

RM-4

District Schedule

1 INTENT AND OVERVIEW

1.1 Intent

The intent of this schedule is to permit a variety of multiple dwelling forms including 4-storey apartments and 6-storey social housing apartments, to encourage the retention of existing buildings, and to achieve community and social objectives.

Without limitation, applicable Council policies and guidelines for consideration include the [RM-3A and RM-4 Guidelines for Social Housing](#).

1.2 Overview

The table below provides an overview of the outright and conditional approval uses in the RM-4 district, categorized by the minimum site area required, where applicable. Applicable density, form and placement regulations in section 3 of this schedule are cross-referenced in the third column.

Minimum Site Area	Use	Density, Form and Placement Regulations
550 m ²	Mixed-Use Residential Building that includes a Child Day Care Facility	3.1
	Multiple Dwelling	3.1
	Seniors Supportive or Independent Living Housing	3.4
	Rooming House	3.5
--	Duplex	3.2
	Single Detached House or Single Detached House with Secondary Suite	3.2
	Infill	3.3
	Other uses in section 2.1 of this schedule	3.5

2 USE REGULATIONS

2.1 Outright and Conditional Approval Uses

All outright and conditional approval uses are subject to all other provisions of this by-law, including [Section 2](#), [Section 10](#) and [Section 11](#), and compliance with the regulations of this schedule including section [2.2](#).

The uses identified in the table below as outright approval uses are permitted in these districts and will be issued a permit.

The uses identified in the table below as conditional approval uses may be approved in these districts by the Director of Planning or Development Permit Board, with or without conditions, if the Director of Planning or Development Permit Board considers:

- (a) the intent of this schedule and all applicable Council policies and guidelines; and
- (b) the submission of any advisory group, property owner or tenant.

Uses are listed under their general land use category. Applicable use-specific regulations in section [2.2](#) of this schedule are cross-referenced in the third column. Cross-references to applicable use-specific regulations are provided for information purposes only and do not form part of this by-law.

Use	Approval	Use-Specific Regulations
Agricultural Uses		
Urban Farm - Class A	Conditional	
Cultural and Recreational Uses		
Club	Conditional	2.2.1
Community Centre or Neighbourhood House	Conditional	
Library, in combination with Community Centre	Conditional	
Park or Playground	Conditional	
Dwelling Uses		
Duplex	Outright	
Infill Duplex	Conditional	
Infill Multiple Dwelling	Conditional	2.2.2
Infill Single Detached House	Conditional	
Mixed-Use Residential Building	Conditional	2.2.2 , 2.2.3
Multiple Conversion Dwelling, containing 2 dwelling units	Outright	2.2.4
Multiple Conversion Dwelling, not permitted as an outright approval use and resulting from the conversion of a building existing as of June 18, 1956	Conditional	2.2.2 , 2.2.5
Multiple Dwelling	Conditional	2.2.2

Use	Approval	Use-Specific Regulations
Rooming House	Outright	
Seniors Supportive or Independent Living Housing	Conditional	
Single Detached House	Outright	
Single Detached House with Secondary Suite	Conditional	
Institutional Uses		
Ambulance Station	Conditional	
Child Day Care Facility	Conditional	
Church	Conditional	
Community Care or Assisted Living Facility - Class A	Outright	2.2.6
Community Care or Assisted Living Facility - Class B	Conditional	
Group Residence	Conditional	
Hospital	Conditional	
Public Authority Use, essential in these districts	Conditional	
School - Elementary or Secondary	Conditional	
Social Service Centre	Conditional	
Retail Uses		
Farmers' Market	Conditional	2.2.7
Neighbourhood Grocery Store	Conditional	2.2.3
Public Bike Share	Conditional	
Shared E-Scooter System	Conditional	
Service Uses		
Bed and Breakfast Accommodation	Conditional	
Short Term Rental Accommodation	Conditional	
Utility and Communication Uses		
Public Utility	Conditional	
uncategorized		
Accessory Buildings, customarily ancillary to any use listed in this section 2.1	Outright	2.2.8
Accessory Buildings, customarily ancillary to any use listed in this section 2.1 and not permitted as an outright approval use	Conditional	
Accessory Uses, customarily ancillary to any outright approval use listed in this section 2.1	Outright	
Accessory Uses, customarily ancillary to any conditional approval use listed in this section 2.1	Conditional	

Use	Approval	Use-Specific Regulations
Deposition or extraction of material, which alters the configuration of the land	Conditional	

2.2 Use-Specific Regulations

2.2.1 Club may be permitted if no commercial activities are carried on and the use does not adversely impact dwelling uses.

2.2.2 Development on any site consisting of 3 or more dwelling units that:

- (a) requires the demolition, or change of use or occupancy of a rental housing unit on that site; or
- (b) would have required such demolition, or change of use or occupancy had a person, during the 3 years preceding the date of application for a development permit, not demolished 1 or more rental housing units or changed their use or occupancy,

is subject to the [Rental Housing Stock Official Development Plan](#).

2.2.3 The only non-dwelling uses permitted in a mixed-use residential building are:

- (a) child day care facility, provided that all residential floor area is developed as social housing; and
- (b) neighbourhood grocery store.

2.2.4 Multiple conversion dwelling containing 2 dwelling units is permitted as an outright approval use if:

- (a) there are no additions to the building;
- (b) no housekeeping or sleeping units are created; and
- (c) no development permit is issued until the requisite permits required by other by-laws that relate to design, construction and safety of buildings are issuable.

2.2.5 Multiple conversion dwelling that is not permitted as an outright approval use, resulting from the conversion of a building existing as of June 18, 1956, may be permitted as a conditional approval use if:

- (a) the Director of Planning considers the quality and liveability of the resulting units, the suitability of the building for conversion in terms of age and size and the impact of the conversion on adjacent properties and character of the area; and
- (b) building additions resulting in a total floor space ratio greater than 0.60 are in keeping with the character of the building.

2.2.6 Community care or assisted living facility - class A is subject to the regulations, variations and relaxations that apply to single detached house.

2.2.7 Farmers' market may be permitted if the Director of Planning considers the appropriateness of the use with respect to compatibility with nearby sites, parking, traffic, noise, hours of operation, size of facility and pedestrian amenity.

2.2.8 Accessory buildings customarily ancillary to any use listed in section 2.1 of this schedule are permitted as an outright approval use if:

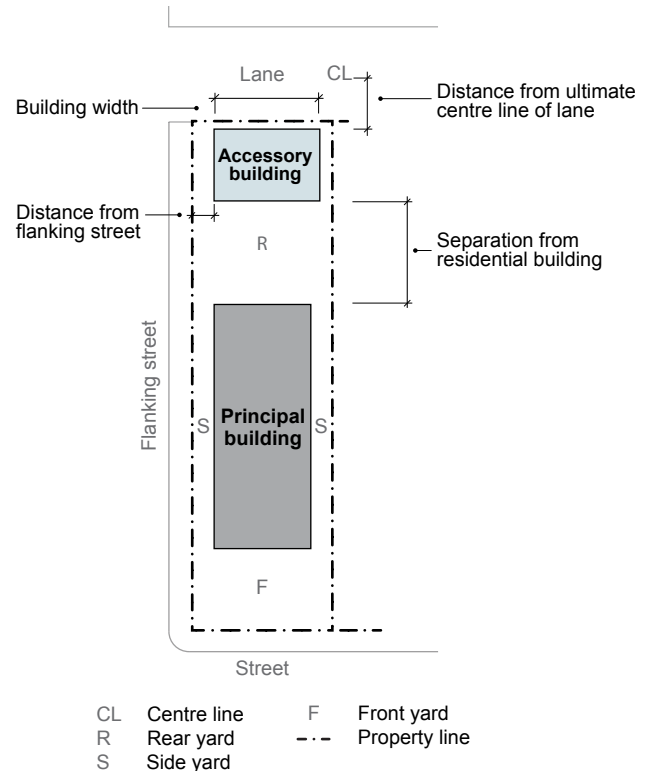
- (a) no accessory building exceeds 3.7 m in height measured to:
 - (i) the highest point of a flat roof,
 - (ii) the deck line of a mansard roof, or
 - (iii) the mean height between the eaves and the ridge of a gable, hip or gambrel roof,

provided that no portion of an accessory building exceeds 4.6 m in building height;

- (b) all accessory buildings are located:
 - (i) in the rear yard,
 - (ii) at least 3.1 m from the ultimate centre line of any rear or flanking lane, and
 - (iii) at least the width of the required side yard from a flanking street, subject also to the provisions of section 10.4 of this by-law;

- (c) the total floor area of all accessory buildings, measured to the extreme outer limits of the building, does not exceed 35% of the minimum rear yard required in this schedule, or 48 m², whichever is the greater;
- (d) the combined building width for all accessory buildings does not exceed 67% of the width of the site at the rear property line; and
- (e) the separation from any residential building is at least 3.7 m.

Diagram: Building placement for accessory building



3 DENSITY, FORM AND PLACEMENT REGULATIONS

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

3.1 Mixed-Use Residential Building that Includes a Child Day Care Facility, and Multiple Dwelling

Mixed-use residential building that includes a child day care facility, and multiple dwelling are subject to the following regulations.

3.1.1 Density and Floor Area

3.1.1.1 The maximum floor space ratio is 0.75, except that:

- (a) the Director of Planning may increase the permitted floor space ratio in accordance with section [3.1.2.12](#) of this schedule; or
- (b) the Director of Planning or Development Permit Board may increase the permitted floor space ratio to a maximum of 3.00 where 100% of the residential floor area is developed as social housing and the Director of Planning or Development Permit Board considers the intent of this schedule, all applicable Council policies and guidelines, and the submission of any advisory group, property owner or tenant.

3.1.2 Building Form and Placement

Regulations	RM-4
3.1.2.1 Minimum site area	550 m ²
3.1.2.2 Maximum site frontage	45.8 m
3.1.2.3 Maximum building height	10.7 m
3.1.2.4 Minimum front yard depth	6.1 m
3.1.2.5 Minimum side yard width	2.1 m
3.1.2.6 Minimum rear yard depth	10.7 m

Site Area

3.1.2.7 The Director of Planning may reduce the minimum site area:

- (a) to 500 m² if the lot was on record in the Land Title Office prior to March 9, 1976; or
- (b) if the Director of Planning considers the development site to consist of locked in lots and provided the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.

Building Height

3.1.2.8 Despite the maximum building height in section 3.1.2.3 above, no portion of the building may extend above an envelope formed by a vertical line measuring 7.3 m in height at the north, northeast or northwest property line and a plane formed by an angle of 120 degrees measured from the vertical and having its vertex at the maximum building height permitted at the north, northeast or northwest property line.

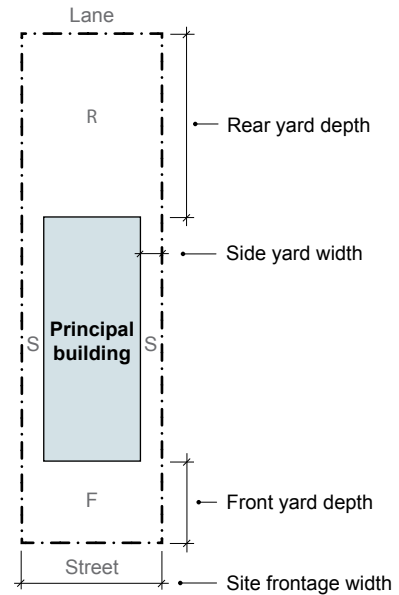
Side Yard

3.1.2.9 Despite the minimum side yard width in section 3.1.2.5 above, in the case of a corner site, the minimum width of an exterior side yard is 20% of the width of the site, except that it must not be less than 3.0 m in width and need not be more than 6.0 m in width.

Rear Yard

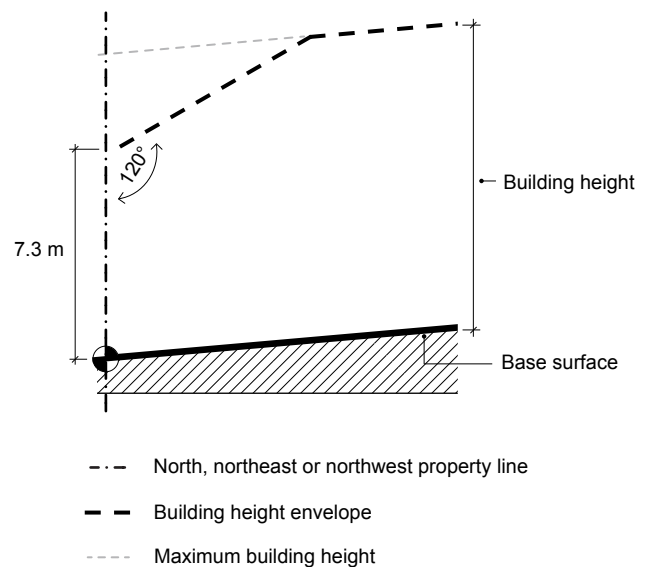
- 3.1.2.10 Despite the minimum rear yard depth in section 3.1.2.6 above:
- (a) where the rear of the site abuts a lane, the required minimum rear yard depth will be decreased by the lane width between the rear property line and the ultimate centre line of the lane;
 - (b) where the principal building or any portion thereof abutting the rear yard is 9.1 m or less in width and is located 7.6 m or more from an adjoining site, it may extend up to 3.0 m into the required rear yard; and
 - (c) where the principal building or any portion thereof abutting the rear yard is 15.3 m or less in width and is located 7.6 m or more from an adjoining site,

Diagram: Building placement for mixed-use residential building that includes a child day care facility, and multiple dwelling



R Rear yard F Front yard
S Side yard - - - Property line

Diagram: Maximum building height envelope



- - - North, northeast or northwest property line
- - - Building height envelope
- - - Maximum building height

and where the average distance from the building to the rear property line is 10.7 m, the building or that portion thereof may extend up to 3.0 m into the required rear yard.

Additional Discretion to Vary Regulations

- 3.1.2.11 Where 100% of the residential floor area is developed as social housing, and if the Director of Planning or Development Permit Board considers the intent of this schedule, all applicable Council policies and guidelines, and the submission of any advisory group, property owner or tenant, the Director of Planning or Development Permit Board may vary:
- (a) the maximum site frontage;
 - (b) the maximum building height to a height not exceeding 19.9 m;
 - (c) the minimum front yard depth;
 - (d) the minimum side yard width; and
 - (e) the minimum rear yard depth.
- 3.1.2.12 The Director of Planning may vary any of the regulations of this section 3.1 where the Director of Planning is satisfied that the variation will serve to accomplish certain social and community goals, including where possible the retention of existing buildings, having regard to the intent of this schedule and all applicable Council policies and guidelines, provided that:
- (a) all required parking spaces are provided underground or within the outermost walls of a building (but in no case with the floor of the parking area above the highest point of the finished grade around the building), except in the case of lots of 560 m² or less;
 - (b) useable on-site open space is provided;
 - (c) a minimum of 20% of total units within any multiple dwelling building contain 2 or more bedrooms;
 - (d) the site coverage does not exceed 65%; and
 - (e) the floor space ratio does not exceed 1.45.

3.2 Duplex, Single Detached House, and Single Detached House with Secondary Suite

Duplex, single detached house, and single detached house with secondary suite are subject to the following regulations.

3.2.1 Density and Floor Area

3.2.1.1 The maximum floor space ratio is 0.60, except that the Director of Planning may increase the permitted floor space ratio in accordance with section 3.2.2.7 of this schedule.

3.2.2 Building Form and Placement

Regulations	RM-4
3.2.2.1 Maximum building height	10.7 m
3.2.2.2 Minimum front yard depth	6.1 m
3.2.2.3 Minimum side yard width where the side width:	
(a) does not exceed 15.0 m	10% of the site width
(b) exceeds 15.0 m	1.5 m
3.2.2.4 Minimum rear yard depth	10.7 m

Building Height

3.2.2.5 Despite the maximum building height in section 3.2.2.1 above, no portion of the building may extend above an envelope formed by a vertical line measuring 7.3 m in height at the north, northeast or northwest property line and a plane formed by an angle of 120 degrees measured from the vertical and having its vertex at the maximum building height permitted at the north, northeast or northwest property line.

Rear Yard

3.2.2.6 Despite the minimum rear yard depth in section 3.2.2.4 above:

- (a) where the rear of the site abuts a lane, the required minimum rear yard depth will be decreased by the lane width between the rear property line and the ultimate centre line of the lane;
- (b) where the principal building or any portion thereof abutting the rear yard is 9.1 m or less in width and is located 7.6 m or more from an adjoining site, it may extend up to 3.0 m into the required rear yard; and
- (c) where the principal building or any portion thereof abutting the rear yard is 15.3 m or less in width and is located 7.6 m or more from an adjoining site, and where the average distance from the building to

the rear property line is 10.7 m, the building or that portion thereof may extend up to 3.0 m into the required rear yard.

Additional Discretion to Vary Regulations

3.2.2.7 The Director of Planning may vary any of the regulations of this section 3.2 where the Director of Planning is satisfied that the variation will serve to accomplish certain social and community goals, including where possible the retention of existing buildings, having regard to the intent of this schedule and all applicable Council policies and guidelines, provided that the floor space ratio does not exceed 1.00.

Diagram: Building placement for duplex, single detached house and single detached house with secondary suite

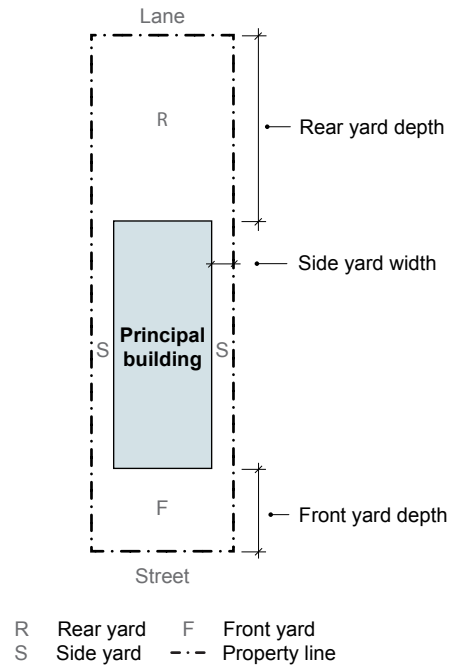
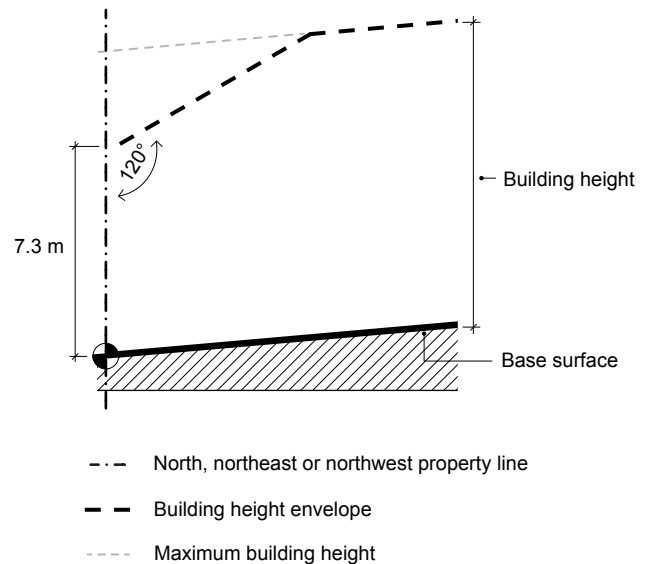


Diagram: Maximum building height envelope



3.3 Infill

Infill is subject to the following regulations.

3.3.1 Density and Floor Area

The maximum floor space ratio is 0.75 for the overall site, except that the Director of Planning may increase the permitted floor space ratio in accordance with section 3.3.2.6 of this schedule.

3.3.2 Building Form and Placement

Regulations	RM-4
3.3.2.1 Maximum building height	10.7 m
3.3.2.2 Minimum front yard depth	6.1 m
3.3.2.3 Minimum rear yard depth	10.7 m

Building Height

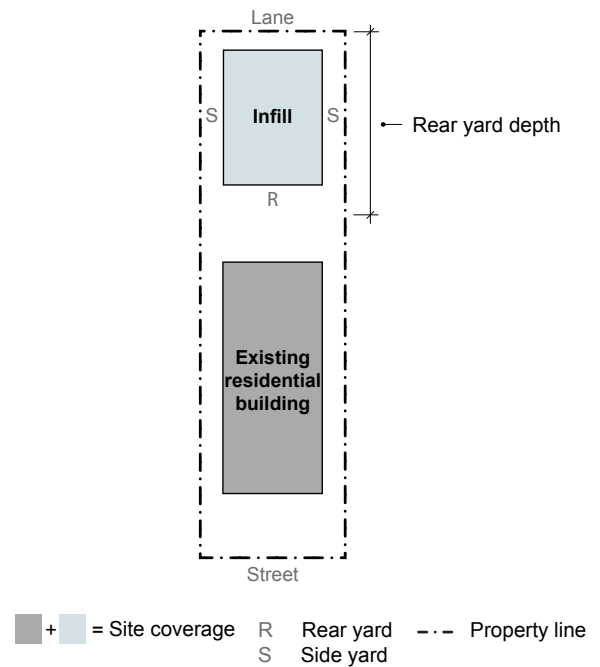
3.3.2.4 Despite the maximum building height in section 3.3.2.1 above, no portion of the building may extend above an envelope formed by a vertical line measuring 7.3 m in height at the north, northeast or northwest property line and a plane formed by an angle of 120 degrees measured from the vertical and having its vertex at the maximum building height permitted at the north, northeast or northwest property line.

Rear Yard

3.3.2.5 Despite the minimum rear yard depth in section 3.3.2.3 above:

- (a) where the rear of the site abuts a lane, the required minimum rear yard depth will be decreased by the lane width between the rear property line and the ultimate centre line of the lane;
- (b) where the principal building or any portion thereof abutting the rear yard is 9.1 m or less in width and is located 7.6 m or more from an adjoining site, it may extend up to 3.0 m into the required rear yard; and

Diagram: Building placement for infill

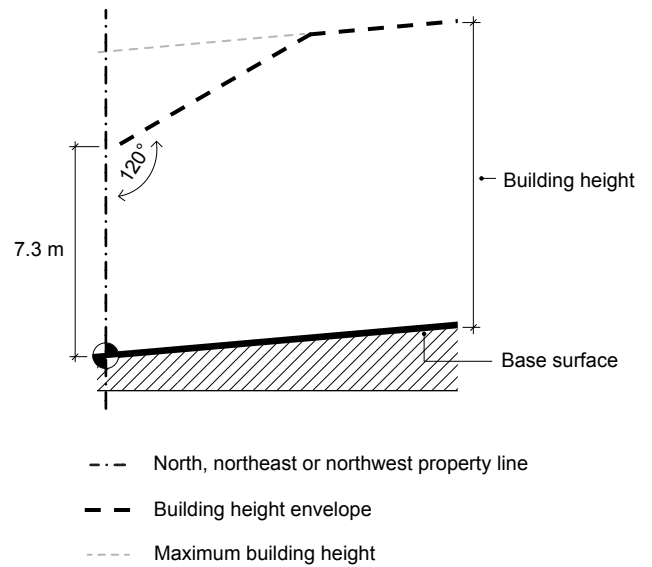


- (c) where the principal building or any portion thereof abutting the rear yard is 15.3 m or less in width and is located 7.6 m or more from an adjoining site, and where the average distance from the building to the rear property line is 10.7 m, the building or that portion thereof may extend up to 3.0 m into the required rear yard.

Additional Discretion to Vary Requirements

3.3.2.6 The Director of Planning may vary any of the regulations of this section 3.3 where the Director of Planning is satisfied that the variation will serve to accomplish certain social and community goals, including where possible the retention of existing buildings, having regard to the intent of this schedule and all applicable Council policies and guidelines, provided that the floor space ratio does not exceed 1.45.

Diagram: Maximum building height envelope



3.4 Seniors Supportive or Independent Living Housing

Seniors supportive or independent living housing is subject to the following regulations.

3.4.1 Density and Floor Area

3.4.1.1 The maximum floor space ratio is 0.75, except that the Director of Planning may increase the permitted floor space ratio in accordance with section 3.4.2.10 of this schedule.

3.4.2 Building Form and Placement

Regulations	RM-4
3.4.2.1 Minimum site area	550 m ²
3.4.2.2 Maximum building height	10.7 m
3.4.2.3 Minimum front yard depth	6.1 m
3.4.2.4 Minimum side yard width	2.1 m
3.4.2.5 Minimum rear yard depth	10.7 m

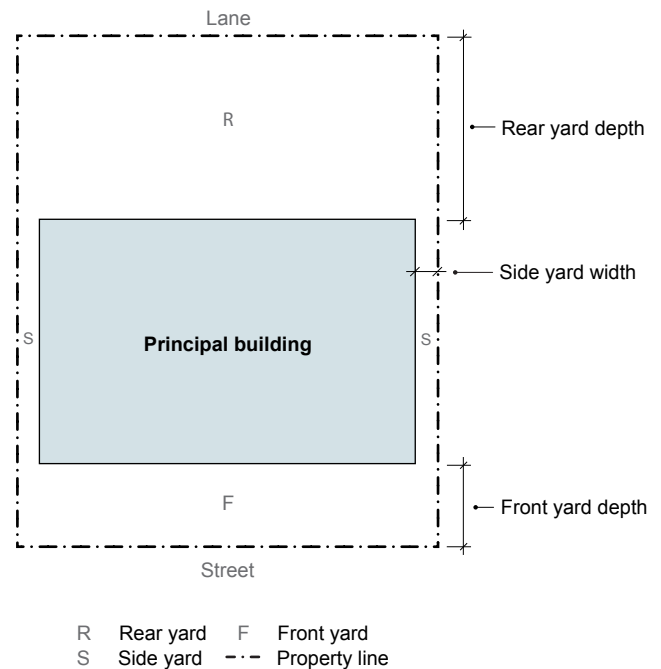
Site Area

- 3.4.2.6 The Director of Planning may reduce the minimum site area to 500 m² if:
- (a) the lot was on record in the Land Title Office prior to March 9, 1976; or
 - (b) the Director of Planning considers the development site to consist of locked in lots and provided the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.

Building Height

3.4.2.7 Despite the maximum building height in section 3.4.2.2 above, no portion of the building may extend above an envelope formed by a vertical line measuring 7.3 m in height at the north, northeast or northwest property line and a plane formed by an angle

Diagram: Building placement for seniors supportive or independent living housing



of 120 degrees measured from the vertical and having its vertex at the maximum building height permitted at the north, northeast or northwest property line.

Side Yard

3.4.2.8 Despite the minimum side yard width in section 3.4.2.4 above, in the case of a corner site, the minimum width of an exterior side yard is 20% of the width of the site, except that it must not be less than 3.0 m in width and need not be more than 6.0 m in width.

Rear Yard

3.4.2.9 Despite the minimum rear yard depth in section 3.4.2.5 above:

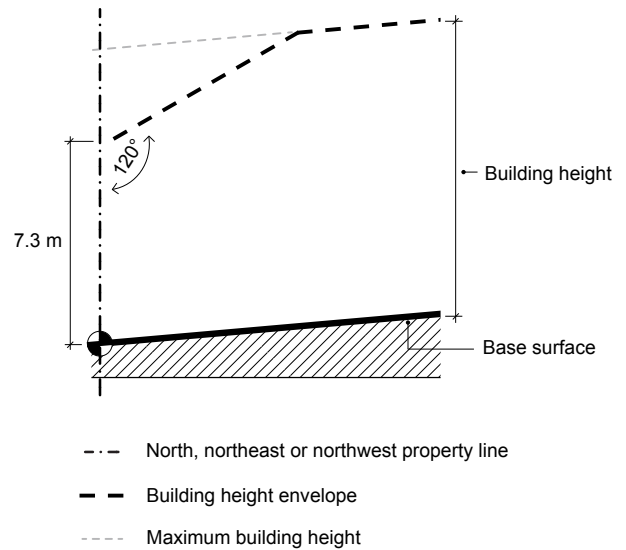
- (a) where the rear of the site abuts a lane, the required minimum rear yard depth will be decreased by the lane width between the rear property line and the ultimate centre line of the lane;
- (b) where the principal building or any portion thereof abutting the rear yard is 9.1 m or less in width and is located 7.6 m or more from an adjoining site, it may extend up to 3.0 m into the required rear yard; and
- (c) where the principal building or any portion thereof abutting the rear yard is 15.3 m or less in width and is located 7.6 m or more from an adjoining site, and where the average distance from the building to the rear property line is 10.7 m, the building or that portion thereof may extend up to 3.0 m into the required rear yard.

Additional Discretion to Vary Regulations

3.4.2.10 The Director of Planning may vary any of the regulations of this section 3.4 where the Director of Planning is satisfied that the variation will serve to accomplish certain social and community goals, including where possible the retention of existing buildings, having regard to the intent of this schedule and all applicable Council policies and guidelines, provided that:

- (a) all required parking spaces are provided underground or within the outermost walls of a building (but in no case with the floor of the parking area above the highest point of the finished grade around the building), except in the case of lots of 560 m² or less;
- (b) useable on-site open space is provided;
- (c) the site coverage does not exceed 65%; and
- (d) the floor space ratio does not exceed 1.45.

Diagram: Maximum building height envelope



3.5 Other Uses

Uses not regulated by sections 3.1 to 3.4 of this schedule are subject to the following regulations.

3.5.1 Density and Floor Area

3.5.1.1 The maximum floor space ratio is 0.75, except that the Director of Planning may increase the permitted floor space ratio for additions to existing buildings in accordance with section 3.5.2.10 of this schedule.

3.5.2 Building Form and Placement

Regulations	RM-4
3.5.2.1 Minimum site area for rooming house	550 m ²
3.5.2.2 Maximum building height	10.7 m
3.5.2.3 Minimum front yard depth	6.1 m
3.5.2.4 Minimum side yard width	2.1 m
3.5.2.5 Minimum rear yard depth	10.7 m

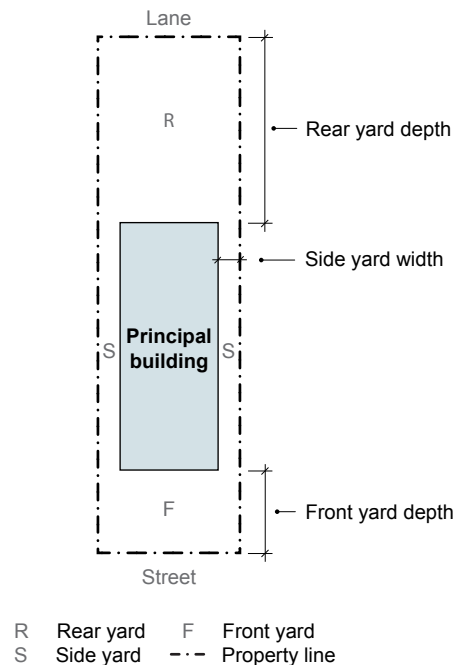
Site Area

- 3.5.2.6 The Director of Planning may reduce the minimum site area:
- (a) to 500 m² if the lot was on record in the Land Title Office prior to March 9, 1976; or
 - (b) if the Director of Planning considers the development site to consist of locked in lots and provided the Director of Planning also considers the intent of this schedule and all applicable Council policies and guidelines.

Building Height

3.5.2.7 Despite the maximum building height in section 3.5.2.2 above, no portion of the building may extend above an envelope formed by a vertical line measuring 7.3 m in height at the north, northeast or northwest

Diagram: Building placement for principal building



property line and a plane formed by an angle of 120 degrees measured from the vertical and having its vertex at the maximum building height permitted at the north, northeast or northwest property line.

Side Yard

3.5.2.8 Despite the minimum side yard width in section 3.5.2.4 above, in the case of a corner site, the minimum width of an exterior side yard is 20% of the width of the site, except that it must not be less than 3.0 m in width and need not be more than 6.0 m in width.

Rear Yard

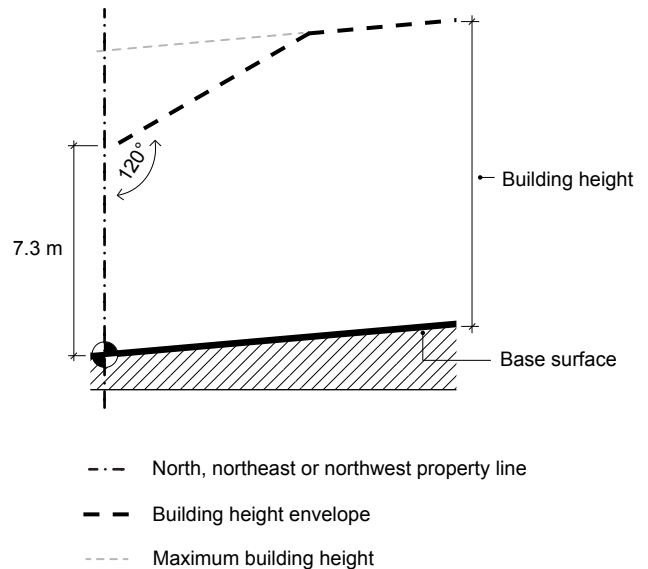
3.5.2.9 Despite the minimum rear yard depth in section 3.5.2.5 above:

- (a) where the rear of the site abuts a lane, the required minimum rear yard depth will be decreased by the lane width between the rear property line and the ultimate centre line of the lane;
- (b) where the principal building or any portion thereof abutting the rear yard is 9.1 m or less in width and is located 7.6 m or more from an adjoining site, it may extend up to 3.0 m into the required rear yard; and
- (c) where the principal building or any portion thereof abutting the rear yard is 15.3 m or less in width and is located 7.6 m or more from an adjoining site, and where the average distance from the building to the rear property line is 10.7 m, the building or that portion thereof may extend up to 3.0 m into the required rear yard.

Additional Discretion to Vary Regulations

3.5.2.10 The Director of Planning may vary any of the regulations of this section 3.5 for additions to existing buildings, where the Director of Planning is satisfied that the variation will serve to accomplish certain social and community goals, including where possible the retention of existing buildings, having regard to the intent of this schedule and all applicable Council policies and guidelines, provided that the floor space ratio does not exceed 1.45.

Diagram: Maximum building height envelope



4 GENERAL REGULATIONS

All uses in these districts are subject to the following regulations.

4.1 Computation of Floor Area

4.1.1 Computation of floor area must include:

- (a) all floors having a minimum ceiling height of 1.2 m, including earthen floor, both above and below ground level, measured to the extreme outer limits of the building including accessory buildings; and
- (b) stairways, fire escapes, elevator shafts and other features that the Director of Planning considers similar to the foregoing, measured by their gross cross-sectional areas and included in the measurements for each floor at which they are located.

4.1.2 Computation of floor area must exclude:

- (a) balconies and decks, and any other appurtenances that the Director of Planning considers similar to the foregoing, provided that the total area of these exclusions does not exceed 12% of the permitted floor area for multiple dwellings and mixed-use residential buildings and 8% of the permitted floor area for all other uses;
- (b) patios and roof decks, if the Director of Planning considers the impact on privacy and overlook;
- (c) floors or portion of floors used for off-street parking and loading, the taking on or discharging of passengers, bicycle storage, heating and mechanical equipment, or uses that the Director of Planning considers similar to the foregoing, which are:
 - (i) at or below the base surface, provided that the maximum exclusion for a parking space does not exceed 7.3 m in length, or
 - (ii) above the base surface and where developed as off-street parking are located in an accessory building situated in the rear yard, provided that the maximum exclusion for a parking space does not exceed 7.3 m in length;
- (d) amenity areas, including child day care facilities, recreation facilities and meeting rooms, to a maximum floor area of 10% of the total permitted floor area, if the Director of Planning is satisfied that there is a need for a child day care facility in the immediate neighbourhood;
- (e) areas of undeveloped floors that are located:
 - (i) above the highest storey or partial storey, and to which there is no permanent means of access other than a hatch, or
 - (ii) adjacent to a storey or partial storey with a ceiling height of less than 1.2 m;
- (f) for multiple dwelling and mixed-use residential building, all residential storage area below base surface;

- (g) for multiple dwelling and mixed-use residential building, all residential storage area above base surface, except that residential storage area above base surface exceeds 3.7 m² per dwelling unit, there will be no exclusion for any of the residential storage area above base surface for that unit;
- (h) above grade floor area built as open to below, designed in combination with venting skylights, opening clerestory windows or other similar features that, in the opinion of the Director of Planning, reduce energy consumption or improve natural light and ventilation to a maximum exclusion of 1% of permitted floor area;
- (i) entries, porches and verandahs, and covered porches above the first storey if:
 - (i) the side facing the street or rear property line is open or protected by guards that do not exceed the required minimum height, and
 - (ii) the total area of these exclusions, when combined with the balcony and deck exclusions under section 4.1.2(a) above, does not exceed 16% of the permitted floor area for multiple dwellings and mixed-use residential buildings, and 13% of the permitted floor area for all other uses; and
- (j) unconditioned floor areas with a ceiling height or height to the underside of joists of less than 2.0 m, located below the floors of entries, porches and verandahs complying with section 4.1.2(i) above, to which there is no access from the interior of the building.

4.2 Site Coverage

- 4.2.1 The maximum site coverage for any portion of the site used as parking area is 30%.

4.3 Access to Natural Light

- 4.3.1 Each habitable room must have at least 1 window on an exterior wall of a building.
- 4.3.2 For the purposes of section 4.3.1 above, habitable room means any room except a bathroom or kitchen.