

## RS-1B District Schedule

### 1 Intent

The intent of the Schedule is to maintain the residential character of the District in the form of one-family dwellings, secondary suites, laneway houses, two-family dwellings with secondary suites on larger lots and with lock-off units on smaller lots, infill or two principal dwelling units on some sites, and infill and multiple conversion dwellings in conjunction with retention of character houses.

### 2 Outright Approval Uses

**2.1** Subject to all other provisions of this By-law and to compliance with the regulations of this Schedule, the uses listed in section 2.2 shall be permitted in this District and shall be issued a permit.

#### **2.2 Uses**

**2.2.A** • Accessory Buildings customarily ancillary to any of the uses listed in this Schedule, provided that:

- (a) no accessory building exceeds 3.7 m in height measured to the highest point of the roof if a flat roof, to the deck line of a mansard roof, or to the mean height level between the eaves and the ridge of a gable, hip or gambrel roof, provided that no portion of an accessory building may exceed 4.6 m in height;
- (b) all accessory buildings are located in the rear yard and in no case are less than 3.1 m from the ultimate centre line of any rear or flanking lane and less than 1.5 m from a flanking street, subject also to the provisions of section 10.27 of this By-law;
- (c) for all uses except for two-family dwellings and two-family dwellings with secondary suite, the total floor area, measured to the extreme outer limits of the building, of all accessory buildings is not greater than 35 percent of the minimum rear yard prescribed in this Schedule, or 48 m<sup>2</sup>, whichever is the greater, except that the floor area of a laneway house shall be deducted from the total allowable accessory building floor area;
- (d) for two-family dwellings and two-family dwellings with secondary suite, the total floor area, measured to the extreme outer limits of the building, of all accessory buildings is not greater than 48 m<sup>2</sup>;
- (e) not more than 80 percent of the width of the rear yard of any lots is occupied by accessory buildings.

- Accessory Uses customarily ancillary to any of the uses listed in this section.

**2.2.DW** [Dwelling]

- One-Family Dwelling.
- Two-Family Dwelling, on lots less than 511 m<sup>2</sup> in area.

**2.2.I** [Institutional]

- Community Care Facility – Class A, subject to the regulations and relaxations that apply to a one-family dwelling.

### 3 Conditional Approval Uses

**3.1** Subject to all other provisions of this By-law, the Director of Planning may approve any of the uses listed in section 3.2 of this Schedule, with or without conditions, provided that the Director of Planning first 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.

#### **3.2 Uses**

**3.2.A**

- Accessory Buildings customarily ancillary to any of the uses listed in this Schedule, other than as provided for in section 2.2.A of this Schedule.
- Accessory Uses customarily ancillary to any of the uses listed in this section.

**3.2.AG** [Agricultural]

- Urban Farm - Class A.

**3.2.C** [Cultural and Recreational]

- Park or Playground.

**3.2.D**

- Deposition or extraction of material so as to alter the configuration of the land.

**3.2.DW** [Dwelling]

- Infill in conjunction with retention of a character house existing on the site as of January 16, 2018.
- Infill One-Family Dwelling, provided that:
  - (a) the site has a secondary access, by way of either a lane or a flanking street;
  - (b) the infill one-family dwelling is located within the rear yard; and
  - (c) the maximum number of dwelling units shall be two.
- One-Family Dwelling with Secondary Suite.
- Two One-Family Dwellings, one of which shall be considered as secondary to the other, provided that:
  - (a) the site has a secondary access, by way of either a lane or a flanking street;
  - (b) the secondary one-family dwelling is located within the rear yard; and
  - (c) the maximum number of dwelling units shall be two.
- Seniors Supportive or Assisted Housing.
- Laneway House.
- Multiple Conversion Dwelling, in conjunction with retention of a character house existing on the site as of January 16, 2018, that contains no housekeeping or sleeping units.
- Lock-off Unit in conjunction with a Two-Family Dwelling, provided that there is no more than one Lock-off Unit for each dwelling unit.
- Two-Family Dwelling with Secondary Suite, provided that there is no more than one secondary suite for each dwelling unit.

**3.2.I** [Institutional]

- Social Service Centre.
- Community Care Facility - Class B.
- Group Residence.

**3.2.O** [Office]

- Temporary Sales Office.

- 3.2.R [Retail]
- Farmers' Market. *Compatibility with nearby sites, parking, traffic, noise, hours of operation, size of facility, pedestrian amenity.*
  - Public Bike Share.

- 3.2.S [Service]
- Bed and Breakfast Accommodation.
  - Short Term Rental Accommodation.

- 3.2.U [Utility and Communication]
- Public Utility.

## 4 Regulations

All uses approved under sections 2 and 3 of this District Schedule shall be subject to the following regulations.

### 4.1 Site Area

- 4.1.1 The minimum site area for a one-family dwelling, one-family dwelling with secondary suite, two-family dwelling, two-family dwelling with secondary suite, two one-family dwellings or an infill one-family dwelling shall be 334 m<sup>2</sup>.
- 4.1.2 Where the site size is less than 9.8 m in width or less than 334 m<sup>2</sup> in area, the design of any new buildings shall first require the approval of the Director of Planning.
- 4.1.3 The maximum site area for a two-family dwelling, including a lock-off unit in conjunction with a two-family dwelling, is less than 511 m<sup>2</sup>.

### 4.2 Frontage -- Not Applicable.

### 4.3 Height

- 4.3.1 Subject to section 4.3.3, a principal one-family dwelling, two-family dwelling, or two-family dwelling with secondary suite shall not exceed 10.7 m in height and shall not have more than 2½ storeys.
- 4.3.2 Subject to sections 4.3.3 and 4.3.4, an infill or a secondary one-family dwelling shall not exceed 8.0 m in height and shall not have more than 1½ storeys.
- 4.3.3 Notwithstanding sections 4.3.1 and 4.3.2, the maximum height of both dwellings shall not exceed lines described by vertical angles of 30 degrees subtended above the base surface at and perpendicular to all exterior walls which face the opposite dwelling.
- 4.3.4 Notwithstanding section 4.3.2, where an infill or a secondary one-family dwelling is located adjacent to a lane the maximum height of the infill or secondary one-family dwelling shall not exceed a line described by a vertical angle of 60 degrees subtended above the horizontal from the closest line drawn parallel to and 3.1 m from the ultimate centre line of the lane.
- 4.3.5 For the purpose of calculating half-storey in sections 4.3.1 and 4.3.2, the floor area of the storey immediately below shall include any area used for parking within the outermost walls of the building unless the parking area is located in a basement or cellar.

#### **4.4 Front Yard**

- 4.4.1 A front yard with a minimum depth of 7.3 m shall be provided.
- 4.4.2 In the case of a site having an average depth of less than 36.5 m, the required front yard may be reduced in accordance with section 10.29 of this By-law.
- 4.4.3 For two-family dwellings and two-family dwellings with secondary suite, covered porches complying with the conditions of section 4.7.3(g) shall be permitted to project into the required front yard a maximum of 1.8 m provided that such a projection is limited to 30 percent of the width of the building.

#### **4.5 Side Yards**

- 4.5.1 A side yard with a minimum width of 1.5 m shall be provided along one side of any building.
- 4.5.2 The other side yard shall have a minimum width of 10 percent of the width of the site, but need not be more than 1.5 m in width.
- 4.5.3 In the case of a corner site which has located at its rear, with or without the intervention of a lane, a site which fronts on the street flanking the corner site, the exterior side yard shall be regulated by the provisions of section 10.27 of this By-law.

#### **4.6 Rear Yards**

- 4.6.1 A rear yard with a minimum depth of 10.7 m shall be provided, except that where the rear of the site abuts a lane, this required minimum depth shall be decreased by the lane width between the rear property line and the ultimate centre line of the lane.
- 4.6.2 In the case of a site having an average depth of less than 36.5 m, the required rear yard may be reduced in accordance with section 10.29 of this By-law.
- 4.6.3 Where a building line has been established pursuant to the provisions of section 14.2, such building line shall be deemed to be the southerly boundary of any required rear yard on a riparian site, notwithstanding any dimension contained herein.
- 4.6.4 Notwithstanding the provisions of section 4.6.1, in the case of an infill or a secondary one-family dwelling, a rear yard with a minimum depth of 5.2 m from the ultimate centre line of the lane shall be provided.
- 4.6.5 Dwellings shall be separated by a yard with a minimum depth of 10.7 m.

## 4.7 Floor Space Ratio

- 4.7.1 The total floor space ratio shall not exceed 0.60 and for all uses except for two-family dwelling or two-family dwelling with secondary suite, the area of any infill or secondary one-family dwelling shall not exceed 40 percent of the total floor area except that:
- (a) where an existing lot is less than 7.3 m in width the floor space ratio shall not exceed 0.45;
  - (b) if:
    - (i) the area of all floors at or above finished grade does not exceed a floor space ratio of 0.45,
    - (ii) the area of any floor, including the basement or cellar, does not exceed a floor space ratio of 0.25, and
    - (iii) no portion of the basement or cellar projects horizontally beyond the perimeter of the first storey, including covered porches,  
an increase in the floor space ratio to 0.70 is permissible;
  - (c) for buildings existing prior to July 7, 2009, if:
    - (i) the area of all floors at or above finished grade does not exceed the lesser of a floor space ratio of 0.50 and the existing floor space ratio,
    - (ii) the area of all floors at, above or below finished grade, after the addition of a basement or cellar, does not exceed a floor space ratio of 0.75,
    - (iii) the area of any floor, including the basement or cellar, does not exceed a floor space ratio of 0.25, and
    - (iv) no portion of the basement or cellar projects horizontally beyond the perimeter of the first storey, including covered porches,  
a basement or cellar is permissible;
  - (d) the Director of Planning may increase the maximum permitted floor space ratio to 0.75 to facilitate an addition to a character house, if the Director of Planning first considers the intent of this Schedule and all applicable policies and guidelines adopted by Council; and
  - (e) the Director of Planning may increase the maximum permitted floor space ratio to 0.85 for infill in conjunction with retention of a character house, if the Director of Planning first considers the intent of this Schedule and all applicable policies and guidelines adopted by Council.
- 4.7.1A The floor space ratio for two-family dwellings and two-family dwellings with secondary suite must not exceed 0.70, except that the area of all floors at or above finished grade and of the floors of any storey, basement or cellar located below a storey which has a floor surface located 1.8 m or more above finished grade, all of which floors are located within the building depth as defined by section 4.16.1 of this Schedule, shall not exceed 371 m<sup>2</sup>.
- 4.7.2 The following shall be included in the computation of floor space ratio:
- (a) all floors, including earthen floor, to be measured to the extreme outer limits of the building;
  - (b) stairways, fire escapes, elevator shafts and other features which the Director of Planning considers similar, to be measured by their gross cross-sectional areas and included in the measurements for each floor at which they are located; and
  - (c) the floor area of bay windows, regardless of seat height, location on building or relationship to yard setbacks, in excess of the product of the total floor area permitted above the basement times 0.01.
- 4.7.3 The following shall be excluded in the computation of floor space ratio:
- (a) open residential balconies or sun 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 all exclusions does not exceed eight percent of the permitted residential floor area;

- (b) patios and roof gardens, provided that the Director of Planning first approves the design of sunroofs and walls;
- (c) where floors are used for off-street parking and loading, the taking on or discharging of passengers, bicycle storage in multiple conversion dwellings containing 3 or more units or in multiple dwellings or uses which in the opinion of the Director of Planning are similar to the foregoing, those floors or portions thereof so used, which:
  - (i) are at or below the base surface, provided that the maximum exclusion for a parking space shall not exceed 7.3 m in length; or
  - (ii) are 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 shall not exceed 7.3 m in length.
- (d) child day care facilities to a maximum floor area of 10 percent of the permitted floor area, provided the Director of Planning, on the advice of the Director of Social Planning, is satisfied that there is a need for a day care facility in the immediate neighbourhood;
- (e) areas of undeveloped floors which are located
  - (i) above the highest storey or half-storey and to which there is no permanent means of access other than a hatch; or
  - (ii) adjacent to a storey or half-storey with a ceiling height of less than 1.2 m.
- (f) floors located at or below finished grade with a ceiling height of less than 1.2 m;
- (g) covered porches, provided that:
  - (i) for all uses except for two-family dwellings and two-family dwellings with secondary suite, they face a street or a rear property line and are located at the basement or first storey,
  - (ii) for two-family dwellings and two-family dwellings with secondary suite, they face a street or rear property line,
  - (iii) that portion facing the street or rear property line shall be open or protected by guard rails the height of which shall not exceed the minimum specified in the Building By-law,
  - (iv) for all uses except for two-family dwellings and two-family dwellings with secondary suite, the total area being excluded does not exceed 5 percent of the permitted floor area,
  - (v) for two-family dwellings and two-family dwellings with secondary suite, the total area being excluded, when combined with the balcony and deck exclusions under subsection 4.7.3(a), does not exceed 13 percent of the permitted floor area,
  - (vi) for two-family dwellings and two-family dwellings with secondary suite, the depth of the total area being excluded for covered porches above the first storey does not exceed 1.83 m, and
  - (vii) the ceiling height, excluding roof structure, of the total area being excluded does not exceed 3.1 m measured from the porch floor;
- (h) the floor area of a laneway house; and
- (j) for two-family dwellings and two-family dwellings with secondary suite, areas of floors existing, proposed or as may be extended over open-to-below space located directly below sloping roof rafters or a sloping ceiling where the ceiling is directly attached to the underside of sloping roof rafters, and where the roof joists have a minimum 7:12 pitch and the related ceiling maintains the same pitch as the roof joists, provided that:
  - (i) the distance from the floor to any part of the roof rafters or ceiling is no higher than 2.3 m and no lower than 1.2 m, both measured vertically, and
  - (ii) the excluded floor area does not exceed 10 percent of the permitted total floor area.

4.7.4 Notwithstanding the definition of “half-storey” in section 2 of this By-law, for the purposes of this Schedule the maximum permitted floor area contained in a half-storey shall not include floor area excluded in section 4.7.3(j) of this Schedule.

#### **4.8 Site Coverage**

4.8.1 The maximum site coverage for buildings shall be 45 percent of the site area, except that where an existing lot is less than 7.3 m in width the maximum site coverage for buildings shall be 35 percent of the site area.

4.8.2 For the purpose of this section, site coverage for buildings shall be based on the projected area of the outside of the outermost walls of all buildings and includes carports, but excludes steps, eaves, balconies and sundecks.

4.8.3 The maximum site coverage for any portion of the site used as parking area shall be 30 percent.

4.8.4 The area of impermeable materials, including building coverage, shall not exceed 60 percent of the total site area except that where developed secondary vehicular access to a site is not available, the Director of Planning may exclude from the area of impermeable materials an amount not exceeding:

- (a) for the first parking space, the product of the distance, in metres as measured along the driveway centre line, from the point where the driveway crosses the property boundary to the point where it meets the nearest side of the approvable parking space times 3.1 m; and
- (b) for each additional parking space, 67 m<sup>2</sup> to accommodate vehicular access and manoeuvring.

4.8.5 For the purposes of section 4.8.4, the following materials shall be considered impermeable: the projected area of the outside of the outermost walls of all buildings, including carports, covered porches and entries; asphalt; concrete; brick; stone; and wood.

4.8.6 Notwithstanding section 4.8.5, gravel, river rock less than 5 cm in size, wood chips, bark mulch, and other materials which, in the opinion of the Director of Planning, have fully permeable characteristics when in place installed on grade with no associated layer of impermeable material (such as plastic sheeting) that would impede the movement of water directly into the soil below, are excluded from the area of impermeable materials.

#### **4.9 [Deleted -- see Parking By-law.]**

**4.10 Horizontal Angle of Daylight** -- Not Applicable.

**4.11 Vertical Angle of Daylight** -- Not Applicable.

**4.12 Dedication of Land for Lane Development** -- Not Applicable.

#### **4.13 Area of Transparent Surface**

4.13.1 Where dwellings are separated by a yard of less than 12.2 m in depth, the facing wall of each dwelling shall not consist of more than 20 percent transparent surface.

#### **4.14 Access**

4.14.1 Pedestrian access to the front street and lane shall be provided and maintained for all dwellings.

#### 4.15 Acoustics

- 4.15.1 A development permit application for dwelling uses shall require evidence in the form of a report and recommendations prepared by persons trained in acoustics and current techniques of noise measurements demonstrating that the noise levels in those portions of the dwelling units listed below shall not exceed the noise levels expressed in decibels set opposite such portions for the dwelling units. For the purposes of this section the noise level is the A-weighted 24-hour equivalent (Leq) sound level and will be defined simply as noise level in decibels.

Portions of dwelling units	Noise levels (Decibels)
bedrooms	35
living, dining, recreation rooms	40
kitchen, bathrooms, hallways	45

#### 4.16 Building Depth

- 4.16.1 For two-family dwelling or two-family dwelling with secondary suite, the distance between the front yard and the rear yard of a site shall not exceed 40 percent of the depth of the site.

#### 4.17 External Design

- 4.17.1 For the purpose of this section 4.17, a main entrance means a door facing a street not being a lane, which is visible from the street and is located at or within 1.8 m of grade, or connected to grade by stairs or a ramp.
- 4.17.2 In two-family dwellings and two-family dwellings with secondary suite, there must be two main entrances, one to each principal dwelling unit.
- 4.17.3 In two-family dwellings and two-family dwellings with secondary suite on a corner site, one main entrance must face the front street and one main entrance must face the flanking street.
- 4.17.4 In two-family dwellings and two-family dwellings with secondary suite, there must be a covered entry at each main entrance, with a minimum width and depth of 1.8 m.
- 4.17.5 In two-family dwellings and two-family dwellings with secondary suite, roof design must comply with the following provisions:
- all roofs except for dormer roofs shall have a minimum slope of 7:12 and a maximum slope of 12:12 and shall be either hip or gable or a combination of both, and shall intersect at its lower portion with the exterior wall face of the building or the vertical projection thereof at a line no higher than the lesser of 7.9 m above the base surface or the floor level of a half-storey or attic above the second storey;
  - dormer roofs shall be gable, hip or shed in form and shall have a minimum slope of 4:12;
  - the maximum total width of dormers provided on a half storey above the second storey must not exceed 50% of the width of the elevation of the storey below;
  - all exterior dormer walls shall be set back a minimum of 0.6 m from the exterior face of the wall of the storey below; and



- (e) notwithstanding section 4.17.5(d), one dormer, which faces an interior side yard and which provides headroom over a stair and any intermediate and top landings which provide access from the second storey to the half-storey above may have its face wall flush or continuous with the second storey exterior wall face below.

4.17.6 Exterior windows in a secondary suite or lock off unit must have:

- (a) a minimum total glazing area of 10% of the total floor area of the room, in each of the kitchen, living room and dining room; and
- (b) a minimum total glazing area of 5% of the total floor area of the room, in all other rooms, except bathrooms and laundry rooms.

4.17.7 The Director of Planning may vary the requirements of section 4.17 for two-family dwellings and two-family dwellings with secondary suite if, in the opinion of the Director of Planning, the design meets the intent of the regulations for quality and durability of design and architectural expression.

## 5 Relaxation of Regulations

**5.1** The Director of Planning may relax the requirements of any of the following sections of this Schedule after considering the intent of the Schedule and all applicable policies and guidelines adopted by Council:

- (a) section 4.1 - minimum site area;
- (b) section 4.3.3 - maximum height;
- (c) section 4.5.1 - minimum side yard;
- (d) section 4.6.5 - minimum yard.

**5.2** The Director of Planning may relax the maximum permitted percentage of transparent surfaces where the Director of Planning is satisfied with the adequacy of landscaping or screening with respect to privacy.

**5.3** The Director of Planning may relax section 4.8.4 for buildings existing prior to May 30, 2000 to a maximum of 70 percent impermeable materials site coverage provided that:

- (a) the percentage of the site covered by existing impermeable materials is not increased by the proposed development;
- (b) the Director of Planning considers the advice of the City Engineer; and
- (c) the Director of Planning considers all applicable policies and guidelines adopted by Council.

**5.4** The Director of Planning may relax the requirements of section 4.8.4 where, due to the peculiarities of the site or special circumstances related to the use of the site, literal enforcement would result in unnecessary hardship, provided that:

- (a) the Director of Planning considers all applicable guidelines and policies adopted by Council; and
- (b) the Director of Planning considers the advice of the City Engineer.

**5.5** The Director of Planning may relax the provisions of this District Schedule regarding height, required yards, site coverage, area of transparent surface and acoustics when a character house is retained if the Director of Planning first considers the intent of this Schedule and all applicable Council policies and guidelines.