

Section 5

Exemptions From Development Permit Requirement

A person who complies in all other respects with this By-law, the Parking By-law, other City by-laws, any official Development Plan, and any development permit, to the extent any of them apply to that person's site, need not obtain a development permit for the following development and uses:

- 5.1** The maintenance or minor repair of any building, structure or use, except for a building, structure, use or site designated under the Heritage By-law or located in an HA District. The Director of Planning may exempt an applicant from the requirement of a development permit in an HA District where he is satisfied that the maintenance or repair does not contravene the relevant provisions of the By-law or any applicable Official Development Plan, policies or guidelines adopted by Council.
- 5.2** The construction or use of an accessory building or an accessory use that is permitted outright in the District Schedule and located on the same site as the principal building or use.
- 5.3** The construction or placing of tool sheds, construction shacks, scaffolding or similar temporary buildings, required for a limited period of time, intended solely to serve a development or activity that is being carried out in compliance with this By-law, and located on the same site or on an adjoining parcel.
- 5.4** The installation, inspection, repair or renewal of sewers, mains, pipes, cables, wires or other similar apparatus required in connection with any lawful use of buildings or land.
- 5.5** The construction and maintenance of that part of a public utility placed in or upon a public thoroughfare or public utility easement.
- 5.6** The construction, widening, improvement, maintenance or repair of any highway, lane, street, bridge or other public thoroughfare.
- 5.7** The demolition of any building, except for a building:
 - (a) used for residential rental accommodation;
 - (b) listed on the Heritage Register; or
 - (c) used for residential accommodation in the RS-1, RS-3 and RS-3A, RS-5, RS-6, RS-7 or First Shaughnessy District (FSD), except that this section 5.7 does not apply to any building that is:
 - (i) residential rental accommodation subject to the provisions of section 10.12.3,
 - (ii) subject to a demolition order,
 - (iii) subject to demolition as a condition of subdivision approval, or
 - (iv) used for residential accommodation in the RS-1, RS-3 and RS-3A, RS-5, RS-6, RS-7 or First Shaughnessy District (FSD), not listed on the Heritage Register, and for which a building permit has been issued to demolish by deconstruction.
- 5.8** The placing or maintenance of any fence or similar enclosure structure except those requiring the permission of the Director of Planning or the Development Permit Board.
- 5.9** The keeping of not more than two boarders or lodgers or the keeping of not more than five foster or eight daycare children in each dwelling unit.
- 5.10** The keeping of animals or birds for domestic purposes, except as otherwise prohibited or regulated by the Health By-law.

- 5.11** The renting of no more than one off-street parking space accessory to a one-family or a two-family dwelling, so long as the space is surplus to the minimum parking requirements of the dwelling.
- 5.12** The provision of recreation rooms or extra bedrooms in the basement of a one or two-family dwelling.
- 5.13** The engaging in a homecraft, subject to the provisions of subsection 11.6 of section 11 of this By-law.
- 5.14** The change in use from a lawfully existing use that is listed in Column A to a use listed opposite in Column B. [Check Parking By-law].

COLUMN A**From**

1. Multiple conversion dwelling or rooming house.
2. Multiple conversion dwelling.
3. Except as provided in clause 4 herein, any use located in any district and listed in the applicable District Schedule as an outright or conditional use, except for live-work use.
4. Any use located in an industrial district and listed in the applicable District Schedule as an outright or conditional use, but not including a storage warehouse or any use where the number of parking and loading spaces has been relaxed.

COLUMN B**To**

- One-family dwelling.
- Multiple conversion dwelling containing the same or fewer units in total, except in RT-4, RT-4A, RT-4AN and RT-4N, RT-5 and RT-5N, RT-6, RT-7, RT-8, RT-9, RT-10 and RT-10N, RT-11 and RT-11N, RM-1 and RM-1N, RM-7, RM-7N and RM-7AN, RM-8 and RM-8N or RM-9, RM-9A, RM-9N, RM-9AN, RM-10 and RM-10N and RM-9BN district or districts and in the First Shaughnessy District (FSD).
- Any outright use listed in the same District Schedule.
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- 5.15** The construction of antennae, including satellite dishes, provided:
- (a) they are used for domestic purposes if located in an R district; and
 - (b) they are located in the rear yard and are no higher than 1.9 m above the existing grade, or in the case of satellite dishes, comply with the height regulations of the district in which they are located and do not exceed 77 cm. in diameter.
- 5.16** The placing of a mural on a hoarding where at least 50 percent of the hoarding is located on a street or lane.
- 5.17** The repair or alteration of any building, structure or use to rectify an unsafe condition if correction of such unsafe condition has been ordered by the City Building Inspector.

- 5.18** Outside the projected area of the outermost walls of all principal or accessory buildings on the site, the installation, repair, or replacement of impermeable materials permitted under section 4.8 of each of the RS-1, RS-1A, RS-1B, RS-2, RS-3, RS-3A, RS-4, RS-5, RS-6, and RS-7 District Schedules.
- 5.19** The installation and maintenance of a Public Bike Share Station as part of a Public Bike Share use, provided that the Public Bike Share Station:
- (a) does not include any enclosed structures;
 - (b) is automated;
 - (c) does not interfere with any public works, facilities or amenities; and
 - (d) is part of a network comprised of no fewer than 50 Public Bike Share Stations.
- 5.20** An arts and culture indoor event.
- 5.21** An Urban Farm - Class A, provided that:
- (a) the planting area of the parcel does not exceed 325 m² (0.0325 hectares); and
 - (b) the Urban Farm - Class A otherwise complies with sections 11.29.3 to 11.29.11 of the Zoning and Development By-law.

