8 In zones having a combined width of **interior side yards** regulation, **accessory structures**, as well as a detached **garage** shall comply with the required **interior side yard** regulation and the combined width of **interior side yards** regulation. (0018-2021)

#### **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 from the closest exterior wall of a **dwelling unit** to a railway right-of-way shall be 30.0 m. *(0111-2019/LPAT Order 2021 March 09)*

**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, a **driveway** shall be subject to the following:  
*(0212-2015), (0181-2018/LPAT Order 2019 February 15), (0111-2019/LPAT Order 2021 March 09)*
- (1) the maximum width shall be 8.5 m;
- (2) the maximum 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**;
- (3) the **driveway** shall not cover more than 50% of the area of the **front yard** and/or **exterior side yard**.
- 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),  
 (0018-2021)*

Column	A	B	C
Line		Attached Garage	Detached Garage
<b>1.0</b>	<b>MAXIMUM NUMBER PERMITTED PER LOT</b>	1 <sup>(1)</sup>	1 <sup>(1)</sup>
<b>2.0</b>	<b>SIZE:</b>		
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 <b>height</b> )	2.75 m x 5.2 m x 2.0 m	2.75 m x 5.2 m x 2.0 m
<b>3.0</b>	<b>MAXIMUM LOT COVERAGE</b>	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>
<b>4.0</b>	<b>MAXIMUM HEIGHT:</b>		
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
<b>5.0</b>	<b>LOCATION</b>	n/a	Not permitted between the <b>front wall</b> of the dwelling and the <b>front lot line</b>
<b>6.0</b>	<b>SETBACKS:</b>		
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

<b>Column</b>	<b>A</b>	<b>B</b>	<b>C</b>
<b>Line</b>		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
7.0	MINIMUM AREA OF ATTACHMENT OF A DWELLING AND ATTACHED GARAGE ABOVE GRADE	5.0 m in length and 2.0 m in <b>height</b>	n/a

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

- (1) See Article 4.1.12.5 of this By-law.
- (2) *deleted by 0018-2021.*
- (3) See Article 4.1.2.6 of this By-law.
- (4) See Article 4.1.2.7 of this By-law.
- (5) See Article 4.1.2.8 of this By-law.
- (6) See Subsection 4.1.8 of this By-law.
- (7) See Article 4.1.12.6 of this By-law.

- 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)*
- 4.1.12.5      Only one attached **garage** or one detached **garage** shall be permitted per **lot**, except in RM4 and RM7 to RM12 zones.  
*(0018-2021)*
- 4.1.12.6      On two adjoining **lots** in a Residential Zone, a detached **garage** with a joint **party wall** is permitted.  
*(0018-2021)*

#### **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 Additional Uses**

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

(0325-2008), (0174-2017), (0111-2019/LPAT Order 2021 March 09)

4.1.15.1.1 Additional **uses** are limited to a **retail store, service establishment, financial institution, office and medical office - restricted**;

4.1.15.1.2 An additional **use** shall be contained within an **apartment building**;

4.1.15.1.3 An additional **use** shall not be permitted above the **first storey** of an **apartment building**;

4.1.15.1.4 Additional on-site parking is not required for additional **uses** permitted in Sentence 4.1.15.1.1 of this By-law;

4.1.15.1.5 *deleted by 0111-2019/LPAT Order 2021 March 09*

4.1.15.1.6 *deleted by 0111-2019/LPAT Order 2021 March 09*

4.1.15.1.7 *deleted by 0111-2019/LPAT Order 2021 March 09*

**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 *deleted by 0111-2019/LPAT Order 2021 March 09*

**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), (0111-2019/LPAT Order 2021 March 09)*

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.**

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 **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;

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 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**

*(0111-2019/LPAT Order 2021 March 09)*

Where an **office** of a resident **physician**, **dentist**, **drugless practitioner** or **health professional** is legally **existing** on the date of passing of this By-law, it is deemed to be in compliance with the regulations of this By-law.

**4.1.18      Group Home**

A **group home** shall only be permitted within a **detached dwelling** in a Residential Zone. (0379-2009), (0111-2019/LPAT Order 2021 March 09)

4.1.18.1      deleted by 0111-2019/LPAT Order 2021 March 09

4.1.18.2      (0379-2009), deleted by 0111-2019/LPAT Order 2021 March 09

4.1.18.3      (0308-2011), deleted by 0111-2019/LPAT Order 2021 March 09

**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			
<b>1.0</b>	Location		<b>Rear yard</b> only or on the roof of a dwelling with more than three (3) storeys
<b>2.0</b>	Maximum height from <b>established grade</b> to top of <b>receiving/telecommunication device</b> located in a <b>rear yard</b>		4.0 m
<b>3.0</b>	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), (0190-2014), (0174-2017), (0181-2018/LPAT Order 2019 February 15), (0111-2019/LPAT Order 2021 March 09), (0117-2022)

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;

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;

4.1.20.7.1      An uncovered **porch** or **deck** to facilitate entry into a **second unit**, located at or accessible from the **first storey** or below the **first storey** of a **dwelling unit**, is permitted to project a maximum of 0.9 m into a required **yard** provided that the **porch** or **deck** does not exceed:

- (1)    an area of 0.85 m<sup>2</sup>;
- (2)    height of 0.3 m.

- 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 Additional **parking spaces** shall not 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**.

**4.1.21 Height**

Notwithstanding any other provisions of this By-law, the calculation of **height** for **apartment**, **long-term care** and **retirement buildings** and **stacked townhouses**, shall be exclusive of mechanical or architectural appurtenances such as mechanical equipment, mechanical penthouse, elevator machine rooms, telecommunication equipment and enclosures, parapets, turrets, cupolas, and elevator 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),  
*(0111-2019/LPAT Order 2021 March 09)*

