

**PART II****RESIDENTIAL ZONES****GENERAL PROVISIONS SPECIFIC TO RESIDENTIAL ZONES****17. MINIMUM FRONT YARD**

Notwithstanding anything contained in the general provisions of this by-law, the minimum front yard for any building erected between existing buildings in the same block shall conform to the average of the front yards established by the nearest building on each side only when the average of the front yards is less than the requirements as set out in the Regulations tables contained within Part II.

**18. EXTERNAL DESIGN OF DWELLINGS**

- (1) No person shall, in any block within a housing project, erect detached and semi-detached dwellings more than 20% of which are alike in external design with respect to size and location of doors, windows, projecting balconies and type of surface materials. Buildings alike in external design shall not be erected on adjoining lots fronting on the same street unless the floor plan is reversed and, in any case, shall not be erected on more than two successive adjoining lots fronting on the same street.
- (2) Notwithstanding anything in Section 18 (1) above, detached and semi-detached dwellings alike in external design shall not be erected on abutting lots fronting on the same street in registered plans of subdivision which were registered prior to November 22, 1984.
- (3) For those lands not in a registered plan of subdivision, detached and semi-detached dwellings alike in external design shall not be located on abutting lots fronting on the same street.

**19. SWIMMING POOLS**

Uncovered swimming pools incidental to residential uses shall not be included in the 10% maximum coverage for accessory buildings, but:

- (1) If in the rear yard or side yard, shall not be less than 1.5m from any lot line,
- (2) In the case of a corner lot shall not be within 3.5m of the flankage, and shall not be in the front yard unless the front yard is at least 0.2ha in area, and

- (3) shall not be nearer the street line than 15m or the required building set back, whichever is the greater, nor nearer the side lot line than 15m.

**20. CONVERSION OF DETACHED DWELLINGS**

No person shall, within any residential zone, convert a detached dwelling to a multiple dwelling unless:

- (1) The dwelling was at least 5 years old on the date of the final passing of this by-law, and had a cubic content of 1132.5m<sup>3</sup> exclusive of any cellar or basements,
- (2) Each dwelling unit therein has a floor area of not less than 55.5m<sup>2</sup>,
- (3) No exterior addition or major alteration to any such dwelling proposed so to be converted shall be made which will affect the exterior appearance and general character of the building as a private detached dwelling, and
- (4) Sewers, sanitary facilities and water supply comply with the requirements of the Region Municipality of Halton and the Building Department of the Town of Oakville.

**21. ACCESSORY BUILDINGS**

- 1) Subject to subsection 21.4), if the applicable yard and area requirements are met, a detached accessory building having a coverage of not more than 10% of the lot area, except where otherwise noted in specific zones, may be erected in a rear yard not nearer the nearest interior lot line than 0.6 m except where there is a lane at the rear of the lot, in which case it may be erected on the rear lot line.
- 2) An accessory building that otherwise complies with subsection (1) may be erected on the lot line if abutting or attached to a permanent accessory building on the adjoining lot.
- 3) The maximum building height of a building accessory to a residential use shall be 3.5m measured from the grade at the lowest point of the accessory building.
- 4) The minimum separation distance between a detached accessory building in the rear yard and a dwelling unit shall not be less than 2m.

**21A. GARBAGE CONTAINMENT**

- 1) Subject to Section 29, garbage containers shall only be permitted if they are located within a residential building or within an accessory building.

**22. STABLES**

No stable shall be closer to a lot line than 15m or erected on a lot of less than 2ha in area.

**23. DRIVEWAYS AND CORNER LOTS**

- 1) Where a driveway is provided on a corner lot no part of that driveway may give access to the street at a point closer to the corner than the third of the frontage of that lot farthest from the corner, provided nevertheless that such access need not be more than 15m from the corner.
- 2) Notwithstanding subsection (1) above, when a circular driveway is provided on a corner lot and one access of the driveway meets the requirements of subsection (1), then the other access of the driveway may be located less than 15m from the corner provided that the second access does not fall within a daylight triangle as specified below:

<b>Inter-Section of</b>	<b>Minor Local Road and Cul-de-Sac</b>	<b>Local Road (20m ROW)</b>	<b>Collector Road (26m ROW)</b>	<b>Arterial Road (35m ROW)</b>
Minor Local Rd and Cul-de-Sac	7.5 m	7.5 m	7.5 m	15.0 m
Local Road (20m ROW)	7.5 m	7.5 m	7.5 m	15.0 m
Collector Road (26m ROW)	7.5 m	7.5 m	15.0 m	15.0 m
Arterial Road (35m ROW)	15.0 m	15.0 m	15.0 m	15.0 m

- 3) For the purposes of subsection (2) a daylight triangle shall be defined as an isosceles triangle at a street corner having a specified length on each street frontage.

**24. PRIVATE ROADWAYS WITHIN PLANS REGISTERED UNDER THE CONDOMINIUM ACT**

Private roadways within plans registered under the Condominium Act will comply with the following requirements:

- 1) All intersection curb radii shall be a minimum of 7.5m,
- 2) All horizontal road curvatures shall have a minimum inside radius of 16.5m, and
- 3) All culs-de-sac shall have a minimum 9.0m pavement radius.

**25. SEPARATION OF SEMI-DETACHED AND MULTIPLE ATTACHED DWELLINGS**

Semi-detached and multiple attached dwellings may be separated to give distinct ownership to the various dwelling units by lot lines in production of the lines of party walls, or where there is a separation between multiple attached dwellings in a block, the lot lines shall be located within the separation space between dwelling units, so long as the aggregate continues to comply with the requirements of this by-law and each unit has frontage on a street and each unit has any required parking.

**26. EXTERNAL EQUIPMENT**

- 1) No person shall, in any residential zone, locate any external heating or air conditioning equipment, swimming pool pumps, and filters in any side yard or rear yard closer than 0.6m to the side lot line, flankage side yard or rear lot line or in any front yard further than 1.5m from the front wall of the building.
- 2) Except on detached dwellings, semi-detached dwellings and duplex dwellings, all metal vents, stacks, louvres, roof ventilators and the like shall be finished in a colour compatible with adjacent finished materials.

**27. NON-CONFORMING USES**

- 1) A parcel of land may, notwithstanding that it does not meet the frontage or area requirements in a residential zone, or both, for the zone in which it is situated, be used for a detached dwelling if it otherwise complies with the provisions of this by-law, and
  - a) Is the whole of a lot on a registered plan of subdivision which has not been deemed not to be a registered plan of subdivision under The Planning Act, or
  - b) The lot legally existed as of November 1, 1965 and was held in separate ownership.
- 2) In a residential zone where land is used for a purpose permitted in the zone but the use does not comply with the provisions of this by-law by reason of not complying with the required regulations for that use in the zone in which it is located, an addition may nevertheless be made to an existing building or structure

or a further building or structure erected provided that every such addition and further building or structure complies with all the provisions of this by-law.

**28. COMPUTATION OF YARDS**

- 1) Unless otherwise indicated the minimum side yard along a flankage shall be 3.5m but where a private garage has its vehicle entrance facing or nearly facing a flankage the minimum side yard between the private garage and the flankage shall be 5.5m.
- 2) The minimum depth of a front yard of a key lot shall be the average of the required front yard depth for the adjoining interior lot and the required side yard on the street side of the adjoining reverse corner lot, but the front yard between a private garage which has its vehicle access facing or nearly facing the front lot line shall not be less than 5.5m.
- 3) Where existing buildings on either or both of the lots adjoining a key lot are situated nearer to the front or side lot lines than the distance required in subsection (2), the average of distances established by the existing buildings shall be the minimum front yard for a key lot.
- 4) Where a lot is used for a permitted use other than gardening or public playgrounds and there are no structures or buildings on the lot, the minimum lot area and front yard requirements of the zone in which the lot is situated shall be complied with as if there were a building on the lot.
- 5) The minimum rear yard on a corner residential lot shall be 3.5m where an interior side yard of 3m is provided except in the R1 and R01 zones where the minimum rear yard on a corner lot shall be 4.2m where a minimum interior side yard of 4.2m is provided.

**29. INSTITUTIONAL USES IN RESIDENTIAL ZONES**

**Regulations**

- 1) Where land is used for churches and other places of worship (not including use as a public hall), convents, public schools, private schools and day nurseries the minimum front yard depth shall be 12m except for a day nursery in which case the regulations contained within Section 29B shall apply.
- 2) Where land is used for churches and other places of worship (not including use as a public hall), convents, public schools, private schools and day nurseries the minimum side yard width shall be 4.5 metres and the minimum rear yard shall be 12 metres except for a day nursery in which case the regulations contained within Section 29B shall apply.

- 3) All metal vents, stacks, louvres, roof ventilators and the like shall be finished in a colour compatible with adjacent finished materials.
- 4) Garbage containers shall not be permitted in a front yard, a side yard abutting a public street, in a required yard abutting a residential zone, or in a yard abutting a public street, and where permitted shall be screened by a garbage enclosure.

**29A. PRIVATE SCHOOL USES IN RESIDENTIAL ZONES**

- 1) The regulations provided below shall apply to all private school uses in residential zones.
  - i) Minimum front yard - 12 metres
  - ii) Minimum side yard - 4.5 metres however in no case shall the minimum side yard be less than 50% of the building height
  - iii) Minimum rear yard - 12 metres
  - iv) Maximum lot coverage - 30% of Lot Area
  - v) Minimum landscaped area - 25% of Lot Area
  - vi) Maximum height - 10.5 m
  - vii) Parking structures above grade shall not be permitted
  - viii) A private school shall only be located on a lot fronting onto a street which has a right-of-way width greater than 20 metres as defined in Section 14 subsection (3).
  - ix) The parking regulations and requirements as set out in Section 30 shall apply to all private school uses in residential zones.

**29B. DAY NURSERY USES IN RESIDENTIAL ZONES**

Except for a day nursery which was existing as of February 25, 1996, so long as it continues to be used for that purpose, and which is identified separately in Section 89;

- 1) The regulations provided below shall apply to all day nursery uses in residential zones except for day nurseries which are located within churches and other places of worship, and public and private schools, in which case the regulations contained within Section 29 shall apply:
  - i) Minimum front yard -- 7.5 metres;
  - ii) Minimum side yard -- 4.2 metres;
  - iii) Minimum rear yard -- 7.5 metres;

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- iv) Maximum lot coverage -- 35% of lot area;
  - v) Maximum building height -- as required for a detached dwelling;
  - vi) Minimum landscaped area -- 20% of front yard;
  - vii) Minimum setback for all playground equipment.
    - Playground equipment greater than 1.82 metres in height shall be located a minimum of 5 metres from all property lines. Playground equipment less than 1.82 metres in height shall be located a minimum of 2 metres from all property lines.
  - viii) Buffering of playground
    - Playground equipment within the side and rear yards shall be screened from adjacent premises by an evergreen hedgerow a minimum of 1.2 metres in height, or alternatively a wooden fence a minimum height of 1.8 metres.
  - ix) A day nursery shall only be located on a lot fronting onto a road which has a classification of Collector or greater, as defined on the Transportation Map within the Town of Oakville Official Plan.
  - x) Where a day nursery is located within an apartment building, the yard, height and parking requirements for the zone in which it is located shall apply to the use.
- 2) The following parking requirements and regulations shall apply to all day nursery uses in residential zones:
- i) Minimum parking requirement
    - One parking space for each 37 square metres of gross floor area, as defined in paragraph (a) of the Floor Area definition in Section 2.
  - ii) Where the owner or operator resides in the same dwelling as the day nursery, two additional parking spaces shall be required.
  - iii) Parking spaces and driveways shall be located at grade and on the same lot as the main use.
  - iv) No parking space shall measure less than 16.7m<sup>2</sup> in area, and
    - The average unobstructed width of parking spaces for a use must be not less than 2.7 metres;
    - No parking space in a parking area may be less than 2.6 metres in width throughout;
    - Where any parking space in a parking area is limited on a side by a wall, the unobstructed width of that parking space must be not less than 2.7 metres throughout.
  - v) No aisles may be less than 6 metres in width throughout.

- vi) Individual parking spaces must be arranged so that each space has access to and from a public street or laneway unobstructed by any other parking space.
- vii) Any lighting must be arranged so as to deflect the light from adjacent premises.
- viii) Parking areas must be screened from the street and from adjacent premises by an evergreen hedgerow, brick, stone or wooden wall which is opaque to view at a minimum height of 1.5 metres.
- ix) Any land between a lot line and any such screen must be landscaped and maintained.
- x) Subject to requirements for traffic safety, where such a screen extends to an entrance or exit from the parking area, the screen must be stopped not more than 3m from the entrance or exit.
- xi) The parking of inoperative vehicles or trailers, and boats is not permitted, except in private garages.

### **29C TRAILERS AND RECREATION VEHICLES**

The following regulations shall apply to parking of trailers and recreation vehicles in residential zones:

- a) Any recreational vehicle, trailer or any load thereon including a boat, whether on or off a trailer or other supporting device, which does not exceed a height of 2m, may be parked or stored in any side or rear yard, however if located within a flankage must be screened from public view from the street by a fence, wall or hedge with a minimum height of 2m.
- b) Any recreational vehicle, trailer or any load thereon including a boat, whether on or off a trailer or other supporting device, which exceeds a height of 2m, may be parked or stored in any side or rear yard between May 1st and October 31st subject to the following:
  - i) In any interior side or rear yard, however shall not be permitted within 10.5m of flankage lot line.

### **30. PARKING**

- 1) Minimum Parking Requirements for Residential Zone Uses The minimum parking requirements for uses permitted in Residential Zones shall be as follows:



	<b>Zone and Use</b>	<b>Requirements</b>
a)	Detached and semi-detached dwellings and duplexes, foster homes, and shared accommodation for 5 or fewer residents licensed or approved under Provincial statute	- 2 off-street parking spaces per dwelling unit.
b)	Lodging house	- The owner of a lodging house shall provide 1 off-street parking space for each lodging unit;
c)	Office of a physician	- 2 off-street surfaced parking spaces which may be provided in tandem;
d) e) f)	Multiple attached Maisonettes Apartment buildings	<ul style="list-style-type: none"> <li>- For rental accommodation - 1.5 paved parking spaces per unit of which 0.25 parking spaces per unit shall be specifically designated as visitor parking;</li> <li>- For condominium accommodation in multiple attached and maisonettes;</li> <li>- 2.25 parking spaces per unit of which 0.25 paved parking spaces per unit shall be specifically designated as visitor parking;</li> <li>- For freehold accommodation in multiple attached dwellings - 2.0 paved parking spaces per unit which may have access from a private laneway, a street or a public laneway;</li> <li>- For condominium accommodation in apartment buildings - 2 paved parking spaces per unit of which 0.25 paved parking spaces per unit shall be specifically designated as visitor parking;</li> <li>- Not less than 50% of the required spaces must be within buildings, garages or carports which have 3 walls that are not less than 1m high;</li> </ul>
g)	Religious	- 1 parking space for each member of the staff and 1 space for each 5 persons who can be accommodated in the main places of assembly;
h)	Public and private schools	<ul style="list-style-type: none"> <li>- For elementary schools – 1 parking space for each 5 persons who can be accommodated in the main places of assembly plus a drop off lane of sufficient length to permit the queuing of 10 vehicles. A maximum of 50% of the required parking may be provided on the playground area;</li> <li>- For secondary schools – 1 parking space for each member of the staff and 1 space for each 5 persons who can be accommodated in the main places of assembly plus a drop off lane of sufficient length to permit the queuing of 10 vehicles. A maximum of 50% of the required parking may be provided on the playground area.</li> </ul>

	<b>Zone and Use</b>	<b>Requirements</b>
i)	Converted dwelling	- 1 off-street surfaced parking space for each dwelling unit established;
j)	Commercial unit in apartment buildings	- 1 paved parking space for every 28m <sup>2</sup> of floor area used for commercial purposes; and
k)	Group homes	- 1 off-street surfaced parking spaces for each required staff member, which may be in tandem except that a resident operator of a group home may provide one less space.
l)	Government office buildings	- 1 paved parking spaces for every 17.5m <sup>2</sup> of leaseable floor area.
m)	Bed and breakfast establishment	- One additional off-street parking spaces for each room or each suite used for the purposes of lodging for the travelling public in addition to the required parking for the detached dwelling, and may be provided in tandem.

**31. PERMITTED USES WITHIN RESIDENTIAL ZONES**

- 1) Subject to compliance with the footnotes in Section 31(2) and the regulations and corresponding notes in Sections 35 through 40, the following uses only are permitted.

Permitted Uses (✓ means permitted)	Foot- notes	R1, R2, R3, R4, R5, R10, R13,R01, R02, R03, R04, R05	R6, R11,R12 R06	R7,R07	R8,R08	R9
detached dwelling,		✓	✓	✓	✓	
semi-detached dwellings			✓	✓		
duplex					✓	
multiple attached dwellings				✓	✓	
maisonettes				✓	✓	
apartment buildings				✓	✓	✓
the office of a physician within a detached dwelling	1, 6	✓	✓	✓	✓	✓
the practice of a domestic art	7	✓	✓	✓	✓	
lodging houses containing no more than 3 lodging units	2, 8	✓				
parks, playgrounds, recreational areas and community centres under the control of a public authority		✓	✓	✓	✓	✓
churches and other places of worship, convents, public schools, private schools and day nurseries	3	✓	✓	✓	✓	✓
a converted dwelling, subject to the requirements of Section 20		✓	✓	✓	✓	
private home day care		✓	✓	✓	✓	✓
a group home	4	✓	✓	✓	✓	✓
a foster home		✓	✓	✓	✓	✓
shared accommodation licensed or approved under Provincial statute for 5 or fewer residents		✓	✓	✓	✓	✓
bed and breakfast establishment in a detached dwelling		✓	not permitted in the R11 zone	✓	✓	
a retail commercial use designed and located within an apartment building primarily to serve the tenants with no display or advertising visible from outside the building				✓	✓	✓
Conduct of a trade or business	5	✓				

## 2) Footnotes to Permitted Uses Table (Residential Zones)

1. used for consulting and emergency treatment only within and not exceeding 25% of the floor area of the detached dwelling used by him as his private residence,
2. provided that the total number of persons shall not exceed 1 for every 18.5 m<sup>2</sup> of floor space exclusive of any basement area,
3. churches and other places of worship with or without church halls used for functions conducted by church organizations, and not including use as a public hall
4. provided that it is no closer than 800 metres to any other group home, that no more than one group home is permitted on each of maps 91 (1) to 91 (27) of this by-law and further that there is not more than two group homes per Planning Community
5. provided that not more than 25% of the floor area is used for the purpose, no sign is displayed, no person outside members of the family residing on the premises is employed, no goods are stored on the premises and no shipping is done from them, and there is no public office or visiting of the premises by customers, clients, or salesmen on business
6. may be located within an apartment unit in an apartment building whereby the unit has a private exterior entrance, or a private entrance from a lobby
7. no music lessons permitted except in detached dwellings
8. accessory apartments, bed and breakfast establishments and lodging units shall not be permitted in the same dwelling.

**Note: Next Section is Section 35.**

**35. REGULATIONS TABLE FOR THE R1, R2, R3, R4 AND R5 ZONES\***

Zone	Lot Area Min (m <sup>2</sup> )	Lot Frontage Min (m)	Lot Coverage Max (m)	Building Height Max (m)	Floor Area- Minimum (m <sup>2</sup> )			Yards - Minimum (m)		
					1 Storey	1 1/2 Storey	2 Storey	Front	Side	Rear
<b>R1</b>	1,393.50	30.50	30%	9.00	120.50	134.50	148.50	**	4.2 & 4.2	10.50
<b>R2</b>	836.00	22.50	30%	10.50	111.50	125.50	139.50	9.00	2.4 (2.4 & 1.2 with attached garage)	7.50
<b>R3</b>	557.50	18.00	35%	10.50	93.00	107.00	120.50	7.50	2.4 & 1.2 (1.2 & 1.2 with attached garage)	7.50
<b>R4</b>	511.00	16.50	35%	10.50	88.00	102.00	116.00	7.50	2.4 & 1.2 (1.2 & 1.2 with attached garage)	7.50
<b>R5</b>	464.50	15.00	35%	10.50	83.50	97.50	111.00	7.50	2.4 & 1.2 (1.2 & 1.2 with attached garage)	7.50

\* These regulations are to be used in conjunction with the notes in Section 40.

\*\* Notwithstanding Section 17;

- 1) The required front yard setback for a dwelling within this zone shall be:
  - a) Within 2m of the average of the front yard setback to the nearest dwelling on either side of the lot; or
  - b) For an existing dwelling on a lot, either in accordance with paragraph 1(a) or within 2m of the existing front yard setback.
  
- 2) Notwithstanding paragraph 1 of this footnote\*\*:
  - a) In no case shall the minimum front yard setback be less than 10.5m; and
  - b) For a detached accessory building or structure, excluding a private garage, the minimum required front yard setback shall be 10.5m

**36. REGULATIONS TABLE FOR THE R6 ZONE \***

Zone	Dwelling Type	Lot Area Min. (m <sup>2</sup> )	Lot Frontage Min. (m)	Lot Depth Min. (m)	Floor Area Max (m <sup>2</sup> ) lots with frontages			Floor Area Min (m <sup>2</sup> )	Yards - Minimum (m)			Building Heights max (m)
					12-13	13-14	14		Front (m)	Rear (m)	Side (m)	
<b>R6</b>	detached interior-lot	408	12.00	34					6 m on road allowance < 20m 7m on road allowance ≥ 20m	7.50	1.5 except for 3m minimum on the flankage side of a corner lot	9
	detached corner-lot	459	13.50	34	140	160	180	84				
					<b>18m to 19m</b>	<b>19m to 20m</b>	<b>20m</b>					
	semi-detached interior lot	612	18.00	34	140	150	160	84	6 m on road allowance < 20m 7m on road allowance ≥ 20 m	7.50	2.0 except for 3m minimum on the flankage side of a corner lot	9
	semi-detached corner lot	680	20.00	34								

\* These regulations are to be read in conjunction with the notes in Section 40.

**37. REGULATIONS TABLE FOR THE R7 ZONE \***

Zone	Dwelling Type	Lot Area Minimum (m <sup>2</sup> )	Lot Frontage Minimum (m)	Lot Coverage Maximum	Building Height Maximum (m)	Floor Area Minimum (m <sup>2</sup> )			Yards - Minimum			Units per ha of Lot Area Maximum	Landscaping Percentage of Lot Area Minimum
						1 storey	1 ½ storey	2 storey	Front (m)	Side (m)	Rear (m)		
R7	detached	557.50	18.50	35%	10.50	93.0	106.0	120.5	7.50	1.8 & 1.2 (1.2 & 1.2 with attached garage)	7.50	---	---
	semi-detached	371.50 per unit	21.00	35%	10.50	83.5 per unit			7.50	3.0 (1.8 with an attached garage)	7.50	---	---
	multiple-attached	278.50 per unit	30.50	35%	10.50	83.5 per unit			7.50	3.50	7.50	---	---
	maisonettes	1114.50	24.00	25%	10.50	83.5 per unit			9.00	6.00	7.50	45.00	35%
	apartment house	1486.50	24.00	25%	---	bachelor-37.0 1-bedroom-55.5			9.00	50% of height-minimum-6	7.50	87.00	35%

\* These regulations are to be used in conjunction with the notes in Section 40.

**38. REGULATIONS TABLE FOR THE R8 ZONE\***

Zone	Dwelling Type	Lot Area Minimum (m <sup>2</sup> )	Lot Frontage Minimum (m)	Lot Coverage Maximum	Building Height Maximum (m)	Floor Area Minimum (m <sup>2</sup> )			Yards - Minimum			Units per ha of Lot Area Maximum	Landscaping Percentage of Lot Area Minimum
						1 storey	1 ½ storey	2 storey	Front (m)	Side (m)	Rear (m)		
<b>R8</b>	detached	464.5	15.0	35%	10.5	83.5	97.5	111.5	7.5	2.4 & 1.2 (1.2 & 1.2 with attached garage)	7.5	---	---
	duplex	371.5 per unit	21.0	25%	10.5	69 per unit			7.5	3.5	7.5	---	---
	multiple-attached	232.0 per unit	30.5	35%	10.5	83.5 per unit			7.5	3.5	7.5	---	---
	maisonette	1114.5	24.0	35%	10.5	83.5 per unit			7.5	6	7.5	55	30%
	apartment house	1486.5	24.0	35%	---	Bachelor – 37 1-bedroom - 55.5			7.5	25% height-Minimum 4.5	7.5	149	30%

\* These regulations are to be read in conjunction with the notes in Section 40.



**39. REGULATIONS TABLE FOR THE R9 ZONE\***

Zone	Dwelling Type	Lot Area Minimum (m <sup>2</sup> )	Lot Frontage Minimum (m)	Lot Coverage Maximum	Floor Area Minimum (m <sup>2</sup> )	Yards - Minimum			Units per ha of Lot Area Maximum	Landscaping Percentage of Lot Area Minimum
						Front (m)	Side (m)	Rear (m)		
<b>R9</b>	apartment house	1858.0	24	35%	bachelor - 37 1-bedroom - 55.5	7.5	37% of height - minimum - 4.5	7.5	186	30%

\* These regulations are to be read in conjunction with the notes in Section 40.

**39A REGULATIONS TABLE FOR THE R10 ZONE \***

Zone	Lot Area Minimum (m <sup>2</sup> )	Lot Frontage Minimum (m)	Lot Depth Minimum (m)	Lot Coverage Maximum	Overall Height Maximum (m)	Floor Area Minimum (m <sup>2</sup> )	Yards Minimum (m)		
							Front (m)	Sides (m)	Rear (m)
<b>R10</b>	464.5	18	30.5	1 storey - 25% 1 1/2 storey - 22% 2 storey - 19%	9.0***	1 storey – 93.0 1 1/2 storey – 107.0 2 storey - 120.5	**	1, 1 1/2, 2 storey with detached garage - 2.4 and 1.2  1 storey with attached garage - 1.2 and 1.2  1 1/2 storey with attached garage - 1.5 and 1.5  2 storey with attached garage - 1.8 and 1.8	7.5

\* These regulations are to be read in conjunction with the notes in Section 40.

\*\* Notwithstanding anything in the By-law the minimum front yard shall be the average front yard set back of the nearest lot on either side.

\*\*\* No lofts or mezzanines shall be permitted above the second floor of the second storey.

**39Ai) REGULATIONS TABLE FOR THE R13 ZONE\***

Zone	Dwelling Type	Lot Area Minimum (m <sup>2</sup> )	Lot Frontage Minimum (m)	Floor Area/Lot Ratio Maximum	Floor Area Minimum (m <sup>2</sup> )	Yards - Minimum			Overall Height Maximum (m)
						Front (m)	Rear (m)	Side (m)	
<b>R13</b>	Detached - Interior Lot	250	11.0	70% ***	80	3.0 to dwelling	7.0	1.2 and 0.6 except for 3.0 m minimum on the flankage side of a corner lot	10.5** (2 storeys)
	Detached - Corner Lot	285	12.5						

\* These regulations are to be used in conjunction with the notes in Section 40.

\*\* No lofts or mezzanines shall be permitted above the floor of the second storey.

\*\*\* Notwithstanding the Floor Area/Lot Area Maximum, the maximum gross floor area permitted is 315m<sup>2</sup>.

**39Bi) REGULATIONS TABLE FOR THE R01, R02, R03, R04 AND R05 ZONE\***

Zone	Lot Area Minimum (m <sup>2</sup> )	Lot Frontage Minimum (m)	Lot Coverage Maximum (All Buildings)	No. of Storeys Maximum	Overall Height Maximum** (m)	Floor Area Minimum (m <sup>2</sup> )			Yards - Minimum (m)		
						1 storey	1 ½ storey	2 storey	Front (m)	Side (m)	Rear (m)
<b>R01</b>	1393.50	30.50	30%	2	9.0	120.50	134.50	148.50	***	4.2 & 4.2	10.5
<b>R02</b>	836.00	22.50	30%	2	9.0	111.50	125.50	139.50	9.0	2.4 (2.4 & 1.2 with attached garage)	7.5
<b>R03</b>	557.50	18.00	35%	2	9.0	93.00	107.00	120.50	7.5	2.4 & 1.2 (1.2 & 1.2 with attached garage)	7.5
<b>R04</b>	511.00	16.50	35%	2	9.0	88.00	102.00	116.00	7.5	2.4 & 1.2 (1.2 & 1.2 with attached garage)	7.5
<b>R05</b>	464.50	15.00	35%	2	9.0	83.50	97.50	111.00	7.5	2.4 & 1.2 (1.2 & 1.2 with attached garage)	7.5

\* These regulations are to be read in conjunction with the notes in Section 40.

\*\* No lofts or mezzanines shall be permitted above the floor of the second storey.

\*\*\* Notwithstanding Section 17;

- 1) The required front yard setback for a dwelling within this zone shall be:
  - a) Within 2m of the average of the front yard setback to the nearest dwelling on either side of the lot; or
  - b) For an existing dwelling on a lot, either in accordance with paragraph 1(a) or within 2m of the existing front yard setback.
- 2) Notwithstanding paragraph 1 of this footnote\*\*\*:
  - a) In no case shall the minimum front yard setback be less than 10.5m; and
  - b) For a detached accessory building or structure, excluding a private garage, the

minimum required front yard setback shall be 10.5m

**39Bii) REGULATIONS TABLE FOR THE R06 ZONE\***

Zone	Dwelling Type	Lot Area Minimum (m <sup>2</sup> )	Lot Frontage Minimum (m)	Lot Depth Minimum (m)	***Floor Area – Maximum (m <sup>2</sup> ) Lots with Frontages			Floor Area Minimum (m <sup>2</sup> )	Yards - Minimum			No. of Storeys Maximum	Overall Height-Maximum (m)**
					12m-13m	13m-14m	14m		Front (m)	Rear (m)	Side (m)		
R06	detached-interior lot	408	12.0	34					6.0 m on road allowance < 20.0 m		1.5 except for 3.0 m minimum on the flankage side of a corner lot		9.0
	detached-corner lot	459	13.5	34	140	160	180	84	7.0 m on road allowance ≥ 20.0 m	7.5		2	
					18m-19m	19m-20m	20m						
	semi-detached interior lot	612	18.0	34					6.0 m on road allowance < 20.0 m		2.0 except for 3.0 m minimum on the flankage side of a corner lot		
	semi-detached corner lot	680	20.0	34	140	150	160	84	7.0 m on road allowance ≥ 20.0 m	7.5		2	

\* These regulations are to be read in conjunction with the notes in Section 40.

\*\* No lofts or mezzanines shall be permitted above the floor of the second storey.

\*\*\* Notwithstanding the floor area/lot area table for the R0 zones as identified in the Notes of Section 40

**39Biii) REGULATIONS TABLE FOR THE R07 ZONE\***

Zone	Dwelling Type	Lot Area Minimum (m <sup>2</sup> )	Lot Frontage Minimum (m)	Lot Coverage Maximum	No of Storeys Maximum	Overall Height** (m)	Floor Area Minimum (m <sup>2</sup> )			Yards - Minimum			Units per ha of Lot Area Maximum	Landscaping Percentage of Lot Area Minimum
							1 storey	1 ½ storey	2 storey	Front (m)	Side (m)	Rear (m)		
R07	detached	557.5	18.5	35%	2	9.0	93	106	120.5	7.5	1.8 & 1.2 (1.2 & 1.2 attached garage)	7.5	---	---
	semi-detached	371.5 Per unit	21.0	35%	2	9.0	83.5 per unit			7.5	3 (1.8 with attached garage)	7.5	---	---
	multiple attached	278.5 per unit	30.5	35%	3	12.0	83.5 per unit			7.5	3.5	7.5	---	---
	maisonette	1114.5	24.0	25%	3	12.0	83.5 per unit			9.0	6	7.5	45	35%
	apartment house	1486.5	24.0	25%	---	---	bachelor – 37.0 1 bedroom - 55.5			9.0	50% of height minimum - 6	7.5	87	35%

\* These regulations are to be read in conjunction with the notes in Section 40.

\*\* No lofts or mezzanines shall be permitted above the floor of the second storey for the detached and semi-detached dwelling types.

**39Biv) REGULATIONS TABLE FOR THE R08 ZONE\***

Zone	Dwelling Type	Lot Area Minimum (m <sup>2</sup> )	Lot Frontage Minimum (m)	Lot Coverage Maximum	No of Storeys Maximum	Overall Height Maximum**(m)	Floor Area Minimum (m <sup>2</sup> )			Yards - Minimum			Units per ha of Lot Area Maximum	Landscaping Percentage of Lot Area Minimum
							1 storey	1 1/2 storey	2 storey	Front (m)	Side (m)	Rear (m)		
<b>R08</b>	detached	464.5	15.0	35%	2	9.0	83.5	97.5	111.5	7.5	2.4 & 1.2 (1.2 & 1.2 attached garage)	7.5	-	-
	duplex	371.5 per unit	21.0	25%	2	9.0	69 per unit			7.5	3.5	7.5	-	-
	multiple attached	232.0 per unit	30.5	35%	3	12.0	83.5			7.5	3.5	7.5	-	-
	maisonette	1114.5	24.0	35%	3	12.0	83.5			7.5	6.0	7.5	55	30%
	apartment house	1486.5	24.0	35%	-	-	bachelor – 37.0 1 bedroom - 55.5			7.5	25% of height minimum - 4.5	7.5	149	30%

\* These regulations are to be read in conjunction with the notes in Section 40.

\*\* No lofts or mezzanines shall be permitted above the floor of the second storey for the detached and duplex dwelling types.

**39Ci) REGULATIONS TABLE FOR THE R11 ZONE\* (By-law 1998-193)**

Zone	Dwelling Type	Lot Area Minimum (m <sup>2</sup> )	Lot Frontage Minimum (m)	Floor Area/Lot Area Ratio Maximum	Yards - Minimum			Overall Height Maximum (m)
					Front (m)	Rear (m)	Side (m)	
R11	detached-interior lot	270	9.0	60%	4.5 dwelling 6 garage	7.5	0.6***	10.5 ** (2 storeys)
	detached-corner lot	315	10.5	60%	4.5 dwelling 6 garage	7.5	except for 3 m minimum on the flank- age side of a corner lot	
	semi-detached interior lot	450	15.0	60%	4.5 dwelling 6 garage	7.5	1.8	10.5 ** (2 storeys)
	semi-detached corner lot	510	17.0	60%	4.5 dwelling 6 garage	7.5	except for 3 m minimum on the flank- age side of a corner lot	

\* These regulations are to be used in conjunction with the notes in Section 40.

\*\* Notwithstanding the 2 storey maximum height provision the floor area above the second storey shall be permitted in accordance with Section (36) of by-law 1998-193.

\*\*\* Minimum aggregate side yards per lot shall be 2.4m in total for both side yards of a lot provided that no side yard individually is less than 0.6m. Minimum separation distance between buildings on abutting lots shall be 2.4m.



**39Cii) REGULATIONS TABLE FOR THE R12 ZONE\* (By-law 1998-193)**

Zone	Dwelling Type	Lot Area Minimum (m <sup>2</sup> )	Lot Frontage Minimum (m)	Floor Area/Lot Area Ratio Maximum	Yards - Minimum			Overall Height Maximum (m)
					Front (m)	Rear (m)	Side (m)	
R12	detached-interior lot	360	12.0	60%	4.5 dwelling 6 garage	7.5	0.6***	10.5 ** (2 storeys)
	detached-corner lot	405	13.5	60%			except for 3 m minimum on the flankage side of a corner lot	
	semi-detached interior lot	450	18.0	60%	4.5 dwelling 6 garage	7.5	2.0	10.5 ** (2 storeys)
	semi-detached corner lot	510	20.0	60%			except for 3 m minimum on the flankage side of a corner lot	

\* These regulations are to be used in conjunction with the notes in Section 40.

\*\* Notwithstanding the 2 storey maximum height provision the floor area above the second storey shall be permitted in accordance with Section (36) of by-law 1998-193.

\*\*\* Minimum aggregate side yards per lot shall be 2.4m in total for both side yards of a lot provided that no side yard individually is less than 0.6m. Minimum separation distance between buildings on abutting lots shall be 2.4m.

**40. NOTES THAT APPLY TO SPECIFIC RESIDENTIAL ZONES**

- 1) Notes for Detached and Semi-Detached Dwellings in R1, R01, R2, R02, R3, R03, R4, R04, R5, R05, R7, R07 and R10 Zones Regulations Table
  - a) When a reduced side yard setback is permitted for a dwelling with an attached garage, the minimum size of the garage shall meet the requirements set out in the private garage definition.
  - b) With plans of subdivision registered subsequent to the approval of this by-law the minimum frontages may be reduced by 4.5m in R1, R01, R2, R02, R3 and R03 zones, and by 3m in R4, R04, R5 and R05 zones and the areas proportionately reduced providing the average frontage and area throughout the plan of subdivision are not less than the minimums shown in the regulations tables for these zones.
  - c) Where front yards for dwellings are shown on a plot plan drawn by a Registered Architect at the time building permits are applied for, for a group of not fewer than 8 dwellings on contiguous lots or facing one another on opposite sides of the street, the minimum front yards for these dwellings may be reduced by not more than 3m provided that:
    - i) The average front yard for such dwellings is not more than 1.5m less than the minimum shown in the regulations tables,
    - ii) No front yard differs from that on any lot adjoining the said group by more than 1.5m,
    - iii) Not less than 25% of the front yards for dwellings within the said group are located in accordance with the minimum shown in Section 35 and 39B i) hereof, and
    - iv) Where a private garage has a vehicle entrance facing or nearly facing the front lot line, the front yard in front of the garage shall not be less than 5.5m.
  - d) In the R7, R07 Zones the lot coverage maximum shown for detached and semi-detached dwellings does not include 10 per cent which may be covered by an accessory building.
  - e) Private garages
    - i) In the R10 Zone, private garages shall not project more than 1.8m beyond the front wall of the dwelling under any circumstances.

- ii) In the R10 Zone, private garages shall not exceed 38m<sup>2</sup> in floor area.
  - iii) In the R01, R1 Zone, no part of the private garage is permitted to project more than 2m in front of the wall adjacent to the portion of the floor area of the dwelling closest to the street.
  - iv) In the R01, R1 Zone, private garages shall not exceed 56m<sup>2</sup> in floor area, with the width of the entrance to the said private garage not exceeding 9m.
  - f) In the R01, R1 Zone, dwelling depth shall not exceed 20m under any circumstances.
  - g) In the R01, R1 Zone, single-storey structures may be permitted to extend within the rear yard a further 3 m from the dwelling than the house depth noted in paragraph (c) above, providing that a side yard setback of 9m is established on each side of the single storey extension.
- 2) Notes for R13 Zone Regulations Table
- a) Notwithstanding Section 12(3) of By-law 1984-63, porches, open or covered by a roof, located on the same level as the main floor level of the dwelling unit or lower, with or without foundation, including the access stairs connecting the porch to the ground, may project into the front or flankage yards but must be located a minimum of 1.5 metres from the property line.
  - b) Notwithstanding Section 12(3) of By-law 1984-63, uncovered platforms, located on the same level as the main floor level of the dwelling unit or lower, with or without foundation, including the access stairs connecting the porch to the ground, may project into the rear yard but must be located a minimum of 3m from the property line.
  - c) Notwithstanding Part II Section 26 of By-law 1984-63 air conditioning equipment will be prohibited in any front yard or in the side yard within 1.5m of the front face of the building.
  - d) In the R13 Zone, a minimum 1.2m separation distance between adjacent dwellings will be maintained
  - e) Where abutting lots are in different zones, the least restrictive separation distance will apply
  - f) No dwelling unit will have a garage greater than 45m<sup>2</sup> in the R13 zone, except that any lot within the R13 zone which has a frontage of 13.5m or less shall not have a garage greater than 28m<sup>2</sup>
  - g) Where a private garage has a vehicle entrance facing or nearly facing the front lot line, the front yard in front of the garage shall not be less than 5.5m

- h) Notwithstanding the minimum required building setbacks for the R13 zone, where a daylight triangle adjoins a lot, all structures shall maintain a minimum setback of 0.7m from the daylight triangle.

3) Notes for Development Controls for the single family detached dwellings in the Infill Housing Areas (R0 Zones)

- a) Any reference to the R0 Zones in this by-law shall be deemed to be a reference to residential zones R01-R08 and R10, respectively.
- b) The total Floor Area/Lot Ratio of any single family residential dwelling or dwellings erected or to be erected on a lot within the R0 Zones shall not exceed the percentage as defined in the following schedule.

Lot Area (M2)	FA/Lot Ratio%
0-300	41
301-400	40
401-500	39
501-600	38
601-700	37
701-800	36
801-900	35
901-1000	34
1001-1100	32
1101-1200	30
1201-1300	28
1300+	26

- c) Notwithstanding the replacement or erection of a non walk in bay window projecting 0.6 metres from the wall to which it is attached shall be permitted without complying with the provisions of this by-law regarding Floor Area.
- d) In the R02, R03, R04, R05 zones and detached dwellings in the R07 and R08 zones, private garages shall not exceed 45m<sup>2</sup> in area.

- 4) Notes for R6, R06 Zones Regulations Table
- a) For the purposes of determining maximum floor areas for corner lots of detached and semi-detached dwellings, the wider 1.5m and 2.0m of frontage required for these lots respectively shall not be considered and shall be subtracted from the lot frontage.
  - b) Lot depths may be reduced to 30 m when the rear lot width, measured as the shortest distance between the intersections of the side lot lines and the rear lot lines, is 2 times the minimum lot frontage.
  - c) Notwithstanding Section 12 (3) projections will be permitted to encroach into the side yard no closer than 0.2m to the side lot line.
  - d) Where the front yards for dwellings are shown on a plot plan drawn by a Registered Architect at the time building permits are applied for, for a group of not fewer than 8 dwellings on contiguous lots or facing one another on opposite sides of the street, the minimum front yards for these dwellings may be reduced by not more than 2m provided that:
    - i) The average front yard for such dwellings is not more than 1 m less than the minimum shown above,
    - ii) The front yard of the lot of the said group abutting an existing dwelling does not differ from the existing required yard by more than 1m,
    - iii) Not less than 25% of the front yards for dwellings within the said group are located in accordance in the minimum shown above, and
    - iv) Where a private garage has a vehicle entrance facing or nearly facing the front lot line, the front yard in front of the garage shall not be less than 6m.
  - e) For detached and semi-detached dwellings the maximum floor area may be increased by a maximum of 20m<sup>2</sup> if the lot area exceeds the minimum required lot area by 30%.
  - f) The separation distance between buildings, excluding accessory buildings detached from the dwelling unit is equal to the sum of the required side yards.
  - g) No dwelling unit will have a garage greater than 45m<sup>2</sup> and will be subject to a maximum coverage of 8% of the lot area.
  - h) The maximum floor area for detached dwelling units shall not include a finished basement.
  - i) Accessory buildings, which are detached from a dwelling including garages are permitted:
    - i) In the rear yard subject to:
      - (i) A separation distance from the dwelling of 4m,

- (ii) A rear yard of 0.6m,
    - (iii) A side yard not nearer the nearest interior lot line than 0.6m,
    - (iv) A maximum coverage of 8% of the lot area, and
    - (v) A 0.0m side yard or rear yard when the accessory building is attached to another accessory building on an abutting lot, only when the lot drainage is from rear to front;
  - ii) In the side yard subject to the same regulations that apply to accessory buildings attached to the dwelling.
  - j) Accessory buildings which are attached to a dwelling, including garages, are permitted subject to:
    - i) The side yards outlined in Section 36 and 39B ii) that apply to detached and semi-detached dwellings respectively,
    - ii) No part of the garage is permitted to protrude more than 1.5m in front of the wall adjacent to the portion of the floor area of the dwelling closest to the street, and
    - iii) For a group of not fewer than 8 dwellings on contiguous lots or facing one another on opposite sides of the street, all the accessory buildings attached to the dwelling, the maximum accessory building projection may be increased to 3m providing an average of 1.5m projection is maintained. For the purposes of calculating the average projection of the accessory building, the distance will be measured from the wall adjacent to the portion of the floor area of the dwelling closest to the street and no credit for averaging purposes will be allowed for accessory buildings which are located behind the said wall.
  - k) Accessory buildings, detached from the dwelling unit, are not permitted in the front yard.
  - l) Notwithstanding the minimum lot depth specified above, lots which have frontages greater than or equal to 15m may be permitted to have a minimum lot depth of 30 m.
- 5) Notes for Apartment Houses in R7, R07, R8, R08 and R9 Zones
- a) The aggregate of all dwelling unit floor areas in an apartment building shall not exceed the maximum permitted number of dwelling units multiplied by 93m<sup>2</sup>.
  - b) No part of any accessory building or structure incidental to apartment house uses shall be erected closer to any lot line than 3.5m except that:

- i) No set back from any lot line shall be required for any part of such building or structure which is wholly underground, and
  - ii) Where such a building is not wholly underground an exposed wall, which at no point is more than 1370mm above the elevation of the abutting property at a place in the lot line nearest that point, and which is faced with natural stone, architectural concrete, brick, or ceramic tile, shall not be required to be set back from any lot line provided that, if the roof is used for purposes of parking vehicles, there shall be a parapet of not less than 760mm included in the 1370mm; and, if the roof is used for garden purposes, an ornamental metal railing not more than 760mm in height and having a light passage of not less than 70% may be erected on or within the wall; the finished surface of the garden area shall be no higher than the top of the wall; providing that no ventilator serving an accessory building shall be erected nearer a lot line than 3.5m.
  - c) No accessory building incidental to apartment house uses erected 3.5m or more from the lot line but closer thereto than the main building may exceed, at any point, 3m in height above the elevation of the adjoining property at a place in the lot line nearest that point.
  - d) Buildings which comply with paragraphs i) or ii) of subsection 5) b); shall not be considered as buildings in calculating lot coverage.
  - e) Buildings which would comply with paragraphs i) or ii) of subsection 5) b); shall be deemed to comply therewith whether attached to or detached from the main building.
  - f) Nothing in subsection (e) allows the main building to be closer to any lot line than otherwise would be permitted.
- 6) Notes for Multiple Attached Uses in the R7, R07, R8 and R08 Zones
- a) Notwithstanding the regulations outlined in Sections 37 and 38 and Section 39B iii) and 39B iv) for multiple attached uses, where there is a separation between multiple attached dwelling units within a block, the minimum separation distance between the dwelling units shall be 2.4 metres.
- 7) Notes for R11 and R12 Zones as follows:
- a) In the R11 Zone and R12 Zone, a minimum 2.4m separation distance between adjacent dwellings will be maintained.

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- b) Where abutting lots are in different zones, the least restrictive separation distance shall apply.
  - c) For lots having less than 12m of frontage, the maximum garage size permitted is 28m<sup>2</sup>. For lots having 12m of frontage or greater, the maximum garage size permitted is 45m<sup>2</sup> for single detached dwellings and 28m<sup>2</sup> for semi-detached dwellings.
  - d) Accessory buildings which are detached from the dwelling including garages are permitted in the rear yard subject to the following:
    - i) Minimum rear yard of 0.6m.
    - ii) Minimum side yard of 0.6m.
    - iii) Minimum separation distance between an accessory building or detached garage and the dwelling unit shall not be less than 2m.
    - iv) Accessory buildings detached from the dwelling unit are not permitted in the front yard or required flankage yard.
  - e) Private garages shall not project more than 1.5m beyond the front wall of the dwelling under any circumstances.
  - f) Repealed by By-law 2003-212.
  - g) Repealed by By-law 2003-212.
  - h) Notwithstanding Section 12(3) of By-law 1984-63, porches, open or covered by a roof, located on the same level as the main floor level of the dwelling unit or lower, with or without foundations, including the access stairs, connecting the porch to the ground may project into the required yard to a point 2.5m from the front or flankage property lines.
  - i) Repealed by By-law 2003-212.
  - j) Notwithstanding Section (c) and Section (h) above of this by-law, the combined area of accessory structures, covered structures other than a detached garage shall not exceed 10% of the lot area.
  - k) Notwithstanding the maximum lot area/floor area ratio and maximum number of storeys, floor area above the floor of the second storey shall be permitted provided that the floor area above the second storey shall not exceed 35% of the floor area of the second storey below.
  - l) Notwithstanding Section 12(3) of By-law 1984-63 air conditioning equipment will be prohibited within 7.5m of the front lot line and within 3m of any flankage side lot line.
  - m) Notwithstanding Section 12(3) of By-law 1984-63 and Section (l) above in this by law, except for eaves and gutter projections, no building projection, air conditioning equipment, decks or any other structure shall be permitted within 0.6m of the side lot line.