

## SECTION 6 - RESIDENTIAL DISTRICTS

### (R1, R1S, R2, R3, R4 and R4A) (909-88)

#### (1) PERMITTED USES

- (a) No person shall, within an R1, R1S, R2, R3, R4 or R4A district, use a *lot* or erect or use a building or structure for any purpose except one or more of the uses where permitted by the chart in paragraph (f) and subject to qualifications where indicated. (909-88)
- (b) Each use permitted by the chart is subject to:
  - (i) the qualifications, if any, in subsection (2) to be complied with before the use is permitted;
  - (ii) the regulations in section 4;
  - (iii) the regulations in subsection (3);
  - (iv) the exceptions in section 11; and
  - (v) the exceptions in section 12;
  - (vi) any provision of a by-law referred to in section 13 that conflicts with a provision of this by-law; and
  - (vii) the exceptions (including the exceptions in section 12 and the by-laws referred to in section 13) referred to in section 15 - the Index of Exceptions - and identified as to municipal addresses.
- (c) A use is permitted by the chart when the letter "P" is set in the line opposite the designation of the use but only in the use district or districts designated at the top of the column or columns intersecting the line where the letter "P" is set.
- (d) A use is permitted by the chart when the letter "q" followed by a number or numbers is set in the line opposite the designation of the use but only:
  - (i) in the use district or districts designated at the top of the column or columns intersecting the line where the letter "q" followed by a number or numbers is set; and
  - (ii) subject to the qualification or qualifications in subsection (2) bearing the number or numbers that follow the letter "q".

- (e) (i) Uses *accessory* to a use that is permitted by the chart are themselves permitted by the chart as *accessory* uses when an asterisk is set in the line opposite the designation of the use and in the column under the heading "Acc." but only in the use district or districts designated at the top of the column or columns intersecting the line where the letter "P" or the letter "q" is set; and (425-93)
- (ii) Notwithstanding subparagraph (i), motor vehicle parking spaces, whether required by this by-law or not, shall only be provided in a parking facility that is permitted in the zoning district where it is located as an *accessory* use to a principal use, building, or structure, permitted in the zoning district where the parking facility is located. (425-93) (1995-0190)
- (f) Following is the chart:

CHART

(a) RESIDENTIAL USES	Acc.	R1	R1S	R2	R3	R4	R4A
(i) HOUSING COMPRISING DWELLING UNITS							
<i>apartment building</i>	*			P	P	P	P
<i>converted house</i> (493-2000, as amended by OMB Order issued on July 6, 2000 in Board File PL No. 990850)	*	q1	q1	q1	q1	q1	q1
<i>detached house</i> (425-93)	*	P	P	P	P	P	P
<i>duplex</i>	*		P	P	P	P	P
<i>dwelling units - two or more</i>	*		q3				
keeping of roomers or boarders (425-93)	*	q4	q4	q4	q4	q4	q4
<i>row house</i>	*			P	P	P	P
<i>rowplex</i>	*				P	P	P
<i>semi-detached duplex</i>	*		P	P	P	P	P
<i>semi-detached house</i>	*		P	P	P	P	P
<i>semi-detached triplex</i>	*			P	P	P	P
<i>triplex</i>	*			P	P	P	P

(a)	RESIDENTIAL USES	Acc.	R1	R1S	R2	R3	R4	R4A
(ii)	SHARED HOUSING CONTAINING DWELLING ROOMS							
	<i>converted dwelling and rooming house</i>				q5	q5	q5	q5
	<i>home for the aged</i> (425-93)	*				q7	P	P
	monastery, nunnery or religious retreat (425-93)	*				q7	P	P
	<i>nursing home, convalescent home or rest home</i> (425-93)	*				q7	P	P
	<i>residential care facility</i>	*	q6	q6	q6	q6	q6	q6
	<i>rooming house</i>				q5	q5	q5	q5
	student fraternity or sorority house					q7	P	P
(iii)	ASSOCIATED / ACCESSORY RESIDENTIAL USES							
	<i>bed and breakfast establishment</i> (858-88) (425-93)	*			q22	q22	q22	q22
	home/work (1995-0670)	*	q20	q20	q20	q20	q20	q20
	<i>one retail store in an apartment building</i>	*			q8	q8	q8	q8
	<i>parking area</i> (425-93) (1994-0532)	*	P	P	P	P	P	P
	<i>parking garage</i> (425-93)	*			P	P	P	P
	<i>parking station</i> (885-88) (159-89) (425-93)	*	q21	q21	q21	q21	q21	q21
	<i>private home day care</i>	*	P	P	P	P	P	P
	<i>private garage</i>	*	P	P	P	P	P	P
	<i>privately-owned outdoor swimming pool</i>	*	q10	q10	q10	q10	q10	q10

(b) NON-RESIDENTIAL USES	Acc.	R1	R1S	R2	R3	R4	R4A
(i) PARKS, RECREATION, PLACES AMUSEMENT AND ASSEMBLY							
<i>public park</i>	*	P	P	P	P	P	P
<i>public playground</i>	*	P	P	P	P	P	P
(ii) COMMUNITY SERVICES, CULTURAL AND ARTS FACILITIES (425-93)							
<i>community centre</i>	*					P	P
<i>community health centre</i>	*					P	P
<i>day nursery</i>	*	q11	q11	q12	q12	q12	q12
<i>municipal community centre</i>	*	P	P	P	P	P	P
<i>place of worship (425-93)</i>	*	q17	q17	q15	q15	P	P
<i>public art gallery</i>	*					P	P
<i>public library</i>	*					P	P
<i>public museum</i>	*					P	P
<i>public school</i>	*	q13	q13	q14	P	P	P
public transit (425-93)	*	P	P	P	P	P	P
YMCA, YMHA, YWCA, YWHA	*					P	P

(b) NON-RESIDENTIAL USES	Acc.	R1	R1S	R2	R3	R4	R4A
(iii) GENERAL INSTITUTIONS							
<i>charitable institution</i>	*					q16	q16
<i>clinic, treatment centre, research centre or hospital for the observation and treatment of and for consultation with alcoholics and addicts</i>	*					P	P
Conservatory of Music - a branch	*					P	P
<i>private academic, philanthropic or religious school</i>	*			q15		P	P
private hospital	*					P	P
<i>psychiatric hospital</i>	*					P	P
<i>public hospital</i>	*					P	P
religious library or reading room including the carrying on therein of incidental retail sales	*			q15		P	P
(iv) OFFICES (425-93) (1995-0670)							
office of a professional person/ administrative office (425-93)	*						q19

## SECTION 6 - RESIDENTIAL DISTRICTS

### R1, R1S, R2, R3, R4 and R4A

#### (2) QUALIFICATIONS TO BE COMPLIED WITH BEFORE CERTAIN USES ARE PERMITTED IN RESIDENTIAL DISTRICTS

1. A *converted house* is a permitted use provided: (425-93)
  - (i) in an R1 or R1S district, the maximum number of *dwelling units* permitted is two; (493-2000, as amended by OMB Order issued on July 6, 2000 in Board File PL No. 990850)
  - (ii) the whole of the building or structure as it stands before conversion is at least five years old; (909-88) (425-93)
  - (iii) there is no exterior alteration of or addition to the house except, subject to the other requirements of this by-law:
    - A. an addition to a part (other than to the *front wall* and, in the case of a *corner lot*, other than to the side of the house facing the *flanking street*) of the exterior either of the above mentioned buildings or structures, provided the increase in *residential gross floor area* does not exceed 0.15 times the area of the *lot*; (425-93) (1997-0422)  
  
and for greater certainty only one addition may be erected either at the time of conversion or thereafter;
    - B. a porch or verandah addition where none previously existed (including a basement extension wholly beneath the porch or verandah addition), not exceeding 3.7 metres in *height* or extending beyond a distance of 2.4 metres from the wall to which it is attached;
    - C. a porch or verandah replacement (which may include a basement extension wholly beneath the porch or verandah replacement) to the dimensions of the original structure, save as hereinafter set out provided, however, where the original structure was less than 2.4 metres in depth from the wall to which it is attached, such replacement may extend in depth to a maximum of 2.4 metres from the wall to which it is attached, and further provided that in no case may a replacement exceed two *storeys* in *height* notwithstanding the *height* of the original porch or verandah being replaced;
    - D. a balcony erected in compliance with clause K of the chart in section 6(3) PART II 8;

- E. a dormer or dormers in the roof of the house, provided the floor area of each dormer does not exceed 2.3 square metres and the total floor area of all the dormers does not exceed 9.3 square metres, the increase in floor area to be included in the *residential gross floor area* limitation referred to in clause A; (425-93)

and for greater certainty the dormer or dormers referred to in this clause may be constructed from time to time provided the provisions of this clause are complied with;

- F. such alteration or renovation as may be required from time to time to the house under the Ontario Building Code or By-law 73-68, as amended if it is or is proposed to be used as a *converted house*; and

(909-88)

- (iv) the average of the floor areas of the *dwelling units* in a building or structure being altered, converted or used as a *converted house* containing more than two *dwelling units* is not less than 65 square metres; (909-88) (425-93) (493-2000, as amended by OMB Order issued on July 6, 2000 in Board File PL No. 990850)
- (v) there is no substantial change in the appearance of the dwelling house as the result of the conversion; and (425-93) (493-2000, as amended by OMB Order issued on July 6, 2000 in Board File PL No. 990850)
- (vi) where the *converted house* contains two *dwelling units*, the *residential gross floor area* of the *dwelling unit* to be created, including any floor area below *grade*, is less than the *residential gross floor area* of the remaining *dwelling unit*. (493-2000, as amended by OMB Order issued on July 6, 2000 in Board File PL No. 990850)
2. Deleted by By-law 425-93.
3. Notwithstanding subsection (1), the *owner* of a *detached house* may alter or convert the house, to provide therein three or more *dwelling units* provided: (909-88) (425-93) (493-2000, as amended by OMB Order issued on July 6, 2000 in Board File PL No. 990850)
- (i) the house is at least 40 years old; (909-88)
- (ii) the house contains a *residential gross floor area* of at least 460 square metres; (909-88) (425-93)
- (iii) each *dwelling unit* has a floor area of not less than 55 square metres, except in the case of an attic where the floor area may be not less than 42 square metres; and (909-88)
- (iv) no exterior addition to or major exterior alteration of the house is made and its external appearance as a *detached house* is not materially altered; (909-88)

4. The keeping of roomers and boarders is a permitted use, provided: (425-93)
- (i) the numbers are limited to not more than two roomers or boarders in the case of:
    - A. a *detached house* in an R1 or R1S district; or
    - B. a *semi-detached house*, or any *dwelling unit* in a *duplex* or *semi-detached duplex* in an R1S district; or

(425-93)
  - (ii) the numbers are limited to not more than three roomers or boarders in the case of a *detached house*, a *semi-detached house*, a *row house*, or any *dwelling unit* in a *duplex*, a *semi-detached duplex*, a *triplex*, a *semi-detached triplex*, a *rowplex* or an *apartment building*, in an R2, R3, R4 or R4A district.

(425-93)
5. (a) Subsection (1) does not prevent the use of a building or structure that is or was originally constructed as a *detached house* or *semi-detached house* as a *rooming house* or *converted dwelling and rooming house* provided:
- (i) no room in the *rooming house* or *converted dwelling and rooming house* is let as sleeping accommodation unless the area thereof is sufficient to provide at least nine square metres for a single occupant or seven square metres for each one of two or more occupants;
  - (ii) no culinary facilities are provided within a *dwelling room* that is let as sleeping accommodation unless the *dwelling room* has a minimum floor area of not less than 13 square metres and in no case shall washroom or sanitary facilities be provided or used that are directly accessible to or can be provided for the exclusive use of the *dwelling room*;
  - (iii) running water toilets, wash basins and baths or showers are provided on the basis of one each for every six occupants of the *rooming house* or *converted dwelling and rooming house*;
  - (iv) there is no substantial change in the external appearance of the house as a *detached house* or *semi-detached house* and there is no exterior alteration or addition to the house except, subject to the other requirements of this by-law:
    - A. an addition to a part (other than to the *front wall* and, in the case of a *corner lot*, other than to that side of the house facing the flanking street) of the exterior of any of the above mentioned classes of buildings or structures, provided the increase in *residential gross floor area* does not exceed 0.15 times the area of the *lot*; (425-93)

and for greater certainty only one addition may be erected either at the time of conversion or thereafter;

- B. a porch or verandah addition where none previously existed (including a basement extension wholly beneath the porch or verandah addition), not exceeding 3.7 metres in *height* extending beyond a distance of 2.4 metres from the wall to which it is attached;
- C. a porch or verandah replacement (which may include a basement extension wholly beneath the porch or verandah replacement) to the dimensions of the original structure, save as hereinafter set out provided, however, that where the original structure was less than 2.4 metres in depth from the wall to which it was attached, the replacement may extend in depth to a maximum of 3.7 metres from the wall to which it is attached, and further provided that in no case may a replacement exceed two *storeys in height* despite the *height* of the original porch or verandah being replaced;
- D. a balcony erected in compliance with clause K of the chart in section 6(3) PART II 8;
- E. a dormer or dormers in the roof of the house, provided the floor area of each dormer does not exceed 2.3 square metres and the total floor area of all such dormers does not exceed 9.3 square metres, the increase in floor area to be included in the *residential gross floor area* limitation referred to in clause A; (425-93)
- and for greater certainty the dormer or dormers referred to in this clause may be constructed from time to time provided the provisions of this clause are complied with;
- F. such alteration or renovation as may be required from time to time to the house under the Ontario Building Code or By-law 73-68, as amended, if it is or is proposed to be used as a *rooming house* or *converted dwelling and rooming house*;
- (v) the *semi-detached house* is attached to a *semi-detached house* that is being converted to or has been converted to and used as a *rooming house* or a *converted dwelling and rooming house*;
- and where a *semi-detached house* used as a *rooming house* or a *converted dwelling and rooming house* is converted to use as one *dwelling unit*, this qualification does not prevent the continued use of the *semi-detached house* to which it is attached as a *rooming house* or a *converted dwelling and rooming house*, as long as it continues to be used for that purpose;
- (vi) the average of the floor areas of the *dwelling units* in a building being altered, converted or used as a *rooming house* or a *converted dwelling and rooming house* is not less than 33 square metres; (293-89)

- (vii) the whole of the *detached house* or *semi-detached house* as it stands before conversion is at least five years old;

and for greater certainty the whole of the *detached house* or *semi-detached house* includes any addition to the building or structure erected prior to the time of conversion;

- (b) Notwithstanding paragraph (a)(i) to (vii), inclusive, no person shall in an R district listed below use a *detached house*, or *semi-detached house* for the purpose of a *rooming house* or a *converted dwelling and rooming house* if the *rooming house* or *converted dwelling and rooming house* contains more than the number of *dwelling rooms* listed below for that district.

<u>District</u>	<u>Maximum number of Dwelling rooms</u>
R2	6
R3 outside the <i>Central Area</i>	6
R3 in the <i>Central Area</i>	12
R4	12
R4A	12

(909-88)

- 6. A *residential care facility* is a permitted use provided: (425-93)

- (i) it occupies the whole of a fully detached building; and
- (ii) it is at least 245 metres from another *residential care facility* or a *crisis care facility*. (159-89)

(909-88)

- 7. No person shall use a building or structure as a student fraternity or sorority house, *nursing home*, *convalescent home or rest home*, *home for the aged*, monastery, or nunnery or religious retreat unless: (425-93)

- (i) the whole of the building or structure, or a pair of attached *semi-detached houses*, or every *row house* in a series of attached *row houses* is so used; and
- (ii) the buildings or structures are or were originally constructed for the purpose or as a *detached house*, *semi-detached house* or *row house*.

(909-88)

8. (a) One *retail store* in an *apartment building* is a permitted use provided: (425-93)
- (i) the store comprises not more than 23 square metres of floor area in an *apartment building* containing more than 100 *dwelling units*;
  - (ii) any entrance to the store is from within the *apartment building*;
  - (iii) the store is on the ground floor or in the basement of the *apartment building*; and
  - (iv) no exterior window of the store or *apartment building* is used for the display of goods or advertising.
- (b) Notwithstanding paragraph (a) the floor area of the *retail store* may exceed 23 square metres to the extent of an additional 4.5 square metres for each additional 100 *dwelling units* in the *apartment building*, provided:
- (i) the floor area of the *retail store* does not exceed 70 square metres; and
  - (ii) the requirements of paragraph (a)(ii), (iii) and (iv) are complied with.

(909-88)

9. Deleted by By-law 425-93.

10. A *privately-owned outdoor swimming pool* is permitted provided it is *accessory* to a *detached house, semi-detached house, row house, duplex, semi-detached duplex, triplex, semi-detached triplex, rowplex, converted house, rooming house, converted dwelling and rooming house* or *apartment building* and provided:
- (i) the area of the portion of the swimming pool filled or capable of being filled with water does not exceed 15 per cent of the area of the *lot* on which the principal building or structure is erected;
  - (ii) subject to subparagraphs (iii) and (iv), no part of the portion of the swimming pool filled or capable of being filled with water is on a portion of the *lot* closer to the *front lot line* than the *front wall* of the principal building or structure or closer to the *rear lot line* or a *side lot line* or public lane than the distance of 1.2 metres;
  - (iii) where the *rear lot line* of the *lot* coincides with a part of the *side lot line* of an adjoining *lot*, no part of the portion of the swimming pool filled or capable of being filled with water is closer to the *rear lot line* than three metres;
  - (iv) no part of the portion of the swimming pool filled or capable of being filled with water is closer to the limit of a *street* than six metres, except in the case of a *street* line forming the flank of a *lot* where the distance shall not be less than 1.2 metres;

- (v) no lights, diving board or diving platform or enclosing structures or other form of covering of a permanent or temporary nature or any other equipment appurtenant to the swimming pool, except fences, are above the height of one metre above the average elevation of the finished level of the ground abutting the portion of the swimming pool filled or capable of being filled with water; and
- (vi) notwithstanding subparagraph (v), in the case of an above ground swimming pool, the ladder appurtenant thereto exclusive of hand or safety rails does not exceed a height of 1.5 metres above the average elevation of the finished level of the ground abutting the portion of the swimming pool filled or capable of being filled with water.

(909-88)

11. A *day nursery* is a permitted use provided: (425-93)

- (i) it is in a public elementary or separate elementary school, a *place of worship* or a *community centre*;
- (ii) if it is located in a *community centre*, it is operated by a *non-profit institution*;
- (iii) no portion of the *lot* in front of the main front wall is used as playground space.

(909-88)

12. A *day nursery* is a permitted use provided: (425-93)

- (i) it is in:
  - A. a building originally constructed for that purpose;
  - B. the whole of a *detached house*;
  - C. the whole of a pair of attached *semi-detached houses*;
  - D. a *public school*;
  - E. a *place of worship*;
  - F. a *community centre*, except in an R2 or R3 district unless located in a *public park*;
  - G. an *apartment building*; or
  - H. a non-residential building permitted in the district;
- (ii) notwithstanding 12(i) B and C where the *day nursery* is in a *detached house* or a pair of attached *semi-detached houses*, the premises may also be used as the principal residence of the *owner* or operator of the *day nursery*; (425-93)

- (iii) no portion of the *lot* in front of the main *front wall* of the building is used as playground space; (425-93)
  - (iv) no part of the building is closer to the nearest *side lot line* than 0.5 metres.  
(909-88)
13. No person shall erect a *public school* unless the *lot*, in addition to the area occupied by the school and the area provided as *landscaped open space*, contains as playground area at least 12.5 square metres for each of the first 560 pupils, as determined by the design capacity of the school, and 10 square metres for each additional pupil. (425-93)
- For the purposes of this qualification "*landscaped open space*" does not include playground area.  
(909-88)
14. A *public school* is a permitted use provided it is or was originally constructed for that purpose. (909-88)  
(425-93)
15. A Bible Institute, *place of worship*, *private academic*, *philanthropic or religious school*, religious library or reading room including the carrying on therein of incidental retail sales, are permitted uses provided: (425-93)
- (i) the use is located in a building that is or was originally constructed for such purpose; or
  - (ii) in the case of a religious library or reading room, including the carrying on therein of incidental retail sales, the use is within a *place of worship*.  
(909-88)
16. A *charitable institution* is a permitted use provided it is: (425-93)
- (i) in a building or structure originally constructed for the purpose; or
  - (ii) in a building or structure that is so located on its *lot* that if this by-law had applied to its *lot* at the time the building or structure was erected, it would have complied with the provisions of subsection (3) PART II 1 to 8, inclusive, respecting *front lot line*, *side lot line* and *rear lot line* setbacks and the spacing of facing external walls of buildings and structures in R districts.  
(909-88)
17. A *place of worship* is a permitted use provided the use is located in a building or structure that is or was originally constructed for that purpose and provided the *lot frontage* is not less than 30 metres. (909-88)  
(425-93)
18. Deleted by By-law 425-93.

19. An office is a permitted use provided it is for the accommodation of the office or offices of a chiropractor or osteopath, a professional person such as a physician, barrister, engineer, architect, or Ontario Land Surveyor, the administrative office or offices of a non-profit organization or organizations of a religious, educational, recreational, fraternal or philanthropic nature, a business administrative office or the office of a town or regional planning consultant. (909-88) (425-93)
20. A home/work use is a permitted residential use *accessory* to a *dwelling unit*, if:
- (i) the use is restricted to office, studio, caterer, barber, hairdresser, beautician, dressmaker, seamstress or tailor;
  - (ii) the maximum gross floor area being the aggregate of the areas of each floor above and below *grade* used for work purposes, does not exceed the lesser of 30 square metres or 30 per cent of the *residential gross floor area* of the *dwelling unit*;
  - (iii) there is no sale of goods from the *dwelling unit*;
  - (iv) in the case of music or dance instruction, the home/work use is located only in a *detached house* with only one *dwelling unit*;
  - (v) in the case of music instruction, the music is neither produced by an electronic instrument nor amplified electronically;
  - (vi) where a work activity subject to the Regulated Health Professions Act is located in an *apartment building*, the work component is carried out on the first floor or in the basement;
  - (vii) only one or two residents of the *dwelling unit* work in it, except that not more than two employees are permitted in the *dwelling unit* in the case of the following professions: audiologist, chiropodist, chiropractor, dental surgeon, dental therapist, dietician, massage therapist, midwife, occupational therapist, optician, optometrist, physician, physiotherapist, podiatrist and psychologist;
  - (viii) no part of an *accessory building*, *private garage* or other parking facility or part of a building formerly used as an *accessory building*, *private garage* or other parking facility is used for the home/work use; and
  - (ix) there is no outdoor storage associated with the use.

(1995-0670, as amended by O.M.B. Order December 4, 1996)

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21. A *parking station* is a permitted use provided: (425-93)
- (i) that portion of the *lot* upon which the *parking station* is located is fenced and suitably landscaped;
  - (ii) any lights used for illumination are so arranged as to divert the light away from adjacent premises;
  - (iii) no building other than one shelter for attendants, exceeding neither one *storey* in height nor five square metres in area, is erected thereon;
  - (iv) no portion of the *parking station* is located closer to a *residential building* than six metres and not closer to the *parking station* fence than 1.8 metres; (425-93)
  - (v) no portion of the *parking station* is located closer to the *front lot line* of a *lot* than the distance between the *front wall* of any *residential building* located on an adjoining *lot* and the *front lot line* of the *lot* upon which such *residential building* is erected, and in no case closer to the *front lot line* of the *lot* than six metres; (425-93)
  - (vi) no portion of the *parking station* is located closer to the *flank* of a *lot* than the distance between the *front wall* of any *residential building* located on an adjoining *lot* and the *front lot line* of the *lot* upon which such *residential building* is erected, and in no case closer to the *flank* of the *lot* than six metres;
  - (vii) no sign is erected thereon other than one or more directional signs not exceeding one square metre in area in the aggregate, which sign or signs may include the name of the proprietor; and (1994-0532)
  - (viii) no gasoline pump or other service equipment is located or maintained thereon and no commercial vehicle is parked or stored thereon. (1994-0532)
  - (ix) deleted by By-law 1994-0532.
- (159-89)
22. A *bed and breakfast establishment* is a permitted use provided: (425-93)
- (i) a maximum of two rooms are used for the purpose of providing lodging to the travelling public;
  - (ii) the *detached house*, *semi-detached house* or *row house* within which such establishment is located is not simultaneously used for the keeping of roomers or boarders; (425-93)
  - (iii) the *bed and breakfast establishment* is operated by a person or persons whose ordinary and principal residence is within such *detached house*, *semi-detached house* or *row house*; and (425-93)
  - (iv) vehicle access is by means other than a *mutual driveway*. (425-93)
- (858-88)
23. Deleted by By-law 1994-0532.

## SECTION 6 - RESIDENTIAL DISTRICTS

(R1, R1S, R2, R3, R4 and R4A) (909-88)

### (3) REGULATIONS APPLYING TO RESIDENTIAL DISTRICTS

#### PART I - DENSITY

1. Maximum residential and/or non-residential gross floor area: symbol Z

No person shall erect or use a building or structure on a *lot* in an R district having a greater *residential gross floor area, non-residential gross floor area* or a combination thereof, than the product of the *lot area* multiplied by the number following the symbol Z as shown on the District Map for the zone in which the *lot* is located. (425-93)

2. Maximum residential and/or non-residential gross floor area: accessory building or structure

In addition to the *residential gross floor area* and/or *non-residential gross floor area* permitted by section 6(3) 1, an *accessory building* or structure may be erected or used on a *lot* in an R district provided the total *residential gross floor area* and/or *non-residential gross floor area* of all *accessory buildings* or structures erected on the *lot*, excluding any *private garage*, does not exceed five per cent of the area of the *lot*. (425-93)

3. Exception: conversion of below grade or at grade integral garage to habitable space

Despite regulation 1 and the definition of *residential gross floor area*, where the vehicle access to an existing integral *private garage* is located in a wall facing the *front lot line* within a *detached house, semi-detached house* or *row house*, on a *lot*:

- (i) having a *lot frontage* less than 7.62 metres, or
- (ii) having a *lot frontage* equal to or greater than 7.62 metres and the floor level of the *private garage* is located below *grade*,

the floor area within the integral *private garage* may be used for any of the above purposes and shall be excluded from the calculation of *residential gross floor area*, provided:

- A. if the floor level of the former integral *private garage* is located below *grade*, the level of the former driveway between the *front lot line* and any wall of the building facing the *front lot line* as produced to the *side lot lines* is equal to the existing ground level abutting each side of the driveway,
- B. there is at least one window in the front wall of the former integral garage, and
- C. the provisions of Sections 6(3) Part III and 6(3) Part IV are complied with.

(1996-0334)

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**PART II - SETBACKS**

## 1. Portions of buildings to which setbacks apply

The restrictions in regulations 2 to 9, inclusive, respecting setbacks and *depth* for buildings or portions of buildings apply only to those portions of a building above the natural or finished surface of the ground, whichever is the lower, at all points adjacent to the exterior walls of the building or structure. (909-88)

## 2. Front yard setbacks: setbacks from front lot line

No person shall erect or use a building or structure on a *lot* in an R district having any part of the building or structure closer to the *front lot line* than 6 metres except: (159-89)

- (i) a building or structure that was lawfully erected on or before October 17, 1988 with a setback from the *front lot line* that is less than 6 metres, may have additions to such building or structure with a minimum setback from the *front lot line* that is equal to or greater than the setback of the building or structure on or before October 17, 1988; (425-93)
- (ii) on an inside *lot*, between existing buildings or structures on *lots* in R districts that have their *front lot lines* on the same *street*, the minimum setback from the *front lot line* shall be the average of the shortest distances by which the *front walls* of the adjacent existing buildings or structures (other than *accessory* buildings or structures) are set back from their *front lot lines*; (293-89)
- (iii) on a *lot*, where there is only one adjacent building or structure on a *lot* in an R district that has its *front lot line* on the same *street*, the minimum setback from the *front lot line* shall be the shortest distance by which the *front wall* of the adjacent existing building or structure other than an *accessory* building or structure is set back from its *front lot line*. (293-89)

(909-88)

## 3. Side yard setbacks: setbacks from side lot lines and distance between adjacent side walls of adjacent buildings or structures.

No person shall erect or use a building or structure on a *lot* in an R district, having any part closer to a *side lot line* than the distance set out opposite the type of building or structure located in the district and zone listed in the column entitled "BUILDING, STRUCTURE, DISTRICT, ZONE" in the following chart, and provided:

- (i) where the side walls of adjacent buildings in an R2, R3, R4 or R4A district do not contain any door, window or other opening, the distance between any part of such side walls shall not be less than 0.90 metres;

- (ii) where part of a side wall of a building or structure containing a door, window or other opening extends in a straight line to intersect with either the *front wall* or the rear wall of the building no part of another building or structure shall be closer to that part than 1.2 metres and in no case shall part of another building or structure be closer than 1.2 metres to a part of a side wall containing a door, window or other opening.

For avoidance of doubt when more than one setback requirement applies to the building or structure, the most restrictive requirement is the required minimum side yard setback.

(909-88)

CHART

BUILDING, STRUCTURE, DISTRICT ZONE		SUBJECT TO AFORESAID SUBPARAGRAPHS (i) and (ii), MINIMUM SIDE YARD SETBACK AND MINIMUM SETBACK FROM FLANK
A.	any building that is located on a <i>corner lot</i> - required setback for any part of the building that faces the flanking <i>street</i> (425-93)	
	(I) where the adjacent <i>lot</i> on the flanking <i>street</i> has a building erected on it that fronts on the flanking <i>street</i> (the "adjacent building") (425-93)	(I) the lesser of: 1) 6 metres; and 2) the greater of: a) 0.9 metres; and b) the shortest distance by which the <i>front wall</i> of the adjacent building is set back from its <i>front lot line</i>
	(II) where the adjacent <i>lot</i> on the flanking <i>street</i> does not have a building erected on it that fronts on the flanking <i>street</i> (425-93)	(II) 6.0 metres

BUILDING, STRUCTURE, DISTRICT ZONE		SUBJECT TO AFORESAID SUBPARAGRAPHS (i) and (ii), MINIMUM SIDE YARD SETBACK AND MINIMUM SETBACK FROM FLANK
B.	<i>detached house</i>	
	(I) in an R2, R3, R4, R4A district, 1) where the side wall has no openings 2) where an attached structure is without walls	(I) 1) 0.45 metres for that portion of the building that has a <i>depth</i> of not more than 17.0 metres 2) 7.5 metres for that portion of the building that has a <i>depth</i> greater than 17.0 metres
	(II) in an R2, R3, R4, R4A district, where the side wall has openings and in an R1 or R1S district	(II) 1) 0.9 metres for that portion of the building that has a <i>depth</i> of not more than 17.0 metres 2) 7.5 metres for that portion of the building that has a <i>depth</i> greater than 17.0 metres
C.	<i>semi-detached house, row house</i>	
	(I) in an R2, R3, R4, R4A district, 1) where the side wall has no openings 2) where an attached structure is without walls	(I) 0.45 metres
	(II) in an R2, R3, R4, R4A district, where the side wall has openings and in an R1 or R1S district	(II) 0.9 metres

BUILDING, STRUCTURE, DISTRICT ZONE		SUBJECT TO AFORESAID SUBPARAGRAPHS (i) and (ii), MINIMUM SIDE YARD SETBACK AND MINIMUM SETBACK FROM FLANK
D.	<i>duplex, semi-detached duplex</i> in an R1S district	3.0 metres
E.	<i>duplex, triplex, semi-detached duplex, semi-detached triplex, rowplex,</i>	
	(I) 1) where the side wall has no openings 2) where an attached structure is without walls	(I) 0.45 metres
	(II) where the side wall has openings	(II) 1.2 metres
F.	<i>apartment building, any other residential building not listed above or permitted non-residential building.</i>	
	(I) in a zone 0.35, zone 0.6, zone 1.0, zone 1.3 or zone 1.5 area (1996-0278)  1) a) where the side wall has no openings b) where an attached structure is without walls  2) where the side wall has openings	(I) 1) 0.45 metres  (I) 2) 1.2 metres
	(II) in a zone 2.0 or zone 2.5 area	(II) 7.5 metres
G.	any building or structure not listed above	7.5 metres

(268-89)

## 4. Rear yard setbacks: setback from rear lot line

No person shall erect or use a building or structure on a *lot* in an R district any part of which is closer to the *rear lot line* than 7.5 metres. (909-88)

## 5. Depth

No person shall, on a *lot* in a zone 0.35, zone 0.6, zone 1.0, zone 1.3, zone 1.5 or zone 2.0 area in an R district, erect or use a building or structure having a *depth* greater than 14 metres, except: (1996-0278)

- (i) a *semi-detached house* having a *depth* of not greater than 17 metres; or
- (ii) a *detached house*.

(909-88)

## 6. Distance between external walls of the same building

No person shall erect or use a building or structure in an R district having a distance between external walls of a building or structure that face each other, that is less than:

- (i) 11 metres; or (425-93)
- (ii) two metres provided that the facing walls do not contain openings other than service or fire exit doors or windows that light stairways.

This regulation does not apply in the case of a *detached house*, a *semi-detached house*, a *duplex* or a *triplex*.

(909-88)

## 7. Exception: Setbacks and depth limits for accessory buildings and structures (293-89)

Regulations 2, 3, 4 and 5 do not apply to the erection or use of an *accessory* building or structure on a *lot* in an R district, provided: (293-89)

- (i) any *accessory* building or structure erected on the *lot*, excluding a garden or storage shed having a floor area of not more than 9.0 square metres and any *private garage*, is located at least 3.0 metres from all *lot* lines;
- (ii) notwithstanding subparagraph (i) no *accessory* building or structure, excluding a *privately-owned outdoor swimming pool*, is:
  - A. closer to a *residential building* than 4.5 metres;
  - B. closer to the *front lot line* than the distance at which the main building or structure is erected;

- (iii) any part of a garden or storage shed not more than 9.0 square metres in area or a *private garage*, other than an integral garage, incidental and subordinate to the main building and on the same *lot* therewith, is located at least 1.5 metres from any part of the main building. (425-93)

(909-88)

8. Exception: Permitted projections into required setback areas

Regulations 2, 3, 4 and 6(i) do not apply to the type of structure listed in the column entitled "STRUCTURE" in the following chart, provided that the restrictions set out opposite the structure in the columns entitled "LOCATION OF PROJECTION", "MAXIMUM PERMITTED PROJECTION" and "OTHER APPLICABLE QUALIFICATIONS" are complied with.

CHART

STRUCTURE	LOCATION OF PROJECTION	MAXIMUM PERMITTED PROJECTION	OTHER APPLICABLE QUALIFICATIONS
A. eaves or cornices	required setback area from any <i>lot</i> line	0.45 metres	none
B. fences and safety railings	required setback area from any <i>lot</i> line	no restriction	height of fence or safety railing not to exceed 2.0 metres (638-92)
C. chimney breast	required setback area from any <i>side lot line</i>	not more than 0.3 metres	length not to exceed 2 metres
D. uncovered platform of a <i>residential building</i> excluding an uncovered platform that is <i>landscaped open space</i> (293-89)	required setback from any <i>lot</i> line (159-89) (1997-0422)	not more than 2.5 metres from the <i>front wall</i> or rear wall	(I) height of platform not to exceed 1.2 metres above <i>grade</i>  (II) no extension beyond the side walls of the building as projected

STRUCTURE	LOCATION OF PROJECTION	MAXIMUM PERMITTED PROJECTION	OTHER APPLICABLE QUALIFICATIONS
E. uncovered platform that is <i>landscaped open space</i> and is attached to a rear wall of a <i>residential building</i>	required setback area from any <i>side lot line</i> and <i>rear lot line</i>	no restrictions	no extension beyond the side walls of the building as projected
F. a roof over a first floor platform or terrace which platform or terrace is, not more than 1.2 metres above <i>grade</i> , attached to the <i>front wall</i> or rear wall of a <i>residential building</i> other than an <i>apartment building</i> (425-93)  (OMB Order R 930372 dated November 2, 1995)	required setback area from any <i>lot line</i>	not more than 2.5 metres from the wall to which it is attached (425-93)	(I) the roof, if not solely supported by such rear or <i>front walls</i> , may only be additionally supported by columns or posts  (II) the roof does not form part of the main building roof  (III) the roof does not extend beyond the side walls of the building as projected  (IV) the top of the roof is not used or designed to be used as a deck or terrace  (425-93)
G. canopy for an <i>apartment building</i>	required setback area from any <i>lot line</i>	not more than 2.5 metres from the <i>front wall</i> or rear wall to which it is attached	(I) the <i>apartment building</i> has no more than three canopies supported only from a wall;  (II) the aggregate area of the canopies not to exceed 0.4 square metres for each 100 square metres of <i>residential gross floor area</i>  (425-93)

STRUCTURE	LOCATION OF PROJECTION	MAXIMUM PERMITTED PROJECTION	OTHER APPLICABLE QUALIFICATIONS
H. cold storage cellar for a <i>residential building</i> other than an <i>apartment building</i> (425-93)	required setback area from any <i>lot</i> line	the same position relative to the <i>lot</i> lines as the porch, verandah or uncovered platform which the cellar is under and not to project more than 2.5 metres from the wall to which the cellar is attached	located under a porch or verandah or an uncovered platform permitted by this section except any uncovered platform included as <i>landscaped open space</i> (159-89)
I. replacement or erection of a bay window attached to the <i>front wall</i> or rear wall of a <i>detached house</i> without complying with the provisions of this by-law regarding <i>residential gross floor area</i> and <i>landscaped open space</i>	required setback area from any <i>lot</i> line	0.75 metres from the wall to which it is attached	(I) width not to exceed three metres measured where the window joins the wall  (II) regulations respecting minimum distances between buildings such distances to be measured from the external face of the window or windows

STRUCTURE	LOCATION OF PROJECTION	MAXIMUM PERMITTED PROJECTION	OTHER APPLICABLE QUALIFICATIONS
J. second <i>storey</i> addition to a <i>detached house</i> , <i>semi-detached house</i> or <i>row house</i> (1997-0422)	required setback area from any <i>lot</i> line	within the outer faces of the external walls of the first <i>storey</i>	<p>(I) total <i>depth</i> of second <i>storey</i> addition not to exceed 17.0 metres (159-89) (425-93)</p> <p>(II) <i>height</i> not to exceed the lesser of 10 metres and the <i>height</i> prescribed by section 4(2) (293-89) (425-93)</p> <p>(III) the existing building including any additions thereto is at least five years old</p>
K. any balcony attached to the <i>front wall</i> or rear wall of a <i>detached house</i> or <i>semi-detached house</i> , in an R2, R3, R4, R4A district (293-89)	required setback area from any <i>lot</i> lines	not more than 1.5 metres from the wall and no closer to the <i>side lot lines</i> than the side walls	<p>(I) the house including the rear wall or <i>front wall</i> is at least 5 years old</p> <p>(II) when attached to the <i>front wall</i> of a <i>semi-detached house</i> where the adjoining <i>semi-detached house</i> has an existing balcony attached to its <i>front wall</i>, the balcony's height, width, and depth cannot be more than 0.3 metres greater than the existing balcony (293-89)</p> <p>(III) balcony to be supported only from the wall</p>

STRUCTURE	LOCATION OF PROJECTION	MAXIMUM PERMITTED PROJECTION	OTHER APPLICABLE QUALIFICATIONS
L. exterior insulation and facing material, including any supporting foundation, on any <i>residential building</i> erected on or before October 17, 1988 or for which a building permit has been issued on or prior to October 17, 1988  (425-93)	required setback area from any <i>lot</i> line	0.16 metres	
M. deleted by By-law 1997-0422			
N. repair, replacement or vertical extension of the existing foundation of a <i>residential building</i>	required setback area from any <i>lot</i> line	no closer to the <i>lot</i> lines than the existing foundation	height of existing foundation may be increased by up to 0.3 metres  (1996-0027)

(909-88)

9. to 12. Deleted by By-law 909-88.
13. Deleted by By-law 159-89.

### PART III - OPEN SPACE

#### 1. Minimum landscaped open space

- (a) Subject to paragraph (b) no person shall, on a *lot* in a zone 0.35, zone 0.38, zone 0.6, zone 1.0, zone 1.3, zone 1.5, zone 2.0 or zone 2.5 area, erect or use an R building or R structure or a *residential building* or *residential structure* so that the *lot* has less *landscaped open space* than as follows: (1995-0593) (1996-0278)

<u>Zone</u>	<u>Minimum Landscaped Open Space</u>
zone 0.35	30% of the area of the <i>lot</i>
zone 0.38	30% of the area of the <i>lot</i> (1995-0593)
zone 0.6	30% of the area of the <i>lot</i>
zone 1.0	30% of the area of the <i>lot</i>
zone 1.3	30% of the area of the <i>lot</i> (1996-0278)
zone 1.5	30% of the area of the <i>lot</i> (1996-0278)
zone 2.0	35% of the area of the <i>lot</i>
zone 2.5	35% of the area of the <i>lot</i> .

- (b) Notwithstanding paragraph (a), no person shall, on a *lot* in a zone 0.35, zone 0.38, zone 0.6, zone 1.0, zone 1.3, zone 1.5, zone 2.0, or zone 2.5 area, erect or use an *apartment building* so that the *lot* has less *landscaped open space* than 50 per cent of the area of the *lot*. (909-88) (1995-0593) (1996-0278)

#### 2. No use of landscaped open space resulting in reduction of minimum prescribed

No person shall use *landscaped open space* for a purpose that reduces the minimum prescribed by regulation 1(a) for the zone in which the *landscaped open space* is located.

#### 3. Minimum landscaped open space in front yard: residential buildings other than apartment buildings

- (a) Subject to paragraphs (b) and (c) below no person shall on any *lot* erect or use a *residential building* or addition to a *residential building*, other than an *apartment building*, in a manner so that less than 50 per cent of the area of the portion of the *lot* between the *front lot line* and the line of the main *front wall* of the *residential building* as produced to the *side lot line*, is provided and maintained as *landscaped open space*. (909-88) (1996-0334) (1997-0422)

This provision does not prevent: (1996-0334)

- (i) the construction or use in the portion of the *lot* area referred to above, of:
    - A. a driveway or portion thereof leading to a lawful parking facility on the *lot* provided the width of the driveway or portion thereof does not exceed 2.6 metres, measured parallel to the *front lot line*; or (1996-0334)
    - B. a cold storage cellar, stairs, landings, pedestrian or wheelchair ramps or retaining walls; or (1996-0334)
  - (ii) the extension of an existing porch or platform attached to the main *front wall* of the *residential building*, provided no part of the porch or platform as extended projects closer to the *front lot line* than the original porch or platform; (909-88) (1996-0334) (1997-0422)
- (b) On a *lot* having a *lot frontage* less than 9.15 metres, not less than 30 per cent of the *landscaped open space* required under paragraph (a), shall be in the form of *soft landscaping*; and (1996-0334)
  - (c) On a *lot* having a *lot frontage* equal to or greater than 9.15 metres, not less than 40 per cent of the *landscaped open space* required under paragraph (a), shall be in the form of *soft landscaping*. (1996-0334)

4. Maximum width of a front yard walkway

No person shall erect or use a *detached house, duplex, row house, rowplex, semi-detached duplex, semi-detached house, semi-detached triplex* or *triplex*, on a *lot* where a walkway exceeding a width of 1.06 metres is located between the *front lot line* and any wall of the building facing the *front lot line* as produced to the *side lot lines*. (1996-0334)

#### PART IV - PARKING

1. Parking or storage of trailers and motor vehicles

- (a) Subject to paragraph (d) no person shall, in an R district, use a *lot* for the parking or storage of a trailer or commercial motor vehicle.
- (b) Subject to paragraphs (c) and (d), no person shall, in an R district, use a building or structure for the housing or storage of a trailer or commercial motor vehicle.
- (c) Notwithstanding paragraph (b), a person who is the *owner* or occupant of a *lot*, building or structure in an R2, R3, R4 or R4A district, may personally use a building or structure that is *accessory* to the *lot*, building or structure of which that person is *owner* or occupant, for the housing or storage of one commercial motor vehicle. (425-93)

- (d) Notwithstanding paragraphs (a) and (b), a person who is the *owner* or occupant of a *lot*, building or structure in an R district, may personally use the *lot*, or a building or structure that is *accessory* to the *lot*, building or structure of which that person is *owner* or occupant, for the parking or storage of not more than one *camper trailer* or one boat trailer, provided: (425-93)
- (i) no person shall use a portion of a *lot* beyond the *main front wall* of a *residential building* on the *lot* for the purpose of parking or storing a *camper trailer* or boat trailer; and (527-1998)
- (ii) no electricity, water or gas supply is connected to a *camper trailer* while so parked or stored and the *camper trailer* while so parked or stored is not used for living accommodation or recreational use.
- (e) No person shall, in an R district, use a portion of a *lot* beyond the *front wall* of a *residential building* on the *lot* for the purpose of parking or storing a motor vehicle, but this paragraph does not apply to the casual use for that purpose of a properly constructed and surfaced driveway. (909-88)
- (f) Notwithstanding paragraph (e), a *parking space* required by this By-law for the addition of a second *dwelling unit* in an R1 or R1S district through the conversion of an existing residential building<sup>1</sup> to a *converted house*, may be provided on an existing driveway in front of the main front wall<sup>1</sup> of the residential building<sup>1</sup>. If a boulevard licence is issued for this *parking space*, the *parking space* may be located partially on the boulevard, but within the existing driveway . (493-2000, as amended by OMB Order issued on July 6, 2000 in Board File PL No. 990850)
- (g) and (h) Deleted by 1996-0334.

2. Access from a flanking street or public lane

No person shall erect or use a building or structure on a *lot* abutting a *flanking street* or a public lane, unless vehicle access to any *parking space* on the *lot* is provided only by means of either the *flanking street* or the public lane.

(1996-0334)

3. Restriction on front wall below grade and at grade integral garages

No person shall erect or use a building or structure for the purpose of a *detached house*, *duplex*, *row house*, *rowplex*, *semi-detached duplex*, *semi-detached house*, *semi-detached triplex* or *triplex*, having an integral *private garage*:

- (i) on a *lot* having a *lot frontage* less than 7.62 metres, if the floor level of the garage is located at or above *grade* and vehicle access to the garage is located in a wall of the building facing the *front lot line*, or
- (ii) on any *lot*, if the floor level of the garage is located below *grade* and vehicle access to the garage is located in a wall of the building facing the *front lot line*.

(1996-0334)

<sup>1</sup> Technical amendment is required to italicize "residential building" and "front wall".

4. Maximum driveway widths

No person shall erect or use a *detached house, duplex, row house, rowplex, semi-detached duplex, semi-detached house, semi-detached triplex* or *triplex* on a *lot*, where the width of the driveway located between the *front lot line* and any wall of the building facing the *front lot line* as produced to the *side lot lines* exceeds:

- (i) on a *lot* having a *lot frontage* of 9.15 metres or less, 2.6 metres; or
- (ii) on a *lot* having a *lot frontage* greater than 9.15 metres, 3.05 metres at the *front lot line* and a width of 4.9 metres at any wall of the building facing the *front lot line* as produced to the *side lot lines*, and no part of the driveway shall project beyond a straight line drawn between these limits.

(1996-0334)

5. Parking exemption

Subject to the provisions of Section 6(3) Part VII, Sections 4(4)(b) and 4(5)(b) shall not apply to require the provision of *parking spaces* if the *lot* cannot provide access to required motor vehicle parking on the *lot* in accordance with regulation 2 and

- (i) if, on a *lot* having *lot frontage* less than 7.62 metres, a deed to the *lot* was registered on or before July 2, 1996, and a *detached house, duplex, row house, rowplex, semi-detached duplex, semi-detached house, semi-detached triplex* or *triplex* is erected thereon after July 2, 1996,
- (ii) if,
  - A. on or after July 2, 1996, the *lot* has not already been the subject of a severance,
  - B. a *lot* is severed to create more than one *lot*,
  - C. in total on the remaining *lot* and all severed *lots*, there is to be erected no more than two *detached houses*, or a pair of *semi-detached houses*, or three *row houses*, and
  - D. each *lot* has a *lot frontage* less than 7.62 metres, or
- (iii) if an integral garage has been converted pursuant to regulation 3 of Section 6(3) Part I.

Despite this parking exemption, where motor vehicle parking is provided on a *lot*, the parking shall comply with the other requirements of Sections 6(3) Part III and 6(3) Part IV, except for the provisions of Section 6(3) Part IV 1(e), which shall not apply if the *parking space* is otherwise permitted under a valid licence issued by the City.

(1996-0334)

**PART V - LOADING/STORAGE**

none

**PART VI - PORCHES/ADDITIONS**

## 1. Additions to the rear of certain residential buildings: zone 0.6

None of the provisions of section 4 (2) and section 6(3) PART I 1, PART II 3, 4 and 5; and PART III 1 and PART VI 2; and nothing in the definitions of *residential gross floor area* and *landscaped open space* prevents, in a zone 0.6 area, the erection of an addition or additions, to the rear of a *detached house*, *semi-detached house*, or *duplex* erected before October 15, 1953, or to a *converted house* that had been erected as a *detached house* or *semi-detached house* before October 15, 1953, provided: (425-93) (1994-0532)

- (i) the *residential gross floor area* of the *residential building* as enlarged does not exceed 0.69 times the area of the *lot*; (425-93)
- (ii) no floor level of an addition is higher than the uppermost floor level, whether finished or not, in the existing *residential building*;
- (iii) no part of an addition is closer to the *rear lot line* than 7.5 metres;
- (iv) no part of an addition is closer to the nearest *side lot line* than the shortest distance by which the side wall of the existing *residential building* is from the *side lot line*;
- (v) the *depth* of the *residential building* including the addition or additions, does not exceed 17.0 metres; and
- (vi) the *residential building* including any prior additions erected after October 15, 1953 is at least 5 years old; and
- (vii) the *height* of the addition or additions, does not exceed the lesser of 10 metres and the *height* prescribed by section 4(2). (293-89) (425-93)

(909-88)

## 2. Reconstruction, replacement, enclosure, etc., of existing one-storey porch or verandah.

This by-law does not prevent the reconstruction, replacement, enclosure, extension, or reconstruction and extension, in an R district, of a lawfully constructed one-storey porch or verandah attached to a *residential building* listed below, provided any applicable conditions listed below are satisfied: (159-89)

<u>Form of Alteration</u>	<u>Type of Residential Building</u>
(i) reconstruction or replacement (total or partial) to or within the same outer limits of the existing structure;	<i>detached house;</i> <i>semi-detached house;</i> <i>row house;</i> <i>duplex;</i> <i>triplex;</i> <i>converted house;</i> <i>converted dwelling and rooming house;</i>
(ii) enclosure, provided:  A. the <i>residential building</i> including the whole of the verandah, was lawfully erected before October 15, 1953;  B. there is no enlargement of the verandah;	<i>detached house;</i> <i>semi-detached house;</i> <i>duplex;</i> <i>triplex;</i> <i>converted house</i> containing or proposed to contain not more than three <i>dwelling units</i>
For further clarity, no verandah that has been extended under subparagraph (ii) may be enclosed. (1994-0532)	
(iii) extension or reconstruction and extension, provided:  A. the porch or verandah is attached to the <i>front wall</i> or rear wall of the <i>residential building</i> ;  B. the <i>residential building</i> was lawfully erected before October 15, 1953;  C. the porch or verandah as extended or as reconstructed and extended, when within or projecting into a required <i>lot</i> line setback, does not extend beyond 2.5 metres from the <i>front wall</i> or rear wall, as the case may be, of the <i>residential building</i> and no part of the extension is closer to the <i>side lot lines</i> than the shortest distance by which the side walls of the <i>residential building</i> are setback from their respective <i>side lot lines</i> . (909-88)	<i>detached house;</i> <i>semi-detached house;</i> <i>duplex;</i> <i>triplex;</i> <i>converted house</i> containing or proposed to contain not more than three <i>dwelling units</i> ;

**PART VII - MINIMUM LOT FRONTAGE AND/OR LOT SIZE**

## 1. Minimum lot frontage: certain types of buildings

No person shall erect or use a

*detached house;*  
*semi-detached house;*  
*rowhouse;*  
*duplex;*  
*triplex;*  
*semi-detached duplex;*  
*semi-detached triplex;*  
*rowplex*  
*converted house*  
*rooming house*  
*converted dwelling and rooming house;* or  
*apartment building.*

on a *lot* in an R district, having a lesser *lot frontage* than:

- (i) the minimum *lot frontage* in metres for the *residential building* type as shown on the Height And Minimum Lot Frontage Map for the minimum *lot frontage* district in which the *lot* is located; or
- (ii) 6 metres if a minimum *lot frontage* is not specified for the *lot* or for the *residential building* type on a Height And Minimum Lot Frontage Map.

This regulation does not apply to a *lot* having a *lot frontage* less than that prescribed for it if a conveyance of the *lot* was registered on or before October 17, 1988 and provided: (293-89)  
(425-93)

- (iii) the *lot* complies with any other applicable restricted area or zoning by-law passed by the *Corporation* imposing a minimum *lot frontage* prior to October 17, 1988. (293-89)
- (iv) deleted by By-law 293-89. (909-88)

## 2. Exception: minimum lot frontage: Knox-Eastern

Deleted by By-law 909-88.

## 3. Exception: minimum lot frontage: Certain R2 and R3 districts in North Midtown.

Deleted by By-law 909-88.

## 4. Deleted by By-law 1994-0532.

**PART VIII - FRONTING OF BUILDINGS**

1. Deleted by By-law 1994-0532.

**PART IX - CONVEYANCE UNDER PLANNING ACT, 1990 (425-93)**

1. Parcel must be capable of conveyance under Planning Act when permit applied for
  - (a) No person shall, in an R district, erect or use a building or structure except on a parcel of land that could, at the time of application for a building permit, be conveyed in compliance with the provisions of the Planning Act.
  - (b) No person shall, in an R district, erect or use more than one building or structure, together with any building or structure that is *accessory* thereto, on a parcel of land that complies with paragraph (a).
  - (c) This regulation does not prevent:
    - (i) the erection or use of an addition to an existing building or structure that is not on a parcel of land complying with paragraph (a);
    - (ii) the replacement (in the case of destruction, or damage to the extent at least of 50 per cent of the value of the building before damage by fire, explosion, windstorm or Act of God, or in the case of demolition by lawful order of the *Corporation*, the Local Board of Health or other authority for health or sanitation reasons), of a building or structure that was not on a parcel of land complying with paragraph (a); or
    - (iii) the total or partial replacement, in the case of destruction or structural damage by the infestation of termites or other wood destroying insects, of a building or structure that was not on a parcel of land complying with paragraph (a).

**PART X - SIGNS**

1. Deleted by By-law 425-93.
2. Deleted by By-law 909-88.

**PART XI - EXCEPTIONS TO PERMITTED USES: RESTRICTIONS ON USE**

1. Dwelling units below grade
  - (a) No person shall, in an R district, erect or use a building or structure having more than one basement or floor level below or partly below *grade* containing *dwelling units*. (425-93)
  - (b) Deleted by By-law 425-93.
2. Accessory building or swimming pool in rear yard where lot abuts street or front and rear lot line

No person shall, on any *lot* in an R district, erect or use an *accessory* building or structure or a *privately-owned outdoor swimming pool*, in the rear yard of a *residential building* where both the *front lot line* and the *rear lot line* adjoin a *street* and the *street* adjoining the *rear lot line* is of a width of at least 9 metres. (159-89)
3. Deleted by By-law 909-88.