Zoning Map

47 Nickel Crescent, Brampton



Planning

Zoning

Zone_code:	R3A(2)
Category:	RESIDENTIAL
Type:	R3A(2)
Special_section:	
Multiple_zones:	NO

This version of consolidated zoning is for

Residential – R3A(2)

SECTION 10.0 GENERAL PROVISIONS FOR RESIDENTIAL ZONES

10.1 The following provisions shall apply to all residential zones, and where specified to Agricultural Zones, as shown on Schedule A to this by-law in addition to the general provisions for all zones contained in section 6.0 of this by-law.

(86-2015)(156-2022)(69-2023)

10.2 One Dwelling Per Lot

Except where one or more additional residential unit(s) is permitted, no person shall erect more than one (1) single detached dwelling, one (1) semi-detached dwelling, one (1) duplex dwelling, one (1) triplex dwelling, one (1) double duplex dwelling, one (1) street townhouse dwelling or one (1) link house dwelling on one lot.

(190-08)(115-2013)(4-2020)(211-2020)

10.3 Accessory Buildings

Accessory buildings or structures other than a detached garage or carport are subject to the requirements and restrictions of this by-law for the particular zone in which said buildings or structures are located, and to the following additional requirements and restrictions:

(a) shall not be constructed in a front yard, exterior side yard or minimum required interior side yard for the main building, unless otherwise permitted;

(b) shall not be constructed upon any easement;

(c) shall not be used for human habitation;

(115-2013)

(d) not more than one swimming pool enclosure and two accessory buildings, other than a swimming pool enclosure, shall be permitted on a lot;

(115-2013)

(e) the combined gross floor area of permitted accessory buildings, other than a swimming pool enclosure, shall not exceed:

(i) 40.0 square metres, with any individual accessory building not exceeding 23 square metres, on a lot in a Residential Hamlet or Residential Estate Zone or on a lot in an Agricultural Zone where the lot area is 2 hectares or less;

(ii) 20.0 square metres, with any individual accessory building not exceeding 15 square metres, on a lot in all other Residential Zones.

(f) all accessory buildings, except a swimming pool enclosure, may be located:

(i) only in the rear yard and no closer than 1.2 metres to the nearest lot line on a lot in a Residential Hamlet or Residential Estate Zone on a lot in an Agricultural Zone where the lot area is 2 hectares or less;

(ii) in the rear yard and shall be no closer than 0.6 metres to the nearest lot line on a lot in all other Residential Zones; and,

(iii) in the interior side yard in all other residential zones provided the building does not encroach on the minimum required side yard for the main building and the accessory building is located no closer to the front wall of the main building than one-half (1/2) the length of the main building wall facing the interior side lot line;

(g) a building or structure that covers a swimming pool may be located only in the side or rear yard of a lot provided that it is:

(i) no closer than 1.2 metres to a side lot line or a rear lot line; and,

(ii) no closer to a street than the required minimum front yard depth or the minimum exterior side yard width for the main building;

(211-2020)

(iii) no greater than 23 square metres in gross floor area and 4 metres in building height on a lot in a Residential Hamlet or Residential Estate Zone or on a lot in an Agricultural zone where the lot area is 2 hectares or less;

(211-2020)

(iv) no greater than 15 square metres in gross floor area and 3 metres in building height on a lot in all other Residential Zones

(h) on a lot in a Residential Hamlet or Estate Zone or an Agricultural Zone, the maximum height of any accessory building shall not exceed 4.5 metres, in the case of a peaked roof, and shall not exceed 3.5 metres in height, in the case of a flat roof; for all other residential zones, the maximum building height of any accessory building shall not exceed 3.0 metres;

(i) a Quonset hut, intermodal shipping container or transport trailer shall not be used as an accessory building or structure in any Residential Zone or in an Agricultural Zone where the lot area is 2 hectares or less;

(j) no person shall store or park an unlicensed or derelict or wrecked motor vehicle, or store or keep any construction vehicles or equipment on land to which these accessory building regulations apply, except within an enclosed building;

(k) where a construction shed is necessary for the storage of tools and materials for use in connection with the construction of the main building on a lot to which these regulations apply, the construction shed may be erected on the lot before the erection of the main building, provided that no such construction shed shall be erected until after a permit has been issued for the main building on the lot. Such construction shed shall not be used for any purpose other than the storage of tools and materials for use in the construction of the main building and upon issue of an occupancy permit such construction shed shall be removed or renovated to comply with requirements and restrictions applying to accessory buildings;

(l) no doors to accessory buildings shall exceed 2.4 metres in height.

(m) Any accessory building or structure used in whole or in part for the purpose of keeping more than 2 pigeons shall be setback a minimum of 6.1 metres (20 feet) from any dwelling unit, school, or any building used for residential, institutional or commercial purposes, except where such dwelling or building is occupied exclusively by the property owner or keeper of the pigeons and other persons residing in the same dwelling unit.

(n) Notwithstanding 10.3(h), one open-sided shade structure, gazebo or pergola shall be permitted on a deck, landscaped deck, porch or balcony, provided that the building height of the open-sided shade structure, gazebo or pergola does not exceed 3 metres when measured from the walking surface of the deck, landscaped deck, porch or balcony, and has a maximum gross floor area of 10 square metres.

(49-2006) (115-2013)(214-2020)

10.4 Detached Garage or Carport

10.4.1 A detached private garage or carport as an accessory building may be located in a side yard or rear yard of a lot in a Residential Zone subject to the following requirements and restrictions:

(a) only one detached private garage or carport shall be permitted on each lot, and only if there is no attached private garage or carport already on the lot;

(b) it shall be no closer than 1.0 metres to a main building;

(c) it shall be no closer than 0.6 metres to an interior side lot line or rear lot line;

(d) it shall be no closer to a street than the required front yard depth for a main building, and in no case shall be closer to the front lot line than 6.0 metres;

(e) it shall not be located in the required exterior side yard;

(f) when facing a flankage lot line, a carport or garage door opening shall have a minimum 6 metre setback to the flankage lot line;

(g) it shall have a maximum gross floor area of 48 square metres, and it shall have a minimum interior rectangular area of 2.7 metres by 5.4 metres with no more than a one step of a stairway encroachment within the rectangular area.

(h) it shall not exceed 4.5 metres in height in the case of a peaked roof, and 3.5 metres in height in the case of a flat roof;

(i) a Quonset hut, intermodal shipping container or transport trailer shall not be used as a detached garage or carport in any Residential Zone or in an Agricultural Zone where the lot area is 2 hectares or less.

(j) it does not have vehicle garage doors which exceed 2.4 metres in height.

(k) the interior space shall have a rectangular area not less than 2.7 metres by 5.4 metres with no more than one step encroachment.

(l) where a conflict occurs between the requirements and restrictions of this section, and the particular zone in which the accessory buildings or structures are situated, the latter shall apply.

10.4.2 A detached private garage or carport may be erected in a rear yard or interior side yard with no setback from the side lot line or the rear lot line subject to the following requirements and restrictions:

(a) the garages for the two lots abutting the said side or rear lot line are designed as one building,

(b) a common wall on and along the said side or rear lot line divides the garages; and,

(c) the garages for the two lots abutting the said side or rear lot line are constructed or reconstructed simultaneously.

(41-2024)

10.5 Attached Garage or Carport

Where a garage or carport is attached to a dwelling unit it shall not be considered an accessory building and it shall comply with the yard and area requirements for the residential or agricultural zone in which it is located and the following requirements and restrictions:

(a) the garage doors shall not exceed 2.4 metres in height;

(b) a carport or garage door opening shall not be located closer than 6 metres from the front or flankage lot line; and,

(c) For dwellings that are 6.0 metres or less in width, the interior space of a garage shall have a rectangular area not less than 2.9 metres by 6.1 metres with no more than two-step encroachment length wise and a one step encroachment width wise.

For dwellings that are greater than 6.0 metres in width, the interior space of a garage shall have a rectangular area not less than 3.1 metres by 6.1 metres with no more than two-step encroachment length wise and a one step encroachment width wise.

Transition Policy:

This Zoning By-law shall take effect of July 1, 2024, after which time all new development applications shall adhere to the new garage dimensions, except that nothing in this Zoning By-law Amendment shall prevent the erection of a building or structure in accordance with any Development Application or Site Plan Approval that has been deemed complete, approved, draft approved or conditionally approved by the City or relevant approval authority before the passing of this By-law, provided the applicant complies with all applicable zoning by-laws that affected the lot before this By-law came into effect.

(201-2019)(209-2020)

10.6 Parking of Trailers Boats and Recreational Vehicles/Equipment

10.6.1 Excepted as permitted in clause 10.6.2 and 10.6.3 of this by-law, a person shall not park, or permit to be parked or stored, a boat, a snowmobile, a personal watercraft, an all-terrain vehicle, a utility trailer, a camper trailer, a travel trailer, a house trailer, a mobile home or any other type of trailer on any lot used for residential purposes.

10.6.2 Notwithstanding clause 10.6.1, one (1) of the following vehicles or vehicle combinations may be parked or stored on a residential lot in the interior side yard or rear yard:

(a) a utility trailer shall not exceed 7.0 metres in length and/or 3.0 metres in height, excluding tongue but including attachments,

(b) a camper trailer or travel trailer not exceeding 7.0 metres in length and/or 3.0 metres in height, excluding tongue but including attachments,

(c) a boat with or without a trailer, altogether not exceeding 7.0 metres in length and/or 3.0 metres in height, excluding tongue but including attachments,

(d) one or two snowmobiles with or without a trailer, altogether not exceeding 7.0 in length and/or 2.0 metres in height, excluding tongue but including attachments,

(e) One or two personal watercrafts with or without a trailer, altogether not exceeding 7.0 metres in length and/or 2.0 metres in height, excluding tongue but including attachments,

(f) one or two all-terrain vehicles with or without a trailer, altogether not exceeding 7.0 metres in length and/or 2.0 metres in height, excluding tongue but including attachements.

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10.6.3 In addition to the vehicles or combination of vehicles permitted by clause 10.6.2 and notwithstanding clause 10.6.1, one (1) of the following recreational trailers shall also be permitted to be parked or stored on a residential driveway in the front yard or exterior side yard provided that the trailer does not occupy a parking space required by this by-law:

(a) a camper trailer or travel trailer not exceeding 5.0 metres in length and 1.8 metres in height, excluding tongue but including attachments,

(b) a boat on a trailer, altogether not exceeding 5.0 metres in length and/or 1.8 metres in height, excluding tongue but including attachments,

(c) one or two snowmobiles on a trailer, altogether not exceeding 5.0 metres in length and/or 1.8 metres in height, excluding tongue but including attachments,

(d) one or two personal watercrafts on a trailer, altogether not exceeding 5.0 metres in length and/or 1.8 metres in height, excluding tongue but including attachments,

(e) one or two all-terrain vehicles on a trailer, altogether not exceeding 5.0 metres in length and/or 1.8 metres in height, excluding tongue but including attachments.

10.6.4 Notwithstanding the size requirements outlined in clause 10.6.3, a recreational trailer described in clause 10.6.3(a) to (e) that exceeds the permitted length and/or height may be parked on a residential driveway in the front yard or exterior side yard for a period not exceeding 72 consecutive hours, twice per calendar month provided that:

(a) the recreational trailer does not exceed 7.0 metres in length and/or 3 metres in height, excluding tongue but including attachments,

(b) the recreational trailer is not located within a visibility triangle as described in section 6.15 of this by-law and shall not occupy any parking space required under this by-law, and

(c) no portion of the recreational trailer, including tongue, overhangs the municipal sidewalk and curb.

10.7 Uncovered Swimming Pools and Recreation Facilities

10.7.1 A private, uncovered swimming pool or recreation facility within a residential zone shall only be permitted in the rear or side yard of a lot provided that it is no closer than 1.2 metres to any lot line or easement except for properties in a Zone where the required minimum lot area is 0.4 hectares or more, then, it shall be no closer than 4.0 metres to any lot line or easement.

10.7.2 In the instance of a corner lot where the rear lot line of the corner lot coincides with the interior side lot of an abutting lot, a private, uncovered swimming pool or recreation facility shall not be permitted in the exterior side yard of the corner lot plus a triangular area delineated by the exterior side yard, the rear lot line and a line projected from the rear corner of the dwelling situated on the corner lot, closest to the flankage exterior side yard to the front corner closest to the corner lot, of the dwelling situated on the abutting lot described above, provided a habitable room is situated on the ground storey level at the front corner of the dwelling situated on the abutting lot.

If the front or interior side yard of the abutting lot which abuts the rear yard area of the corner lot is occupied by an attached or detached garage or carport which effectively separates the rear corner of the dwelling situated on the corner lot and the applicable front corner of the dwelling situated on the abutting lot, then the restriction imposed by this subsection shall not apply to the corner lot.

If one of the two dwellings referred to above is not constructed, then the minimum required yard setbacks will be used to establish the rear or front corner of the dwelling which is not constructed.

10.8 Through Lots

One of the front yards of a through lot shall be considered as a required rear yard and shall have the rear yard depth required by this by-law.

(233-2006) (259-2020)(33-2024)(32-2026)

10.9 Parking Space Requirements

10.9.1 Parking spaces are required in Residential Zones in accordance with the following provisions

A. Unless otherwise specified in this by-law, for each dwelling unit within a single detached dwelling, semi-detached dwelling, duplex dwelling, triplex dwelling, double duplex dwelling or street townhouse dwelling a minimum of two parking spaces is required.

B. Notwithstanding the minimum landscaped open space requirement in the applicable zone, where parking spaces are required or provided on single detached dwelling, semi-detached dwelling and street townhouse dwelling lots, including a single detached, semi-detached or townhouse dwelling that contains an Additional Residential Unit, except lots within RE1, RE2, REH, RHm1, RHm2, RH and A zones:

1) For the purpose of this Section, the width of a residential driveway shall be measured perpendicular to the intended path of travel along the driveway and the requirements for minimum and maximum width shall extend uniformly across the entire length of the driveway and shall include any surfaced walkway or path of travel that is capable of being parked upon by the whole or a part of a motor vehicle subject to Sections 10.9.1B(8) and 10.9.1B(9).

2) A maximum of one (1) driveway opening is permitted per lot except where a semi-circular driveway is permitted in accordance with Section 10.9.1B(11).

3) Except within the Mature Neighbourhood – Driveway Regulation Area identified on Schedule J-1 of this by-law, a residential driveway (including the portion of the residential driveway within the road right-of-way) shall have minimum width of 3.0 metres and a maximum width of:

a. 4.9 metres on lots having a width less than 8.23 metres

b. 5.5 metres on lots having a width equal to and greater than 8.23 metres but less than 9.14 metres

c. 7.0 metres on lots having a width equal to and greater than 9.14 metres but less than 15.24 metres

d. 7.32 metres, or the width of the garage, whichever is greater, on lots having a width equal to and greater than 15.24 metres but less than 18.3 metres

e. 9.14 metres, or the width of the garage, whichever is greater, on lots having a width equal to and greater than 18.3 metres

f. 7.0 metres, or the width of the garage, whichever is greater, for driveways on the flankage lot line on any lot

4) Notwithstanding Section 10.9.1B.3), where parking spaces are required or provided for single-detached or semi-detached dwellings, including a single detached, or semi-detached that contain an Additional Residential Unit, located within the area identified as the Mature Neighbourhood – Driveway Regulation Area shown on Schedule J – 1 of this by-law, the following requirements shall apply in any residential zone:

a. The residential driveway shall have a minimum width of 3 metres.

b. For lots having a lot width of less than 22 metres:

i. The maximum driveway width shall be 6.0 metres provided that the driveway does not exceed 50% of the area of the yard in which it is located; and,

ii. The driveway may be tapered to increase the width to equal the width of the garage within 6 metres of the garage opening. The tapering of the driveway shall not extend beyond a straight line connecting the edge of the garage opening and a point 6 metres from the garage opening.

c. For lots having a lot width equal to or greater than 22 metres:

i. The maximum driveway width shall be 8.5 metres or the width of the garage, whichever is greater, only within 6.0 metres of the garage opening, or front of the house if there is no garage;

ii. The driveway may be tapered to increase the width to a maximum of 8.5 metres or the width of the garage, whichever is greater, within 12 metres of the garage opening. The tapering of the driveway shall not extend beyond a straight line connecting two points located 6 metres and 12 metres from the garage opening; and,

iii. The driveway shall not exceed a width of 6 metres between the street and a point measured 12 metres from the garage opening, or wall of the dwelling if there is no garage.

d. For a driveway leading to a detached garage in the rear yard, notwithstanding 10.9.1B(4) b. and c. and regardless of lot width:

i. Where the driveway is located on the front lot line, the maximum driveway width shall be 3.0 metres, except that the driveway width

may be tapered to increase to equal the width of the garage within 6 metres of the detached garage opening. The tapering of the driveway shall not extend beyond a straight line connecting the edge of the garage opening and a point 6 metres from the garage opening.

ii. Where the driveway is located on the flankage lot line the maximum driveway width shall be 6.0 metres, except that the driveway width may be tapered to increase to equal the width of the garage within 6 metres of the detached garage opening. The tapering of the driveway shall not extend beyond a straight line connecting the edge of the garage opening and a point 6 metres from the garage opening.

5) The following surface areas of lots shall be maintained as permeable residential landscaping capable of supporting the growth of vegetation and which permits the infiltration of water into the ground, but may include a portion of a noise wall or retaining wall that is not permeable:

a. An area at a minimum width of 0.6 metres abutting both side lot lines on interior lots of detached dwellings (or the rear lot line on exterior lots of detached dwellings where the driveway accesses the flankage street), except within 3 metres of the street lot line and within the road right-of-way for those lots where the side lot lines converge towards the front of the street, in which case less than 0.6 metres but not less than 0.15 metres may be provided.

b. An area at a minimum width of 0.6 metres abutting one side lot line on lots of semi-detached and townhouse dwelling units, except within 3 metres of the street lot line and within the road right-of-way for those lots where the side lot lines converge towards the street in which case less than 0.6 metres but not less than 0.15 metres may be provided may be provided.

c. For lots with side lot lines converging towards the front of the street, the tapering of the driveway within 3 metres of the front lot line shall not extend beyond a straight line connecting the street lot line and the point 3 metres from the street lot line.

d. In no case shall the residential driveway intersect with the side lot lines projected towards the street.

6) Any portion of the lot that is not part of the permitted residential driveway or required permeable residential landscaping area(s) shall be maintained as residential landscaping.

7) Driving and/or parking of motor vehicles on residential landscaping, permeable residential landscaping, and surface walkway or paths is prohibited.

8) A surface walkway or path running parallel and adjacent to the driveway shall be measured as part of the overall width of the residential driveway except when:

   a. The walkway or path is separated from the edge of the driveway by a distance of at least 1.0 metre of permeable residential landscaping or the surface of the walkway or path is elevated by a minimum 0.15 meters above the surface of the driveway.

   b. The maximum width of the walkway shall be 1.5 metres.

9) A surface walkway or path running generally perpendicular to the driveway shall be measured as part of the overall width of the residential driveway except when the walkway or path has a maximum width of 1.8 metres measured generally parallel to the direction of travel on the driveway.

10) A hammerhead may be permitted to extend perpendicular to a driveway provided that:

   a. The lot has a minimum lot width of 15.0 metres.

   b. The lot has a minimum front yard lot depth of 9.0 metres.

   c. The maximum width of the hammerhead is 3.7 metres, measured perpendicular to the intended path of travel on the hammerhead.

   d. The hammerhead does not extend further than 4.5 metres from the driveway, measured along the path of travel on the hammerhead to the edge of the driveway.

   e. The hammerhead is located no closer than 3.0 metres from any front lot line and exterior side lot line.

11) A semi-circular driveway connecting two driveway entrances shall be permitted, provided that:

   a. The lot has a minimum lot width of at least 22.0 metres.

   b. Both driveway entrances shall be located in the same yard and separated by a minimum distance of 6.0 metres.

   c. The surface area of the residential driveway shall not exceed 50% of the area of the yard in which it is located.

d. The width of the driveway measured perpendicular to the intended path of travel along the driveway shall not exceed 8.5 metres.

e. Notwithstanding Section 10.9.1B(11)d., the maximum width of a semi-circular driveway located within the Mature Neighbourhood – Driveway Regulation Area identified on Schedule J-1 shall not exceed 6.0 metres, except that the portion of the driveway within 6.0 metres of a garage opening may be tapered to a maximum width of 8.5 metres or the width of the garage, whichever is greater, in accordance with Section 10.9.1B.(4)c.ii..

12) On a lot where the driveway leads to an attached or detached garage or carport with an opening that is oriented generally perpendicular to the street, the surface area of the residential driveway shall not exceed 50% of the front yard area.

13) Where a conflict occurs between the maximum driveway width restrictions of this section and that of the particular zone in which the driveway is situated, the restrictions of this section shall apply.

B. Where parking spaces are required or provided for any single detached dwelling, semi-detached dwelling and street townhouse unit on a lot in RE1, RE2, REH, RHm1, RHm2, RH or A zones, and for a duplex dwelling, triplex dwelling or double duplex dwelling unit on a lot in all other residential zones, the following restrictions shall apply

(i) except for a parking space on a driveway, no parking space shall be permitted in the front yard;

(ii) the minimum width of a driveway shall be 3.0 metres and the width of the driveway shall not exceed 50 percent of the width of the lot unless such maximum driveway width would conflict with the minimum landscaped open space yard requirement in the applicable zone, in which case, the minimum landscaped open space requirement shall prevail

C. For a lot less than 0.2 hectares, the rear yard for the purpose of parking motor vehicles shall not be paved other than a driveway leading to a garage permitted by this By-law and provided such a driveway in the rear yard is not wider than 3 metres or the width of the garage whichever is greater.

D. Where more than one parking space is required for a residential unit excluding visitor spaces, tandem parking arrangements may be permitted provided that at least one parking space per dwelling unit has an unobstructed access to a driveway.

E. Where a medical or dental office is located in a private residence, a minimum of 6 parking spaces shall be provided for each practitioner.

F. For other home occupation uses a minimum of one parking space shall be provided for every 20.0 square metres of floor area occupied by the home occupation.

G. Parking in the rear yard shall not be permitted for a home occupation use.

H. For lodging houses a minimum of 0.5 parking spaces for each lodging unit, plus two parking spaces for the proprietor, shall be provided.

10.9.2 Apartments and Multiple Residential Dwellings

(a) For each dwelling unit in an apartment or multiple residential dwelling, the minimum required parking shall be 1.0 parking space for residents and 0.20 parking spaces for visitors.

(b) For each unit in a senior citizen residence, the minimum required parking shall be 0.50 parking spaces for residents and 0.25 parking spaces for visitors.

10.9.3 For each dwelling unit in a townhouse dwelling that does not have a private garage and driveway, the minimum required parking shall be 1.5 parking spaces for residents and 0.20 parking space for visitors.

10.9.4 For each dwelling unit in a rental or condominium townhouse dwelling that provides 2 parking spaces in a private driveway or garage, 0.3 space per dwelling unit of visitor spaces and recreation equipment spaces shall be provided.

(115-2013)(213-2020)

10.10 Fences

Subject to the Visibility Triangle regulation in the General Provisions for All Zones and except for a noise attenuation barrier no fence in a Residential Zone:

(a) within a required front yard, may exceed 1.0 metres in height; and,

(b) within a required yard other than a front yard may exceed 2.0 metres in height, except where the yard abuts an institutional zone no fence may exceed 2.5 metres in height.

(c) notwithstanding 10.10(a) and (b), a privacy screen shall be permitted on any patio, porch, deck or balcony subject to the following:

(i) a privacy screen shall not exceed a maximum height of 1.8 metres measured from the walking surface of the deck, landscaped deck, porch or balcony patio;

(ii) an individual side or segment of screening shall not project more than 2 metres from the

wall of the dwelling or the depth of the walking platform to which it is affixed, whichever is less, and

(iii) a privacy screen affixed to a landscaped deck shall have a minimum setback of 0.6 metres from any lot line.

10.11 Setback to Public Walkway

All buildings or structures shall have a minimum setback of 1.2 metres to a public walkway, an open space zone, or a non-residential zone.

10.12 Minimum Distance between Driveway and Street Intersection

The minimum distance measured along a lot line between a driveway and the actual or projected point of intersection of two streets shall be 6.0 metres.

10.13 Semi-detached or Street Townhouses

10.13.1 No side yards are required abutting a side lot line that coincides with the party wall between two dwelling units in a semi-detached or street townhouse dwelling.

10.13.2 For a street townhouse dwelling, each dwelling unit shall have direct pedestrian access from the front yard to the rear yard with no more than a two-step grade difference inside the unit and without having to pass through a habitable room.

10.13.3 For a semi-detached, or street townhouse dwelling unit, no second storey component of the unit shall be located more than 3 metres closer to the rear lot line than the second storey wall of the abutting dwelling unit.

10.13.4 For a street townhouse dwelling, no more than 8 dwelling units shall be attached.

(92-1005)(253-2021)(34-2024)

10.14 Provisions for Supportive Housing Residence Type 1 and Type 2

A Supportive Housing Residence Type 1 and 2 shall be subject to the following requirements and restrictions:

(a) shall be located in a dwelling unit, including a single dwelling unit within a mixed use development; and,

(b) where not located within a mixed use development, a supportive housing residence Type 1 and Type 2 use shall occupy the entire dwelling; and,

(c) Supportive housing Residence Type 1 and Type 2 are not permitted in a dwelling that contains additional residential unit(s) as defined in Section 10.16.

10.15 Provisions for Lodging Houses

Lodging Houses shall be subject to the following requirements and restrictions:

(a) a lodging house shall be located in a single detached dwelling;

(b) the lodging house shall occupy the whole or part of the single detached dwelling;

(c) a minimum separation distance of 305 metres shall be maintained between a lodging house and any other lodging house; and

(d) a lodging house shall comply with the requirements of the Lodging House Licensing By-law.

(86-2015)(117-2017)(115-2020)(253-2021)(156-2022)(69-2023)
10.16 Provisions for Additional Residential Units (ARUs):

The following requirements and restrictions shall apply to all ARUs:

(a) For the purpose of this section,

(i) "principal dwelling" shall mean a single detached dwelling, semi-detached dwelling or townhouse dwelling; and,

(ii) "tandem parking" shall mean a parking space that can only be accessed by passing through another parking space from a street, lane or driveway;

(b) An ARU shall only be permitted on the same lot as a principal dwelling;

(c) A maximum of two ARUs are permitted per residential lot which may include either: (i) one attached ARU and one garden suite, OR (ii) two attached ARUs;

(d) An ARU shall not be permitted within or on the same lot as a lodging house or supporting housing residence;

(e) An ARU shall not be permitted on properties located within a Floodplain Zone or Open Space Zone, or on lands identified in Schedule B-6: Downtown Floodplain Regulations area;

(f) In addition to the parking required for the principal dwelling under Section 10.9 of this By-law, one additional parking space shall be provided on lots containing more than one ARU. All required parking spaces shall be located entirely within the boundaries of the subject lot;

(g) No additional parking space is required for a lot containing only one ARU;

(h) Notwithstanding Section 6.17:

(i) each parking space on a residential lot containing more than one ARU shall be not less than 2.6 metres in width and 5.4 metres in length;

(ii) tandem parking shall be permitted;

(iii) the maximum width for a driveway shall not exceed the permitted width as specified in Section 10.9 of this By-law; and,

(i) Shall be subject to the applicable Registration By-law.

(156-2022)(69-2023)

10.16.1 Provisions for Two-Unit and Three-Unit Dwellings

The following requirements and restrictions shall apply for attached ARUs within a two-unit Dwelling or a three-unit dwelling:

(a) Where the principal entrance to an attached ARU is provided through a door located in the side yard or rear yard, an unobstructed pedestrian path of travel having a minimum width of 1.2 metres shall be provided along any portion of the yard extending from the front wall of the building to the door used as the principal entrance to an attached ARU unless the principal entrance to the attached ARU has direct unobstructed access having a minimum width of 1.2 metres from a public street or private laneway at the rear of the property;

(b) An above grade side door meeting the minimum 1.2 metre path of travel requirement of Section 10.24 and used as the principal entrance to an attached ARU may be accessed by a landing less than 0.6 metres above ground level having a maximum length and width of 0.9 metres. Steps shall be provided at both the front and rear of the landing as may be necessary to

provide pedestrian access from the front yard to the rear yard;

(c) Except as required by Section 10.16(f), no additional parking space is required for a second unit

(156-2022)(69-2023)

10.16.2 Provisions for Garden Suites

The following requirements and restrictions shall apply for a garden suite:

(a) A garden suite shall only be permitted in the rear yard or interior side yard of a lot containing a principal dwelling;

(b) Notwithstanding Section 10.27(c), a garden suite shall be subject to the lot coverage requirements of the site specific zone or Section 10.27 Older, Mature Neighbourhoods, where applicable, whichever is most restrictive;

(c) The maximum gross floor area shall not exceed;

i. 80 square metres on a lot in a Residential Hamlet, Residential Estate or Agricultural zone;

ii. 35 square metres on a lot in all other Residential zones; or,

iii. Notwithstanding 10.16.2(c)(i) and (c)(ii) above or Section 10.4.1(g), a garden suite located above a detached garage shall be permitted provided that the maximum gross residential floor does not exceed 48 square metres or the gross floor area of the detached garage, whichever is less. The combined gross floor area for a detached garage with a garden suite above shall not exceed 96 square metres or twice the area of the garage, whichever is less.

(d) Minimum Rear Yard Depth: 2.5 metres;

(e) Minimum Interior Side Yard Width: 1.8 metres;

(f) Minimum separation distance from the principal dwelling: 3 metres;

(g) Encroachments into the minimum required rear yard depth set out in 10.16.2(d) or into the building separation distance set out in 10.16.2(f) shall be permitted as follows:

i. Maximum 0.6 metres for a window bay with or without foundation
ii. Maximum 0.5 metres for eaves, cornices, gutters, chimneys, pilasters or parapets
iii. Maximum 0.9 metres for an open sided, open roofed porch or deck.

(h) The maximum building height shall not exceed;

i. 7.5 metres or the height of the principal building, whichever is less, on a lot in a Residential Hamlet, Residential Estate or Agricultural zone;

ii. 4.5 metres or the height of the principal building, whichever is less, on lot in all other Residential zones; or,

iii. Notwithstanding 10.16.2(h)(i) and 10.16.2(h)(ii) above, and Section 10.4(h), a garden suite shall be permitted above a detached garage provided the overall height of the building does not exceed 7.5 metres or the height of the principal dwelling, whichever is less.

(i) Balconies and rood top patios shall not be permitted;

(j) A minimum 1.2 metre wide unobstructed pedestrian path of travel shall be provided along any portion of the yard extending from the front wall of the principal dwelling to the main entrance of the garden suite, unless the garden suite has direct unobstructed access having a minimum width of 1.2 metres from a public street or private laneway at the rear of the property.

(k) Except as required by Section 10.16(f), no additional parking space is required for a garden suite; and,

(l) Notwithstanding Section 10.3(i) or 10.4(i), a garden suite is permitted within a converted intermodal shipping container.

10.17 Satellite Dish Antennae

Satellite dish antennae having a surface area of 1 square metre or more erected in a residential zone shall be subject to the following requirements and restrictions:

(a) shall only be permitted in a required rear yard;

(b) In the instance of a corner lot within a residential zone where the rear lot line of the corner lot coincides with the interior side lot line of an abutting lot with frontage on the same street which forms the flankage lot line of the corner lot, a satellite dish antennae shall not be permitted in an area delineated by the exterior side yard, the rear lot line and a line projected from the rear corner of the dwelling situated on the corner lot, closest to the flankage lot line, and the front corner of the dwelling situated on the abutting lot described above, closest to the corner lot, provided a habitable room is situated on the ground storey level at the front corner of the dwelling situated on the abutting lot.

If the front or interior side yard of the abutting lot which abuts the rear yard area of the corner lot is occupied by an attached or detached garage or carport which effectively separates the rear corner of the dwelling situated on the corner lot and the applicable front corner of the dwelling situated on the abutting lot, then the restriction imposed by this subsection shall not apply to the corner lot.

If one of the two dwelling referred to above is not constructed, then the minimum yard setbacks will be used to establish the rear or front corner of the dwelling which is not constructed.

(c) a Satellite dish antennae shall be located no closer than 1.2 metres to the nearest lot line; and,

(d) the maximum height of a satellite dish antennae erected in a residential zone shall not exceed 4.5 metres.

(SECTIONS 10.18, 10.19 and 10.20 ARE RESERVED)

10.21 Large Daylight Triangle

Notwithstanding the front, side, and rear yard requirements, where a lot line abuts a daylight or visibility triangle larger than 10 metres by 10 metres, the minimum yard setback to that lot line for a building not exceeding 2 storeys in height shall be 3 metres and subject to a maximum encroachment permitted in the General Provisions of the By-law.

(SECTION 10.22 IS RESERVED)(210-2020)(32-2024)

10.23 Below Grade Exterior Stairs and Windows

10.23.1 For a single detached, semi-detached, or townhouse dwelling, or two unit dwelling, exterior stairways constructed below the established grade shall not be located in a required side yard or front yard.

10.23.2 Notwithstanding 10.23.1, for a single detached dwelling, with or without a second unit, exterior stairways constructed below the established grade shall be permitted in a required interior side yard, provided that a continuous side yard width of not less than 1.2 metres is provided on the opposite side of the dwelling and a minimum setback of 0.3 metres to the below grade stairway is maintained.

10.23.3 A below grade window shall not be permitted where the interior side yard width is less Than 1.2 metres

(103-2021)

10.24 Above Grade Side Entrances

10.24.1 An at or above grade door located on a side wall of a single detached, semi-detached, or townhouse dwelling shall only be permitted when:

(a) the side yard within which the door is located has a minimum width of 1.2 metres extending from the front wall of the dwelling up to and including the door; or

(b) the side yard within which the door is located has a minimum width of 1.2 metres extending from the rear wall of the dwelling up to and including the door, provided that a continuous side yard width of not less than 1.2 metres is provided on the opposite side of the dwelling.

10.24.2 Any steps or landings for such side entrance shall have a minimum setback of 0.9 metres to an interior side lot line or the required interior side yard setback, whichever is less.

(204-2010)
10.25 Places of Worship

Where a Place of Worship is listed as a permitted use in any Residential parent zone, it is deemed to be a permitted use in any such parent zone with a special section unless a Place of Worship is specifically prohibited by the special section, or unless the parent zone or parent zone with a special section is located in an area within the "Executive Housing Areas" shown on Schedule F of this by-law.

10.26 Except for those requirements and restrictions set out in site-specific zones, the following requirements and restrictions shall apply for a Place of Worship permitted in Residential zones:

a) Minimum Lot Area: 0.8 hectares

b) Minimum Front Yard Depth: 4.5 metres

c) Minimum Interior and Exterior Side Yard Width: 3 metres

d) Minimum Rear Yard Depth: 7.5 metres

e) Minimum Landscaped Open Space: 3 metres abutting all lot lines except at approved access locations

f) Lot Frontage: the lot on which the Place of Worship is located shall have a front lot line or exterior side lot line on a public street having a minimum right-of-way width of 23 metres

g) Parking shall be maintained and provided in accordance with Sections 6 and 20 of this By-law

h) Shall be subject to all other requirements and restrictions of the Zone in which the Place of Worship is located that are not in conflict with 10.26 a) to g).

(239-2016, 280-2014)(156-2022)(69-2023)(32-2026)

10.27 Older, Mature Neighbourhoods

The following requirements and restrictions shall apply to lots within the area identified on Schedule J to this By-law used for the purpose of a single detached dwelling, including a single detached dwelling that contains additional residential units in accordance with Section 10.16 of this By-law.

a) Minimum Rear Yard Depth: equal to 25% of the depth of the lot or, the minimum rear yard depth required by the zone designation of the lot, whichever is greater.

b) Minimum Interior Side Yard Width:

i) 1.2m for the first storey, or part thereof, plus 0.6m for each additional storey, or part thereof, where the lot width is less than, or equal to, 16m.

ii) 1.8m where the lot width is equal to, or greater than, 16m but less than 21m.

iii) 2.8m where the lot width is equal to, or greater than, 21m but less than 30m.

iv) 3.0m where the lot width is equal to, or greater than, 30m.

c) Maximum Lot Coverage: 30 percent, excluding permitted accessory structures except for a garden suite.

d) Maximum Building Height: 8.5 metres.

e) An uncovered balcony or deck can encroach into an existing legal non-complying rear yard to a maximum of 3.0 metres or the distance set out in the applicable zone or special section, whichever is more restrictive.

f) If there is a conflict between this section and the requirements of the applicable zone or special section of a lot, the more restrictive provision shall apply.