

BY-LAW NO.12731

**A By-law to amend
Zoning and Development By-law No. 3575
regarding porches, decks and balconies**

THE COUNCIL OF THE CITY OF VANCOUVER, in public meeting, enacts as follows:

1. This By-law amends the indicated provisions of By-law No. 3575.
2. In section 2, Council adds the following definitions in the correct alphabetical order:
 - (a) "Awning A semi-rigid or retractable framed structure that:
 - (a) projects from a building face;
 - (b) generally provides weather and shade protection;
 - (c) is covered in a flexible material; and
 - (d) is entirely supported by the building.";
 - (b) "Balcony A platform providing useable outdoor space that:
 - (a) projects from a building or is recessed into a building;
 - (b) is only accessed from within the building;
 - (c) may be covered by a roof or floor above; and
 - (d) is not enclosed, except for a required guard, or where it is recessed between adjacent walls.";
 - (c) "Balcony, Enclosed A platform that is enclosed on all sides to provide protection from weather or noise that:
 - (a) projects from a building or is recessed into a building;
 - (b) is only accessed from within the building; and
 - (c) is not conditioned by heat or air conditioning.";
 - (d) "Canopy A rigid, roof-like structure that:
 - (a) projects from a building face;
 - (b) generally provides weather and shade protection; and
 - (c) is entirely supported by the building.";
 - (e) "Deck A platform providing useable outdoor space that:
 - (a) projects from a building and is generally supported on posts;
 - (b) is accessed from within the building, and may also be accessed from grade;
 - (c) generally has a surface height, at any point, greater than 600mm above grade; and

- (d) is not enclosed, except for a required guard.”;
- (f) “Entry, Porch and Verandah A platform that is located at an entrance to a building that:
 - (a) projects from the building or is recessed into the building;
 - (b) is covered by a roof or floor above to provide weather protection;
 - (c) may be supported on posts;
 - (d) is at grade or has stairs from grade; and
 - (e) is open, other than with a required guard, on at least one side.”;
- (g) “Patio A platform providing useable outdoor space that:
 - (a) is not enclosed; and
 - (b) generally has a surface height, at any point, no greater than 600 mm above finished grade.”;
- (h) “Porch See definition for Entry, Porch and Verandah.”;
- (i) “Roof Deck A platform providing useable outdoor space that:
 - (a) is located in such a way as to form a roof over an existing or proposed floor below;
 - (b) is primarily accessed from within a building;
 - (c) is not covered;
 - (d) is not enclosed, except for a required guard, or where it is located next to a portion of the same building or an adjacent building; and
 - (e) may include a garden or planted area.”; and
- (j) “Verandah See definition for Entry, Porch and Verandah.”.

3. In section 2, Council:

- (a) under the definition for “Dwelling Uses”, strikes out “Principle Dwelling Unit with Lock-off” and substitutes “Principal Dwelling Unit with Lock-off”; and
- (b) strikes out the definition of “Service Bay”.

4. In section 10, Council:

- (a) in section 10.6.2(a)(iii), strikes out “guard rails which do not exceed the minimum height specified in the Building By-law” and substitutes “guards that do not exceed the required minimum height”;
- (b) renumbers section 10.18.5 as 10.18.4;

- (c) renumbers section 10.18.6 as 10.18.5;
 - (d) in the renumbered section 10.18.5, strikes out “10.18.5” and substitutes “10.18.4”; and
 - (e) in section 10.32.1(c)(i), strikes out “1.2 m” and substitutes “1.8 m”.
5. In section 11, Council:
- (a) in section 11.17.1, strikes out “covered porches” and substitutes “entries and porches”;
 - (b) in section 11.17.9, strikes out “Open balconies, sundecks” and substitutes “Balconies, decks”;
 - (c) in section 11.17.24(c), strikes out “covered porches” and substitutes “entries and porches”;
 - (d) in section 11.17.24(c)(iv), strikes out “from the porch floor” and substitutes “from the entry or porch floor”;
 - (e) in section 11.17.25(a), strikes out “open balconies, sundecks” wherever it appears and substitutes “balconies, decks”;
 - (f) in section 11.17.25(b), strikes out “approves the design of sunroofs, walls, and railings” and substitutes “considers the effect on privacy and overlook”; and
 - (g) in section 11.17.26(a), strikes out “an open balcony, sundeck” and substitutes “a balcony, deck”.
6. In the district schedules, including the comprehensive development district schedules, Council:
- (a) strikes out “sundeck” wherever it appears and substitutes “deck”;
 - (b) strikes out “sun deck” wherever it appears and substitutes “deck”;
 - (c) strikes out “sundecks” wherever it appears and substitutes “decks”;
 - (d) strikes out “sun decks” wherever it appears and substitutes “decks”;
 - (e) except in section 4.17.9 of the RS-6 and the RS-7 district schedules, strikes out “roof gardens” wherever it appears and substitutes “roof decks”;
 - (f) strikes out “roof garden” wherever it appears and substitutes “roof deck”;
 - (g) except in section 4.17.4 of the RS-2 District Schedule, section 4.17.8 of the RS-5 District Schedule, sections 4.4.4(b), 4.6.3(b), 4.17.13(d) and 4.17.42 of the RS-6 District Schedule, sections 4.17.13(d) and 4.17.42 of the RS-7 District Schedule, and section 4.17.4 of the RT-5 and RT-5N Districts Schedule, strikes out “covered entry” wherever it appears and substitutes “entry, porch or verandah”;

- (h) in section 4.17.4 of the RS-2 District Schedule, section 4.17.8 of the RS-5 District Schedule, sections 4.4.4(b), 4.6.3(b), 4.17.13(d) and 4.17.42 of the RS-6 District Schedule, sections 4.17.13(d) and 4.17.42 of the RS-7 District Schedule, and section 4.17.4 of the RT-5 and RT-5N Districts Schedule, strikes out “a covered entry” wherever it appears and substitutes “an entry, porch or verandah”;
- (i) strikes out “covered porches and entries” wherever it appears and substitutes “entries, porches and verandahs”;
- (j) strikes out “Covered porches” wherever it appears and substitutes “Entries, porches and verandahs”;
- (k) strikes out “covered porches” wherever it appears and substitutes “entries, porches and verandahs”;
- (l) strikes out “covered porch” wherever it appears and substitutes “entry, porch and verandah”;
- (m) strikes out “30 percent” wherever it appears and substitutes “30%”; and
- (n) strikes out “porch floor” wherever it appears and substitutes “entry, porch or verandah floor”.

7. In section 2.2.A(b) of the RT-7 and RT-8 district schedules, Council strikes out “the Director of Planning may permit an increase in height to allow railings the height of which shall not exceed the minimum specified in the Building By-law” and substitutes “the Director of Planning may permit an increase in height to allow guards that do not exceed the required minimum height”.

8. In section 2.2.A(e) of the RT-9 District Schedule, Council strikes out “are not located on an accessory building, unless the site depth is 30.5 m or less, in which case the Director of Planning may also permit an increase in height of a flat roof to allow open deck railings the height of which shall not exceed the minimum specified in the Building By-law” and substitutes “are not located on an accessory building, unless the site depth is 30.5 m or less, in which case the Director of Planning may permit an increase in height of a flat roof to allow guards that do not exceed the required minimum height”.

9. In section 3.2.R of the RM-9, RM-9A, RM-9N, RM-9AN and RM-9BN Districts Schedule, Council strikes out “subject to the provisions of Section 11.21 of this By-law,”.

10. In section 3.2.S of the RM-7, RM-7N and RM-7AN Districts Schedule, Council strikes out “Short Term Accommodation” and substitutes “Short Term Rental Accommodation”.

11. In section 4(b) of the RT-11 and RT-11N Districts Schedule, Council strikes out “and is regulated by section 11.24 of this by-law”.

12. In section 4.1.4 of the RM-9, RM-9A, RM-9N, RM-9AN and RM-9BN Districts Schedule, Council strikes out “4.1.2” and substitutes “4.1.3”.

13. Council adds a new section 4.4.2 to the RA-1 District Schedule as follows:

- “4.4.2 Entries, porches and verandahs complying with the conditions of subsection 4.7.3(c) are permitted to project a maximum of 1.8 m into the required front yard, provided that such a projection is limited to 30% of the width of the building.”.
14. In the RM-2, RM-3, RM-3A, and RM-4 and RM-4N district schedules, Council adds a new section 4.4.2 as follows:
- “4.4.2 Entries, porches and verandahs complying with the conditions of subsection 4.7.3(h) are permitted to project a maximum of 1.8 m into the required front yard.”.
15. In the RT-1, RT-2, RT-7, RT-8, and RT-9 district schedules, Council adds a new section 4.4.3 as follows:
- “4.4.3 Entries, porches and verandahs complying with the conditions of subsection 4.7.3(g) are permitted to project a maximum of 1.8 m into the required front yard.”.
16. In section 4.4.3 of the RS-1A, RS-1B, and RS-2 district schedules, Council strikes out “For two-family dwellings and two-family dwellings with secondary suite, entries” and substitutes “Entries”.
17. In the RT-4, RT-4A, RT-4N and RT-4AN Districts Schedule, Council adds a new section 4.4.4 as follows:
- “4.4.4 Entries, porches and verandahs complying with the conditions of subsection 4.7.3(g) are permitted to project a maximum of 1.8 m into the required front yard.”.
18. In the RM-6 District Schedule, Council adds a new section 4.4.3 as follows:
- “4.4.3 Entries, porches and verandahs complying with the conditions of subsection 4.7.3(j) are permitted to project a maximum of 1.8 m into the required front yard.”.
19. In the RM-10 and RM-10N Districts Schedule, Council strikes out section 4.4.3 and substitutes the following:
- “4.4.3 Entries, porches and verandahs complying with the conditions of subsection 4.7.9(j) are permitted to project a maximum of 1.8 m into the required front yard.”.
20. In section 4.4.3 of the RT-6 District Schedule, Council strikes out “1.6 m” and substitutes “1.8 m”.
21. In the RM-9, RM-9A, RM-9N, RM-9AN and RM-9BN Districts Schedule, Council:
- (a) in section 4.4.3:

- (i) strikes out “section 4.7.13(i)” and substitutes “section 4.7.15(j)”; and
 - (ii) strikes out “1.2 m” and substitutes “1.8 m”; and
 - (b) in section 4.4.4, strikes out “1.2 m” and substitutes “1.8 m”.
22. In section 4.4.3 of the RM-11 and RM-11N, and RM-12N district schedules, Council strikes out “1.5 m” and substitutes “1.8 m”.
23. In section 4.4.4 of the RT-10 and RT-10N, RM-1 and RM-1N district schedules, Council strikes out “1.2 m” and substitutes “1.8 m”.
24. In section 4.4.4 of the RS-6 District Schedule, Council strikes out “2.0 m” and substitutes “1.8 m”.
25. In section 4.4.3 of the RM-5, RM-5A, RM-5B, RM-5C and RM-5D Districts Schedule, and in section 4.6.3 of the RM-6 District Schedule, Council strikes out “porches, entrance lobbies, and supported canopies” and substitutes “entries, porches and verandahs, entrance lobbies, and canopies”.
26. In section 4.7.1 of the RM-4 and RM-4N Districts Schedule, Council adds “dwellings, one-family dwellings with secondary suite,” after “one-family”.
27. In the I-1A and I-1B district schedules, Council strikes out sections 4.6.2(a) and (b) and substitutes the following:
- “(a) balconies and decks and any other appurtenances which, in the opinion of the Director of Planning, are similar to the foregoing, provided that the total area of these exclusions does not exceed 12% of the floor area being provided;
 - (b) patios and roof decks, provided that the Director of Planning first considers the effect on privacy and overlook;”.
28. In the RA-1, C-1, C-2, C-2B, C-2C, C-2C1, C-7 and C-8, FC-1, RS-1, RS-1A, RS-1B, RS-2, RS-3 and RS-3A, RS-5, RS-6, RT-1, RT-2, RT-3, RT-4, RT-4A, RT-4N and RT-4AN, RT-7, RT-8, RT-9, RT-10 and RT-10N, RM-3, RM-3A, and RM-6 district schedules, Council strikes out sections 4.7.3(a) and (b) and substitutes the following:
- “(a) balconies and decks and any other appurtenances which, in the opinion of the Director of Planning, are similar to the foregoing, provided that the total area of these exclusions does not exceed 8% of the floor area being provided;
 - (b) patios and roof decks, provided that the Director of Planning first considers the effect on privacy and overlook;”.
29. In section 4.7.3(a) of the HA-1 and HA-1A Districts Schedule, Council strikes out “open or covered”.
30. In section 4.7.3 of the HA-3 District Schedule, Council:
- (a) in subsection (a), strikes out “open residential”; and

- (b) in subsection (b), strikes out “approves the design of sunroofs and walls” and substitutes “considers the effect on privacy and overlook”.

31. In the I-1, IC-1 and IC-2, IC-3, M-1, M-1A, M-1B, M-2, and MC-1 and MC-2 district schedules, Council strikes out sections 4.7.3(a) and (b) and substitutes the following:

- “(a) balconies and decks and any other appurtenances which, in the opinion of the Director of Planning, are similar to the foregoing, provided that the total area of these exclusions does not exceed 12% of the floor area being provided;
- (b) patios and roof decks, provided that the Director of Planning first considers the effect on privacy and overlook;”.

32. In section 4.7.3 of the I-4 District Schedule, Council:

- (a) strikes out subsection (a) and substitutes the following:

- “(a) balconies and decks and any other appurtenances which, in the opinion of the Director of Planning, are similar to the foregoing, provided that the total area of these exclusions does not exceed 12% of the floor area being provided;”;

- (b) inserts a new subsection (b) as follows:

- “(b) patios and roof decks, provided that the Director of Planning first considers the effect on privacy and overlook;”; and

- (c) renumbers the remaining subsections accordingly.

33. In the RM-1 and RM-1N, RM-2, and RM-4 and RM-4N district schedules, Council strikes out sections 4.7.3(a) and (b) and substitutes the following:

- “(a) balconies and decks and any other appurtenances which, in the opinion of the Director of Planning, are similar to the foregoing, provided that the total area of these exclusions does not exceed 12% of the floor area being provided for multiple dwellings and 8% of the floor area being provided for all other uses;
- (b) patios and roof decks, provided that the Director of Planning first considers the effect on privacy and overlook;”.

34. In the FM-1 District Schedule, Council strikes out sections 4.7.3(a) and (b) and substitutes the following:

- “(a) balconies and decks, and any other appurtenances which, in the opinion of the Director of Planning, are similar to the foregoing;
- (b) patios and roof decks, provided that the Director of Planning first considers the effect on privacy and overlook;”.

35. In section 4.7.4(a) of the First Shaughnessy District Schedule, Council strikes out “open residential”.

36. In the I-2 and I-3 district schedules, Council strikes out sections 4.7.4(a) and (b) and substitutes the following:

- “(a) balconies and decks and any other appurtenances which, in the opinion of the Director of Planning, are similar to the foregoing, provided that the total area of these exclusions does not exceed 12% of the floor area being provided;
- (b) patios and roof decks, provided that the Director of Planning first considers the effect on privacy and overlook;”.

37. In the RS-7 District Schedule, Council strikes out sections 4.7.4(a) and (b) and substitutes the following:

- “(a) balconies and decks and any other appurtenances which, in the opinion of the Director of Planning, are similar to the foregoing, provided that the total area of these exclusions does not exceed 8% of the floor area being provided;
- (b) patios and roof decks, provided that the Director of Planning first considers the effect on privacy and overlook;”.

38. In the RT-11 and RT-11N Districts Schedule, Council strikes out sections 4.7.5(a) and (b) and substitutes the following:

- “(a) balconies and decks and any other appurtenances which, in the opinion of the Director of Planning, are similar to the foregoing, provided that the total area of these exclusions does not exceed 8% of the floor area being provided;
- (b) patios and roof decks, provided that the Director of Planning first considers the effect on privacy and overlook;”.

39. In the RM-7, RM-7N and RM-7AN Districts Schedule, Council strikes out sections 4.7.5(a) and (b) and substitutes the following:

- “(a) balconies and decks and any other appurtenances which, in the opinion of the Director of Planning, are similar to the foregoing, provided that the total area of these exclusions does not exceed 12% of the floor area being provided for multiple dwelling and freehold rowhouse and 8% of the floor area being provided for all other uses;
- (b) patios and roof decks, provided that the Director of Planning first considers the effect on privacy and overlook;”.

40. In section 4.7.6 of the C-3A District Schedule, Council:

- (a) strikes out subsection (a) and substitutes the following:
 - “(a) balconies and decks and any other appurtenances which, in the opinion of the Director of Planning, are similar to the foregoing, provided that the total area of these exclusions does not exceed 8% of the floor area being provided;”;
- (b) inserts a new subsection (b) as follows:
 - “(b) patios and roof decks, provided that the Director of Planning first considers the effect on privacy and overlook;”;
- (c) renumbers the remaining subsections accordingly.

41. In the C-5, C-5A and C-6 Districts Schedule, Council strikes out sections 4.7.6(a) and (b) and substitutes the following:

- “(a) balconies and decks and any other appurtenances which, in the opinion of the Director of Planning, are similar to the foregoing, provided that the total area of these exclusions does not exceed 12% of the floor area being provided;
- (b) patios and roof decks, provided that the Director of Planning first considers the effect on privacy and overlook;”.

42. In the RT-5 and RT-5N Districts Schedule, Council strikes out sections 4.7.6(a) and (b) and substitutes the following:

- “(a) balconies and decks and any other appurtenances which, in the opinion of the Director of Planning, are similar to the foregoing, provided that the total area of these exclusions does not exceed 8% of the floor area being provided;
- (b) patios and roof decks, provided that the Director of Planning first considers the effect on privacy and overlook;”.

43. In section 4.7.6 of the RT-6 District Schedule, Council:

- (a) in subsection (a),
 - (i) strikes out “open residential balconies or” and substitutes “balconies and”,
 - (ii) strikes out “eight percent” and substitutes “8%”, and
 - (iii) strikes out “permitted residential floor area” and substitutes “floor area being provided”; and
- (b) in subsection (c), strikes out “approves the design of sunroofs and walls” and substitutes “considers the effect on privacy and overlook.”

44. In the RM-5, RM-5A, RM-5B, RM-5C and RM-5D Districts Schedule, Council strikes out sections 4.7.6(a) and (b) and substitutes the following:

- “(a) balconies and decks and any other appurtenances which, in the opinion of the Director of Planning, are similar to the foregoing, provided that the total area of these exclusions does not exceed 12% of the floor area being provided;
- (b) patios and roof decks, provided that the Director of Planning first considers the effect on privacy and overlook;”.

45. In the RM-8, RM-8A, RM-8N and RM-8AN Districts Schedule, Council strikes out sections 4.7.9(a) and (b) and substitutes the following:

- “(a) balconies and decks and any other appurtenances which, in the opinion of the Director of Planning, are similar to the foregoing, provided that the total area of these exclusions does not exceed 12% of the floor area being provided for multiple dwelling and freehold rowhouse and 8% of the floor area being provided for all other uses;

- (b) patios and roof decks, provided that the Director of Planning first considers the effect on privacy and overlook;”.

46. In the RM-10 and RM-10N, and RM-11 and RM-11N district schedules, Council strikes out sections 4.7.9(a) and (b) and substitutes the following:

- “(a) balconies and decks and any other appurtenances which, in the opinion of the Director of Planning, are similar to the foregoing, provided that the total area of these exclusions does not exceed 12% of the floor area being provided for multiple dwellings of four or more units, and 8% of the floor area being provided for all other uses;
- (b) patios and roof decks, provided that the Director of Planning first considers the effect on privacy and overlook;”.

47. In the RM-12N District Schedule, Council strikes out sections 4.7.11(a) and (b) and substitutes the following:

- “(a) balconies and decks and any other appurtenances which, in the opinion of the Director of Planning, are similar to the foregoing, provided that the total area of these exclusions does not exceed 12% of the floor area being provided for multiple dwellings;
- (b) patios and roof decks, provided that the Director of Planning first considers the effect on privacy and overlook;”.

48. In the FC-2 District Schedule, Council strikes out sections 4.7.14(a) and (b) and substitutes the following:

- “(a) balconies and decks and any other appurtenances which, in the opinion of the Director of Planning, are similar to the foregoing, provided that the total area of these exclusions does not exceed 12% of the floor area being provided;
- (b) patios and roof decks, provided that the Director of Planning first considers the effect on privacy and overlook;”.

49. In the RM-9, RM-9A, RM-9N, RM-9AN and RM-9BN Districts Schedule, Council strikes out sections 4.7.15(a) and (b) and substitutes the following:

- “(a) balconies and decks and any other appurtenances which, in the opinion of the Director of Planning, are similar to the foregoing, provided that the total area of these exclusions does not exceed 12% of the floor area being provided for multiple dwelling and freehold rowhouse and 8% of the floor area being provided for all other uses;
- (b) patios and roof decks, provided that the Director of Planning first considers the effect on privacy and overlook;”.

50. In the RA-1 District Schedule, Council strikes out subsections 4.7.3(c) and (d) and substitutes the following:

- “(c) entries, porches and verandahs, and covered porches above the first storey, provided that:
 - (i) they face a street or a rear property line and are located at the basement or first storey,

- (ii) the side facing the street or rear property line is open or protected by guards that do not exceed the required minimum height,
 - (iii) the total area being excluded, when combined with the balcony and deck exclusions under subsection 4.7.3(a), does not exceed 13% of the floor area being provided, and
 - (iv) the ceiling height, excluding roof structure, of the total area being excluded does not exceed 3.1 m measured from the entry, porch or verandah floor;
- (d) 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 subsection 4.7.3(c), to which there is no access from the interior of the building;”.

51. In section 4.7.4 of the First Shaughnessy District Schedule, Council:

- (a) strikes out subsection (f) and substitutes the following:
- “(f) entries, porches and verandahs, or covered porches above the first storey, provided that:
- (i) the entry, porch or verandah is open or protected by guards that do not exceed the required minimum height, and
 - (ii) the total area being excluded does not exceed 20% of the floor area being provided;”;
- (b) renumbers subsection (g) as subsection (h); and
- (c) inserts a new subsection (g) as follows:
- “(g) 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 subsection 4.7.4(f), to which there is no access from the interior of the building; and”.

52. In section 4.7.3 of the RS-1, RS-1A, RS-1B, and RS-2 district schedules, Council:

- (a) in subsection (g), adds “and covered porches above the first storey,” after “entries, porches and verandahs;”;
- (b) in paragraph (g)(i), adds “entries, porches and verandahs” after “they face a street or a rear property line and”;
- (c) strikes out paragraph (g)(iii) and substitutes:

“(iii) the side facing the street or rear property line is open or protected by guards that do not exceed the required minimum height;”;
- (d) strikes out paragraph (g)(iv);
- (e) renumbers paragraphs (g)(v) through (g)(vii) as (g)(iv) through (g)(vi), respectively;
- (f) in renumbered paragraph (g)(iv), strikes out “for two-family dwellings and two-family dwellings with secondary suite;”;
- (g) in renumbered paragraph (g)(iv), strikes out “percent” and substitutes “%”;
- (h) in renumbered paragraph (g)(iv), strikes out “permitted floor area” and substitutes “floor area being provided”;

- (i) renumbers subsection (h) as subsection (i); and
- (j) inserts a new subsection (h) as follows:

“(h) 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 subsection 4.7.3(g), to which there is no access from the interior of the building;”.

53. In section 4.7.3 of the RS-3 and RS-3A Districts Schedule, Council:

- (a) in subsection (h), adds “and covered porches above the first storey,” after “entries, porches and verandahs,”;
- (b) in paragraph (h)(i), adds “entries, porches and verandahs” after “they face a street or a rear property line and”;
- (c) strikes out paragraph (h)(ii) and substitutes:

“(ii) the side facing the street or rear property line is open or protected by guards that do not exceed the required minimum height;”;

- (d) strikes out paragraph (h)(iii) and substitutes:

“(iii) the total area being excluded when combined with the balcony and deck exclusions under subsection 4.7.3(a), does not exceed 13% of the floor area being provided, and”;

- (e) in paragraph (h)(iv), strikes out “and” at the end of the paragraph;
- (f) renumbers subsection (i) as subsection (j); and
- (g) inserts a new subsection (i) as follows:

“(i) 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 subsection 4.7.3(h), to which there is no access from the interior of the building; and”.

54. In section 4.7.3 of the RS-5 District Schedule, Council:

- (a) in subsection (g), adds “and covered porches above the first storey,” after “entries, porches and verandahs,”;
- (b) in paragraph (g)(i), adds “entries, porches and verandahs” after “they face a street or a rear property line and”;
- (c) strikes out paragraph (g)(iii) and substitutes:

“(iii) the side facing the street or rear property line is open or protected by guards that do not exceed the required minimum height;”;

- (d) strikes out paragraph (g)(iv);
- (e) renumbers paragraphs (g)(v) through (g)(vii) as (g)(iv) through (g)(vi), respectively;
- (f) in renumbered paragraph (g)(iv), strikes out “for two-family dwellings and two-family dwellings with secondary suite,”;
- (g) in renumbered paragraph (g)(iv), strikes out “percent” and substitutes “%”;

- (h) in renumbered paragraph (g)(iv), strikes out “permitted floor area” and substitutes “floor area being provided”;
- (i) in subsection (h), strikes out “and” at the end of the subsection;
- (j) renumbers subsection (i) as subsection (j); and
- (k) inserts a new subsection (i) as follows:

“(i) 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 subsection 4.7.3(g), to which there is no access from the interior of the building; and”.

55. In section 4.7.3 of the RS-6 District Schedule, Council;

- (a) in subsection (g), adds “and covered porches above the first storey,” after “entries, porches and verandahs,”;
- (b) in paragraph (g)(i), adds “entries, porches and verandahs” after “they face a street or a rear property line and”;
- (c) strikes out paragraph (g)(iii) and substitutes:

“(iii) the side facing the street or rear property line is open or protected by guards that do not exceed the required minimum height,”;

- (d) strikes out paragraph (g)(iv);
- (e) renumbers paragraphs (g)(v) through (g)(vii) as (g)(iv) through (g)(vi), respectively;
- (f) in renumbered paragraph (g)(iv), strikes out “for two-family dwellings and two-family dwellings with secondary suite,”;
- (g) in renumbered paragraph (g)(iv), strikes out “percent” and substitutes “%”;
- (h) in renumbered paragraph (g)(iv), strikes out “permitted floor area” and substitutes “floor area being provided”;
- (i) in paragraph (i)(ii), strikes out “and” at the end of the paragraph;
- (j) renumbers subsection (j) as subsection (k); and
- (k) inserts a new subsection (j) as follows:

“(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 subsection 4.7.3(g), to which there is no access from the interior of the building; and”.

56. In section 4.7.4 of the RS-7 District Schedule, Council:

- (a) in subsection (g), adds “and covered porches above the first storey,” after “entries, porches and verandahs,”;
- (b) in paragraph (g)(i), adds “entries, porches and verandahs” after “they face a street or a rear property line and”;
- (c) strikes out paragraph (g)(iii) and substitutes:

“(iii) the side facing the street or rear property line is open or protected by guards that do not exceed the required minimum height,”;

- (d) strikes out paragraph (g)(iv);

- (e) renumbers paragraphs (g)(v) through (g)(viii) as (g)(iv) through (g)(vii), respectively;
- (f) in renumbered paragraph (g)(iv), strikes out “for two-family dwellings and two-family dwellings with secondary suite,”;
- (g) in renumbered paragraph (g)(iv), strikes out “percent” and substitutes “%”;
- (h) in renumbered paragraph (g)(iv), strikes out “permitted floor area” and substitutes “floor area being provided”;
- (i) strikes out subsection (h) and substitutes:
 - “(h) 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 subsection 4.7.3(g), to which there is no access from the interior of the building;”.

57. In section 4.7.3 of the RT-1 and RT-2 district schedules, Council:

- (a) in subsection (e), strikes out “and” at the end of the subsection;
- (b) in subsection (f), strikes out “.” at the end of the subsection and substitutes “;”, and
- (c) adds new subsections (g) and (h) as follows:
 - “(g) entries, porches and verandahs, and covered porches above the first storey, provided that:
 - (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 being excluded, when combined with the balcony and deck exclusions under subsection 4.7.3(a), does not exceed 13% of the floor area being provided; and
 - (h) 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 subsection 4.7.3(g), to which there is no access from the interior of the building.”.

58. In section 4.7.3 of the RT-3 District Schedule, Council:

- (a) strikes out subsection (g), and substitutes the following:
 - “(g) entries, porches and verandahs, and covered porches above the first storey, provided that the side facing the street or rear property line is open or protected by guards that do not exceed the required minimum height;”
- (b) in subsection (h), strikes out “.” at the end of the subsection and substitutes “; and”;
- (c) adds a new subsection (i) as follows:
 - “(i) 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 subsection 4.7.3(g), to which there is no access from the interior of the building.”.

59. In section 4.7.3 of the RT-4 RT-4A, RT-4N and RT-4AN, RT-7 and RT-8 district schedules, Council:

- (a) in subsection (f), strikes out “; and” at the end of the subsection;
- (b) in subsection (g), adds “and covered porches above the first storey,” after “entries, porches and verandahs,”;
- (c) strikes out paragraph (g)(i) and substitutes:
 - “(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”;
- (d) in paragraph (g)(ii), strikes out “percent” and substitutes “%”;
- (e) in paragraph (g)(ii), strikes out “permitted floor space” and substitutes “floor area being provided”
- (f) in paragraph (g)(ii), strikes out “.” at the end of the paragraph and substitutes “; and”;
- (g) adds a new subsection (h) as follows:
 - “(h) 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 subsection 4.7.3(g), to which there is no access from the interior of the building.”.

60. In section 4.7.3 of the RT-9 District Schedule, Council:

- (a) in subsection (f), strikes out “; and” at the end of the subsection;
- (b) in subsection (g), adds “and covered porches above the first storey,” after “entries, porches and verandahs,”;
- (c) strikes out paragraph (g)(i) and substitutes:
 - “(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”;
- (d) strikes out paragraph (g)(ii) and substitutes:
 - “(ii) the total area of these exclusions, when combined with the balcony and deck exclusions under subsection 4.7.3(a), does not exceed 13% of the floor area being provided; and”;
- (e) adds a new subsection (h) as follows:
 - “(h) 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 subsection 4.7.3(g), to which there is no access from the interior of the building.”.

61. In section 4.7.6 of the RT-5 and RT-5N Districts Schedule, Council:

- (a) in subsection (f), adds “and covered porches above the first storey,” after “entries, porches and verandahs,”;
- (b) strikes out paragraph (f)(i) and substitutes:

- “(i) the side facing the street or rear property line is open or protected by guards that do not exceed the required minimum height,”;
- (c) in paragraph (f)(ii), strikes out “percent” and substitutes “%”;
- (d) in paragraph (f)(ii), strikes out “permitted floor space” and substitutes “floor area being provided”;
- (e) in paragraph (f)(iv), strikes out “for two-family dwellings and two-family dwellings with secondary suite,”;
- (f) in subsection (f), strikes out “; and” at the end of the subsection;
- (g) inserts a new subsection (g) as follows:

“(g) 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 subsection 4.7.6(f), to which there is no access from the interior of the building; and”.

62. In section 4.7.6 of the RT-6 District Schedule, Council:

- (a) strikes out subsection (b) and substitutes:
 - “(b) entries, porches and verandahs, and covered porches above the first storey, provided that:
 - (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 subsection 4.7.6(a), does not exceed 13% of the floor area being provided;”
- (b) in subsection (f), strikes out “; and” at the end of the subsection;
- (c) in subsection (g), strikes out “.” at the end of the subsection and substitutes “; and”; and
- (d) adds a new subsection (h) as follows:

“(h) 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 subsection 4.7.6(b), to which there is no access from the interior of the building.”.

63. In section 4.7.3 of the RT-10 and RT-10N Districts Schedule, Council:

- (a) in paragraph (d)(i), adds “or” to the end of the paragraph;
- (b) in paragraph (d)(ii), strikes out “; or” at the end of the paragraph and substitutes “;”;
- (c) strikes out paragraph (d)(iii);
- (d) in subsection (e), strikes out “; and” at the end of the subsection;
- (e) in subsection (f), adds “and covered porches above the first storey,” after “entries, porches and verandahs,”;
- (f) strikes out paragraph (f)(i) and substitutes:

- “(i) the side facing the street, rear property line or common open space is open or protected by guards that do not exceed the required minimum height,”;
- (g) in paragraph (f)(ii), strikes out “permitted floor space” and substitutes “floor area being provided”;
- (h) in paragraph (f)(iii), strikes out “.” at the end of the paragraph and substitutes “; and”;
- (i) adds a new subsection (g) as follows:
 - “(g) 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 subsection 4.7.3(f), to which there is no access from the interior of the building.”.

64. In section 4.7.4(c) of the RT-11 and RT-11N District Schedule, Council strikes out “, except that the Director of Planning may exclude an area designed with venting skylights, opening clerestory windows or other similar features if: (i) in the opinion of the Director of Planning, the area is designed to reduce energy consumption or improve natural light and ventilation, and (ii) the area excluded does not exceed 1% of the permitted floor area”.

65. In section 4.7.5 of the RT-11 and RT-11N Districts Schedule, Council:

- (a) in paragraph (d)(i), adds “or” to the end of the paragraph;
- (b) in paragraph (d)(ii), strikes out “, or” at the end of the paragraph and substitutes “;”;
- (c) strikes out paragraph (d)(iii);
- (d) in subsection (f), adds “and covered porches above the first storey,” after “entries, porches and verandahs,”;
- (e) strikes out paragraph (f)(i) and substitutes:
 - “(i) the side facing the street, rear property line, common open space, park or school, is open or protected by guards that do not exceed the required minimum height,”;
- (f) in paragraph (f)(ii), strikes out “permitted floor space” and substitutes “floor area being provided”;
- (g) in paragraph (f)(iv), strikes out “; and” at the end of the paragraph; and
- (h) inserts a new subsection (g) after subsection (f) as follows:
 - “(g) 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 subsection 4.7.5(f), to which there is no access from the interior of the building; and”.

66. In section 4.7.3 of the RM-1 and RM-1N Districts Schedule, Council:

- (a) in paragraph (d)(ii), strikes out “or” at the end of the paragraph;
- (b) strikes out paragraph (d)(iii);
- (c) in subsection (f), adds “and covered porches above the first storey,” after “entries, porches and verandahs,”;

- (d) strikes out paragraphs (f)(i) and (ii) and substitutes:
 - “(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 subsection 4.7.3(a), does not exceed 16% of the floor area being provided for multiple dwellings and 13% of the floor area being provided for all other uses;”;
- (e) renumbers subsections (g) and (h) as subsections (h) and (i), respectively; and
- (f) inserts a new subsection (g) as follows:

“(g) 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 subsection 4.7.3(f), to which there is no access from the interior of the building;”.

67. In section 4.7.3 of the RM-2, and RM-4 and RM-4N district schedules, Council:

- (a) in subsection (f), strikes out “and” at the end of the paragraph;
- (b) in subsection (g), strikes out “.” at the end of the subsection and substitutes “;”;
- (c) adds new subsections (h) and (i) as follows:

“(h) entries, porches and verandahs, and covered porches above the first storey, provided that:

- (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 subsection 4.7.3(a), does not exceed 16% of the floor area being provided for multiple dwellings and 13% of the floor area being provided for all other uses; and

(i) 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 subsection 4.7.3(h), to which there is no access from the interior of the building.”.

68. In section 4.7.3 of the RM-3 and RM-3A district schedules, Council:

- (a) in subsection (f), strikes out “and” at the end of the paragraph;
- (b) in subsection (g), strikes out “.” at the end of the subsection and substitutes “;”;
- (c) adds new subsections (h) and (i) as follows:

“(h) entries, porches and verandahs, and covered porches above the first storey, provided that:

- (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 subsection 4.7.3(a), does not exceed 13% of the floor area being provided; and

(i) 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 subsection 4.7.3(h), to which there is no access from the interior of the building.”.

69. In section 4.7.6 of the RM-5, RM-5A, RM-5B, RM-5C, RM-5C and RM-5D Districts Schedule, Council:

- (a) in subsection (h), strikes out “and” at the end of the paragraph;
- (b) in subsection (i), strikes out “.” at the end of the subsection and substitutes “,”;
- (c) adds new subsections (j) and (k) as follows:

- “(j) entries, porches and verandahs, and covered porches above the first storey, provided that:
 - (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 subsection 4.7.3(a), does not exceed 16% of the floor area being provided; and
- (k) 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 subsection 4.7.6(j), to which there is no access from the interior of the building.”.

70. In section 4.7.3 of the RM-6 District Schedule, Council:

- (a) in subsection (h), strikes out “and” at the end of the paragraph;
- (b) in subsection (i), strikes out “.” at the end of the subsection and substitutes “,”;
- (c) adds new subsections (j) and (k) as follows:

- “(j) entries, porches and verandahs, and covered porches above the first storey, provided that:
 - (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 subsection 4.7.3(a), does not exceed 13% of the floor area being provided; and
- (k) 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 subsection 4.7.3(j), to which there is no access from the interior of the building.”.

71. In section 4.7.5 of the RM-7, RM-7N and RM-7AN Districts Schedule, Council:

- (a) in subsection (h), adds “and covered porches above the first storey,” after “entries, porches and verandahs,”;
- (b) in paragraph (h)(i), strikes out “partial walls or guard rails, which conform to the height minimum specified in the Building By-law” and substitutes “guards that do not exceed the required minimum height”;
- (c) strikes out paragraph (h)(ii) and substitutes the following;

- “(ii) the total area of these exclusions, when combined with the balcony and deck exclusions under subsection 4.7.5(a), does not exceed 16% of the

floor area being provided for multiple dwellings and 13% of the floor area being provided for all other uses,”;

- (d) in subsection (j), strikes out “and” at the end of the subsection;
- (e) in paragraph (k)(ii), strikes out “.” and substitutes “; and”;
- (f) adds a new subsection (l) as follows:

“(l) 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 subsection 4.7.5(h), to which there is no access from the interior of the building.”.

72. In section 4.7.9 of the RM-8, RM-8A, RM-8N and RM-8AN Districts Schedule, Council:

- (a) in subsection (h), adds “and covered porches above the first storey,” after “entries, porches and verandahs,”;
- (b) in paragraph (h)(i), strikes out “partial walls or guard rails, which conform to the height minimum specified in the Building By-law” and substitutes “guards that do not exceed the required minimum height”;
- (c) strikes out paragraph (h)(ii) and substitutes the following:

“(ii) the total area of these exclusions, when combined with the balcony and deck exclusions under subsection 4.7.9(a), does not exceed 16% of the floor area being provided for multiple dwellings and 13% of the floor area being provided for all other uses,”;

- (d) in subsection (j), strikes out “and” at the end of the subsection;
- (e) in paragraph (k)(ii), strikes out “.” and substitutes “; and”;
- (f) adds a new subsection (l) as follows:

“(l) 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 subsection 4.7.9(h), to which there is no access from the interior of the building.”.

73. In section 4.7.15 of the RM-9, RM-9A, RM-9N, RM-9AN and RM-9BN Districts Schedule, Council:

- (a) in subsection (j), adds “and covered porches above the first storey,” after “entries, porches and verandahs,”;
- (b) in paragraph (j)(i), strikes out “partial walls or guard rails, which conform to the height minimum specified in the Building By-law” and substitutes “guards that do not exceed the required minimum height”;
- (c) in paragraph (j)(ii), strikes out “permitted floor area” wherever it appears and substitutes “floor area being provided”;
- (d) in paragraph (j)(iii), strikes out “and” at the end of the paragraph;
- (e) in subsection (k), strikes out “.” and substitutes “; and”;
- (f) adds a new subsection (l) as follows:

“(l) 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 subsection 4.7.15(j), to which there is no access from the interior of the building.”.

74. In section 4.7.9 of the RM-10 and RM-10N Districts Schedule, Council:

- (a) in subsection (j), adds “and covered porches above the first storey,” after “entries, porches and verandahs,”;
- (b) in paragraph (j)(i), strikes out “partial walls or guard rails, which conform to the height minimum specified in the Building By-law” and substitutes “guards that do not exceed the required minimum height”;
- (c) strikes out paragraph (j)(ii) and substitutes the following:
 - “(ii) the total area of these exclusions, when combined with the balcony and deck exclusions under subsection 4.7.9(a), does not exceed 16% of the floor area being provided for multiple dwellings and 13% of the floor area being provided for all other uses,”;
- (d) in paragraph (k), strikes out “.” and substitutes “; and”;
- (e) adds a new subsection (l) as follows:
 - “(l) 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 subsection 4.7.9(j), to which there is no access from the interior of the building.”.

75. In section 4.7.9 of the RM-11 and RM-11N Districts Schedule, Council:

- (a) in subsection (j), adds “and covered porches above the first storey,” after “entries, porches and verandahs,”;
- (b) in paragraph (j)(i), strikes out “partial walls or guard rails, which conform to the height minimum specified in the Building By-law” and substitutes “guards that do not exceed the required minimum height”;
- (c) strikes out paragraph (j)(ii) and substitutes the following:
 - “(ii) the total area of these exclusions, when combined with the balcony and deck exclusions under subsection 4.7.9(a), does not exceed 16% of the floor area being provided for multiple dwellings and 13% of the floor area being provided for all other uses,”;
- (d) in paragraph (j)(iii), strikes out “and” at the end of the paragraph;
- (e) in paragraph (k), strikes out “.” and substitutes “; and”;
- (f) adds a new subsection (l) as follows:
 - “(l) 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 subsection 4.7.9(j), to which there is no access from the interior of any the building.”.

76. In section 4.7.11 of the RM-12N District Schedule, Council:

- (a) in subsection (h), adds “and covered porches above the first storey,” after “entries, porches and verandahs,”;
- (b) in paragraph (h)(i), strikes out “partial walls or guard rails, which conform to the height minimum specified in the Building By-law” and substitutes “guards that do not exceed the required minimum height”;
- (c) strikes out paragraph (h)(ii) and substitutes the following:
 - “(ii) the total area of these exclusions, when combined with the balcony and deck exclusions under subsection 4.7.11(a), does not exceed 16% of the floor area being provided for multiple dwellings and 13% of the floor area being provided for all other uses,”;
- (d) in subsection (i), strikes out “and” at the end of the subsection;
- (e) in subsection (j), strikes out “.” and substitutes “; and”;
- (f) adds a new subsection (k) as follows:
 - “(k) 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 subsection 4.7.11(h), to which there is no access from the interior of the building.”.

77. In section 4.7.4(c)(ii) of the RT-11 and RT-11N Districts Schedule, Council strikes out “, except that the Director of Planning may exclude an area designed with venting skylights, opening clerestory windows or other similar features if: (i) in the opinion of the Director of Planning, the area is designed to reduce energy consumption or improve natural light and ventilation, and (ii) the area excluded does not exceed 1% of the permitted floor area”.

78. In subsection 4.17.2(b) of the RT-3 District Schedule, Council strikes out “first-storey porch or open-sided verandah” and substitutes “first-storey entry, porch or verandah”.

79. In section 4.17.9 of the RS-6 and RS-7 district schedules, Council:

- (a) strikes out “Uncovered roof decks and roof gardens” and substitutes “Roof decks”;
- (b) in subsection (a), strikes out “roof decks or roof gardens” and substitutes “the roof deck”;
- (c) in subsection (b), strikes out “deck or garden” and substitutes “roof deck”; and
- (d) in subsection (c), strikes out “deck or garden” and substitutes “roof deck”.

80. In subsection 4.17.32(a) of the RS-6 and RS-7 district schedules, Council strikes out “covering the porch” and substitutes “covering the entry, porch or verandah”.

81. In section 4.17.33 of the RS-6 and RS-7 district schedules, Council:

- (a) strikes out “front entry area” and substitutes “front entry, porch or verandah area”;
- (b) strikes out “the entry landing floor” and substitutes “the entry, porch or verandah floor”; and
- (c) strikes out “this first-storey entry area” and substitutes “this first-storey entry, porch or verandah area”.

82. In subsection 4.17.35(e) of the RS-6 and RS-7 district schedules, Council:

- (a) strikes out “entry porches, entry porch columns” and substitutes “entries, porches, verandahs, entry, porch or verandah columns”; and
- (b) strikes out “porch roof gable ends” and substitutes “entry, porch or verandah roof gable ends”.

83. In section 4.17.46 and section 4.17.47 of the RS-6 District Schedule, Council strikes out “entry porches” and substitutes ““entries, porches or verandahs”.

84. In section 4.17.46 of the RS-7 District Schedule, Council strikes out “(entry porches)” and substitutes “(entries, porches or verandahs)”.

85. A decision by a court that any part of this By-law is illegal, void, or unenforceable severs that part from this By-law, and is not to affect the balance of this By-law.

86. This By-law is to come into force and take effect on the date of its enactment.

ENACTED by Council this 24th day of July, 2020

Signed _____ “Kennedy Stewart”
Mayor

Signed _____ “Rosemary Hagiwara”
Acting City Clerk