

## PART 3D

### RH – RESIDENTIAL HIGH-RISE ZONE

#### 3D.1 INTENT

This zone is intended to:

- (a) be applied in both developing and developed areas; especially urban corridors, transit nodes, and prominent intersections; and
- (b) accommodate a neighbourhood environment characterized by a mixture of multi-unit building types.

#### 3D.2 APPLICATION

- (1) The regulations, standards, and requirements prescribed in Part 3D apply to all land uses and developments in the Residential High-Rise zone.
- (2) The requirements of Chapter 1 apply to all proposed land uses and developments in the Residential High-Rise zone.
- (3) The Residential High-Rise zone shall apply to lands intended to:
  - (a) encourage intensification; or
  - (b) allow for high-rise multiunit development.

#### 3D.3 LAND USE REQUIREMENTS

##### 3.1 PERMITTED OR DISCRETIONARY BUILDING TYPES

- (1) Table 3D.T1 lists building types that are permitted or discretionary in the Residential High-Rise zone.
- (2) Any building types other than those listed in Table 3D.T1 are prohibited in the Residential High-Rise zone.

<b>TABLE 3D.T1: RESIDENTIAL HIGH-RISE ZONE BUILDING TYPES</b>				
<b>Sec.</b>	<b>Building Type</b>	<b>Permitted</b>	<b>Discretionary</b>	<b>Building Specific Regulations</b>
<b>T1.1</b>	Building, Accessory	Permitted	---	---
<b>T1.2</b>	Building, Detached	Permitted when used for a land use in the Assembly, land use Class, Institution, Day Care, Public Use, General or Utility, General land use.	---	---
<b>T1.3</b>	Building, Planned Group	---	Discretionary	---
<b>T1.4</b>	Building, Row	Permitted	---	The minimum number of units in a Building, Row shall be three.
<b>T1.5</b>	Building, Stacked	<p>Permitted where the:</p> <p>(1) building does not contain a use in the dwelling land use class and meets the following conditions:</p> <p>(a) maximum building height is 20 metres or less;</p> <p>(b) the building does not adjoin a lot zoned residential or a lot containing a use in the dwelling land use class; and</p> <p>(c) the building is not on the same lot as a building containing a use in the dwelling land use class; or</p> <p>(2) building contains a use in the dwelling land use class and the maximum building height is 11 metres or less</p>	<p>Discretionary where the:</p> <p>(1) building is between 11 metres and 20 metres in height does not contain a use in the dwelling land use class and;</p> <p>(a) adjoins a lot zoned residential or a lot containing a use in the dwelling land use class; or</p> <p>(b) is on the same lot as a building containing a use in the dwelling land use class; or</p> <p>(2) building contains a use in the dwelling land use class and the maximum building height is between 11 metres and 20 metres.</p>	The minimum number of units in a Building, Stacked shall be three.

### 3.2 LAND USE REQUIREMENTS

- (1) Table 3D.T2 lists land uses and land use intensities that are permitted or discretionary in the Residential High-Rise zone, subject to compliance with:
  - (a) the land use specific regulations in Table 3D.T2;
  - (b) the development standards in subpart 3D.4;
  - (c) the parking and loading requirements in subpart 3D.6;
  - (d) the landscaping and aesthetic screening requirements of subpart 3D.7; and
  - (e) the other regulations of this Bylaw.

- (2) When considering approval of a land use or a land use intensity listed as discretionary in Table 3D.T2, the Development Officer shall evaluate the application based on the review criteria for discretionary uses listed in section 1E.3.6 of this Bylaw.
- (3) The following land uses are prohibited in the Residential High-Rise zone:
- (a) any land use that is not listed in Table 3D.T2;
  - (b) any land use that is above the maximum intensity listed as permitted or discretionary in Table 3D.T2; and
  - (c) any land use that fails to meet any of the applicable requirements prescribed in this Bylaw.

<b>TABLE 3D.T2: RESIDENTIAL HIGH-RISE ZONE LAND USE CLASSIFICATION</b>				
<b>Sec.</b>	<b>Land Uses</b>	<b>Permitted</b>	<b>Discretionary</b>	<b>Land Use Specific Regulations</b>
<b>T2.1</b>	<ul style="list-style-type: none"> <li>• Dwelling, Assisted Living</li> <li>• Dwelling, Group Care</li> <li>• Dwelling, Unit</li> </ul>	Permitted	---	<p>(1) Developments containing 20 or more dwelling units shall allocate a minimum of five per cent of the total lot area to the communal amenity area.</p> <p>(2) Where the required communal amenity area is provided outdoors, the soft landscaping portion of such communal amenity area may be included as part of the minimum landscaping requirements listed in subpart 3D.7.</p>
<b>T2.2</b>	<ul style="list-style-type: none"> <li>• Open Space, Active</li> </ul>	Permitted	---	<p>(1) The “Open Space, Active” land use may not be established where it will be closer than 182.88 metres to a “Retail Trade, Cannabis” land use.</p> <p>(2) The measurement required in subsection (1) shall be:</p> <ul style="list-style-type: none"> <li>(a) a straight line, measured from the nearest point of the portion of the building used for the “Retail Trade, Cannabis” land use to the nearest portion of the lot with an “Open Space, Active” land use.</li> <li>(b) assessed as of the date of receipt of a complete application as determined by the Development Officer.</li> </ul>

TABLE 3D.T2: RESIDENTIAL HIGH-RISE ZONE LAND USE CLASSIFICATION				
Sec.	Land Uses	Permitted	Discretionary	Land Use Specific Regulations
<b>T2.3</b>	<ul style="list-style-type: none"> <li>• Dwelling, Secondary Suite</li> </ul>	Permitted	---	<p>(1) “Dwelling, Secondary Suite” land uses are restricted as follows:</p> <p>(a) A “Dwelling, Secondary Suite” shall be located only within the exterior walls of a Building, Row</p> <p>(b) a “Dwelling, Secondary Suite” shall not occupy more than the lesser of:</p> <p>(i) 40 per cent of the gross floor area of the building; or,</p> <p>(ii) 80 square metres.</p> <p>where the calculation of such area shall include the area of the basement.</p> <p>(c) a “Dwelling, Secondary Suite” is not permitted in an accessory building or structure, unless otherwise specified.</p> <p>(d) no more than one “Dwelling, Secondary Suite” per principal Dwelling Unit shall be located in a building.</p> <p>(e) the floor area occupied by a “Dwelling, Secondary Suite” shall be considered as part of the principal building.</p>
<b>T2.4</b>	<ul style="list-style-type: none"> <li>• Assembly, Community</li> <li>• Assembly, Recreation</li> <li>• Assembly, Religious</li> <li>• Institution, Day Care</li> <li>• Service Trade, Homestay</li> </ul>	---	Discretionary	<p>(1) A land Use in the Assembly land use class:</p> <p>(a) shall not be operated from an accessory building; and</p> <p>(b) shall be located only on sites adjoining and accessed by a collector or arterial street.</p> <p>(2) The “Assembly, Community” land use may not be established where they will be closer than 182.88 metres to a “Retail Trade, Cannabis” land use.</p> <p>(3) The measurement required in subsection (2) shall:</p> <p>(a) be a straight line, measured from the nearest point of the portion of the building used or proposed to be used as a “Retail Trade, Cannabis” land use to the nearest portion of the lot currently developed with any of the land uses mentioned in (a).</p> <p>(b) be assessed as of the date of receipt of a complete application as determined by the Development Officer.</p>
<b>T2.5</b>	<ul style="list-style-type: none"> <li>• Public Use, General</li> <li>• Utility, General</li> </ul>	Permitted	---	<p>(1) There shall be no exterior storage of goods, materials or equipment.</p>

TABLE 3D.T2: RESIDENTIAL HIGH-RISE ZONE LAND USE CLASSIFICATION				
Sec.	Land Uses	Permitted	Discretionary	Land Use Specific Regulations
T2.6	• Planned Group	---	Discretionary	<p>(1) A “Planned Group” shall allow all uses and building types that are permitted or discretionary in the Residential High-Rise zone.</p> <p>(2) All buildings within the “Planned Group” shall comply with the applicable Development Standards specified in Table 3C.T3.</p> <p>(3) Buildings that are connected by underground parking structures or above ground enclosed or non-enclosed structures shall be considered part of the “Planned Group” and shall comply with the regulations of this subsection.</p> <p>(4) “Planned Group” containing 20 or more dwelling units shall allocate a minimum of five per cent of the total lot area to the communal amenity area.</p> <p>(5) Where the required communal amenity area is outdoors, the soft landscaping portion of such communal amenity area may be included as part of the minimum landscaping requirements listed in subpart 3D.7.</p>
T2.7	• Residential Business	<p>Permitted if the Residential Business:</p> <p>(a) does not occupy more than 25 per cent of the gross floor area of the building used for the Dwelling Unit; or</p> <p>(b) is an Institution, Day Care meeting the requirements of a family child care home or group family child care home, as defined by <i>The Child Care Act</i>.</p>	Discretionary if the Residential Business occupies more than 25 per cent but not more than 40 per cent of the gross floor area of the building used for the Dwelling Unit.	<p>(1) For the purpose of this section, the gross floor area of the building used for the principal Dwelling Unit shall include any garage or accessory building.</p> <p>(2) Where more than one “Residential Business” is approved on a property, all Residential Businesses together shall not exceed the applicable permitted or discretionary area requirements of section T2.7.</p> <p>(3) A “Residential Business” shall be a land use defined in Chapter 2, except those listed in section (5).</p> <p>(4) Notwithstanding the permitted or discretionary area requirements of section T2.7, a “Residential Business” shall not be approved if, in the opinion of the Development Officer, the use would be more appropriately located in a mixed-use or industrial zone having regard for the overall compatibility of the use with the residential character of the area.</p> <p>(5) The following land uses or land use classes are prohibited as a “Residential Business” in the Residential High-Rise zone:</p> <p>(a) any land use in the “Agriculture” land use class, except “Agriculture, Indoor”;</p>

TABLE 3D.T2: RESIDENTIAL HIGH-RISE ZONE LAND USE CLASSIFICATION				
Sec.	Land Uses	Permitted	Discretionary	Land Use Specific Regulations
T2.7	• Residential Business			<p>(b) any land use in the “Assembly” land use class;</p> <p>(c) any land use in the “Drive-Through” land use class;</p> <p>(d) any land use in the “Dwelling” land use class;</p> <p>(e) any land use in the “Food &amp; Beverage” land use class, except “Food and Beverage, Catering”;</p> <p>(f) any land use in the “Industry” land use class, except “Industry, Artistic”;</p> <p>(g) any land use in the “Institution” land use class, except “Institution, Training” and “Institution, Day Care”;</p> <p>(h) any land use in the “Open Space” land use class;</p> <p>(i) any land use in the “Retail Trade” land use class;</p> <p>(j) any land use in the “Service Trade” land use class except “Service Trade, Personal,” “Service Trade, Light” and “Service Trade, Homestay”;</p> <p>(k) any land use in the “Transportation” land use class;</p> <p>(l) any land use in the “Wholesale Trade” land use class;</p> <p>(m) any land use in the “Public Use” land use class; and,</p> <p>(n) any land use in the “Utility” land use class.</p> <p>(6) No exterior storage or exterior operation of the “Residential Business” shall be permitted.</p> <p>(7) No window display of merchandise shall be permitted.</p> <p>(8) Notwithstanding clause T2.7(5)(i), merchandise created, assembled or designed on-site may be stored, displayed and sold from the business.</p> <p>(9) A “Residential Business” falling under the discretionary area requirements of section T2.7 shall only be considered in locations designated, as “live/work” areas through a secondary or concept plan.</p>

### **3.3 COMBINATION OF USES**

- (1) Subject to the land use specific regulations listed in Table 3D.T2, permitted or discretionary principal buildings in the Residential High-Rise zone may include a combination of uses that are either permitted or discretionary in the Residential High-Rise zone.
- (2) Each principal use shall be in a separate unit within the building.
- (3) The land use specific regulation from Table 3D.T2 for each of combined use shall apply.
- (4) Where there is a conflict between the land use specific regulations for any set of uses, the most stringent land use specific regulation shall apply.

## **3D.4 DEVELOPMENT STANDARDS**

### **4.1 DEVELOPMENTS STANDARDS**

The standards prescribed in Table 3D.T3 shall apply to all principal buildings and land uses in the Residential High-Rise zone.

TABLE 3D.T3 RESIDENTIAL HIGH-RISE ZONE DEVELOPMENT STANDARDS					
Sec.	Development Criteria	Standards (Per lot except for Building, Row where standards are per unit)			
		• Building, Detached • Building, Stacked <sup>1</sup>	• Building, Stacked <sup>2</sup>	• Building, Row	• Building, Planned Group
T3.1	Minimum Lot Area				
	(1) For lots with rear lane access	200 square metres	400 square metres	103 square metres	Sum of minimum lot area as identified in T3.1 for each building type on the lot.
	(2) For lots without rear lane access	233 square metres		233 square metres	
T3.2	Minimum Lot Frontage				
	(1) For lots with rear lane access	7.3 metres	14.6 metres	End Units: 5.0 metres Interior Units: 3.75 metres	Where buildings on the lot front a public road: the sum of minimum lot frontage as identified in T3.2 for each building fronting a public street; otherwise: 7.5 metres..
	(2) For lots without rear lane access	8.5 metres		End Units: 8.5 metres Interior Units: 8.5 metres	
T3.3	Minimum Front Yard Setback				
	(1) To garage (Subject to subclause 3D.6.4(4)(b))	6.0 metres	6.0 metres	6.0 metres	Minimum front yard setback otherwise required for each of the building types as identified in T3.3
	(2) To non-garage portion of the building				
	(a) where a landscaped boulevard exists between the curb and the public sidewalk	3.0 metres	4.5 metres	3.0 metres	
(b) where no landscaped boulevard exists between the curb and the public sidewalk	4.5 metres	4.5 metres			
T3.4	Minimum Rear Yard Setback				
	(1) For lots with rear lane access	3.5 metres	3.5 metres	3.5 metres	Minimum rear yard setback otherwise required for each of the building types as identified in T3.4
	(2) For lots without rear lane access	5.0 metres	5.0 metres	5.0 metres	
T3.5	Minimum Side Yard Setback on Corner Lots				
	(1) Where the lot frontage is less than 10 metres				Minimum side yard setback for corner lots otherwise required for each of the building types as identified in T3.5.
	(a) flankage yard	450 millimetres	N/A	End Unit: 450 millimetres Interior Unit: N/A	
	(b) total side yard	1.2 metres		End Unit: 450 millimetres Interior Unit: N/A	
	(2) Where the lot frontage is more than 10 metres				
	(a) flankage yard	450 millimetres	450 millimetres	End Unit: 450 millimetres Interior Unit: N/A	
	(b) interior side yard				
	(i) portions of any building or structure up to 11 metres in height	1.2 metres	1.2 metres	End Unit: 1.2 metres Interior Unit: 0 metres	
	(ii) portions of any building or structure over 11 metres but up to 15 metres in height	N/A	3.25 metres	N/A	
	(iii) portions of any building or structure over 15 metres but up to 17.5 metres in height	N/A	4.4 metres	N/A	
(iv) portions of any building or structure over 17.5 metres but up to 20 metres in height	N/A	5.0 metres	N/A		

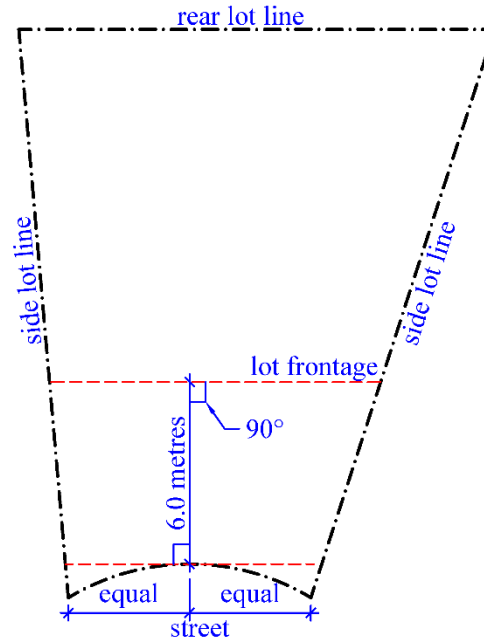


TABLE 3D.T3 RESIDENTIAL HIGH-RISE ZONE DEVELOPMENT STANDARDS						
Sec.	Development Criteria	Standards (Per lot except for Building, Row where standards are per unit)				
		• Building, Detached • Building, Stacked <sup>1</sup>	• Building, Stacked <sup>2</sup>	• Building, Row	• Building, Planned Group	
T3.6	Minimum Side Yard Setback for Interior Lots					
	(1) Where lot frontage is less than 10 metres					
	(a) single side yard	450 millimetres	N/A	End Unit: 1.2 metres Interior Unit: 0 metres	Minimum side yard setback for interior lots otherwise required for each of the building types as identified in T3.6.	
	(b) total side yard	1.2 metres				
	(2) Where lot frontage is 10 metres or more					
	(a) portions of any building or structure up to 11 metres in height	1.2 metres	1.2 metres	End Unit: 1.2 metres Interior Unit: 0 metres		
	(b) portions of any building or structure over 11 metres but up to 15 metres in height	N/A	3.25 metres	N/A		
	(c) portions of any building or structure over 15 metres but up to 17.5 metres in height	N/A	4.4 metres	N/A		
	(d) portions of any building or structure over 17.5 metres but up to 20 metres in height	N/A	5.0 metres	N/A		
	T3.7	Maximum Lot Coverage	60%	60%		60%
T3.8	Maximum Floor Area Ratio	0.75	3.0	0.85	Maximum floor area ratio otherwise permitted for each building type as identified in the T3.8.	
T3.9	Maximum Building Height	11 metres	20 metres	11 metres	Maximum building height otherwise permitted for each building type as identified in T3.9.	
Notes: 1. These standards apply to a Building, Stacked containing three or less units. 2. These standards apply to a Building, Stacked containing more than three units.						

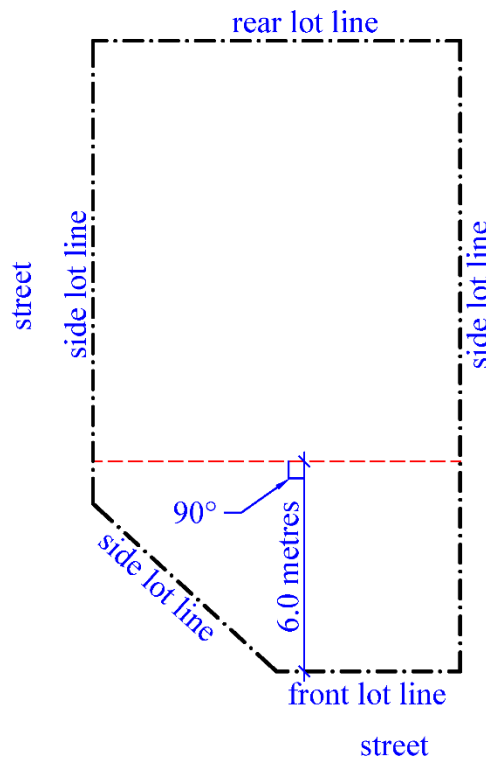
## 4.2 LOT FRONTAGE

- (1) Where a lot's front lot line is curved, the lot frontage shall be measured as follows, as shown in Figure 3D.F1:
  - (a) the midpoint of the front lot line, relative to the side lot lines, shall be determined;
  - (b) a distance line perpendicular to the tangent and six metres in length shall be measured from the midpoint determined in subclause 3D.4.2(1)(a);
  - (c) the lot frontage shall be measured as a line perpendicular to the six metre distance line prescribed in subclause 3D.4.2(1)(b).

- (2) On a corner lot, the lot frontage shall be measured as follows, as shown in Figure 3D.F2:
- a distance line perpendicular to the front lot line and six metres in length shall be measured from the front lot line;
  - the lot frontage shall be measured as a line perpendicular to the six metre distance line prescribed in subclause 3D.4.2(4)(a).



**Figure 3D.F1: Minimum Lot Frontage on a Curve Front Lot**



**Figure 3D.F2: Minimum Lot Frontage on a Corner Lot**

### 4.3 PERMITTED YARD ENCROACHMENTS

- (1) The minimum front yard, flankage side yard, interior side yard and rear yard specified by this Bylaw shall remain free from any encroachment, except as permitted by Table 3D.T4.
- (2) Permitted yard encroachments are subject to section 1E.1.9 of Chapter 1.
- (3) The minimum setback from lot line to a permitted encroachment shall be the lesser of the setback standards prescribed in Table 3D.T3 and 3D.T4.

TABLE 3D.T4: RESIDENTIAL HIGH-RISE ZONE PERMITTED ENCROACHMENT STANDARDS				
Sec.	Structure	Permitted Yard	Maximum Projection into Permitted Yard	Minimum Setback from Lot Line
T4.1	Non-structural architectural features (e.g. window sill, eaves, etc.)	<ul style="list-style-type: none"> <li>• Front Yard</li> <li>• Interior Side Yard</li> <li>• Flankage Yard</li> <li>• Rear Yard</li> </ul>	610 millimetres	450 millimetres
T4.2	Cantilevered portion of a building, no greater than 2.4 square metres in combined area of all cantilevers when measured horizontally	<ul style="list-style-type: none"> <li>• One Interior Side Yard Only</li> <li>• Flankage Yard</li> </ul>	610 millimetres	450 millimetres
T4.3	Fire escape	<ul style="list-style-type: none"> <li>• Front Yard</li> <li>• Interior Side Yard</li> <li>• Flankage Yard</li> <li>• Rear Yard</li> </ul>	1.5 metres	150 millimetres
T4.4	Uncovered Balcony, Deck or Platform			
	(1) Portion that is 600 millimetres or more in height above grade.	<ul style="list-style-type: none"> <li>• Front Yard</li> <li>• Rear Yard</li> </ul>	1.5 metres	The lesser of the minimum side yard setback requirements for the principal building on site, or the existing side yard setback of the building on site.
	(2) Portion that is less than 600 millimetres in height above grade.	<ul style="list-style-type: none"> <li>• Front Yard</li> <li>• Interior Side Yard</li> <li>• Flankage Yard</li> <li>• Rear Yard</li> </ul>	Unrestricted	Unrestricted
T4.5	Porch	<ul style="list-style-type: none"> <li>• Front Yard</li> <li>• Rear Yard</li> </ul>	1.5 metres	3.0 metres
T4.6	Steps above or below grade, landings and wheelchair ramps	<ul style="list-style-type: none"> <li>• Front Yard</li> <li>• Interior Side Yard</li> <li>• Flankage Yard</li> <li>• Rear Yard</li> </ul>	Unrestricted	Unrestricted
T4.7	Children's play equipment, fences, gutters, retaining walls or other landscape features and decorative structures	<ul style="list-style-type: none"> <li>• Front Yard</li> <li>• Interior Side Yard</li> <li>• Flankage Yard</li> <li>• Rear Yard</li> </ul>	Unrestricted	Unrestricted

### 4.4 HEIGHT EXCEPTIONS

- (1) Subject to subsection 3D.4.4(2), the height limitation of Table 3D.T3 shall not apply to any of the following:
  - (a) a spire;
  - (b) a belfry;
  - (c) a cupola;
  - (d) a dome;
  - (e) a chimney;
  - (f) a ventilator;
  - (g) a skylight;
  - (h) a water tank;
  - (i) a bulkhead;
  - (j) a communication antenna; or
  - (k) a feature or mechanical appurtenance, usually situated above the roof level, that is, in the opinion of the Development Officer, similar to the above list.
- (2) The features mentioned in subsection 3D.4.4(1):
  - (a) may not include an elevator or staircase enclosure, or a mechanical penthouse;
  - (b) may not be used for human habitation; and
  - (c) shall be erected only to such minimum height or area necessary to accomplish the purpose they are to serve.

### **3D.5 ACCESSORY USE, BUILDING AND STRUCTURE**

#### **5.1 ACCESSORY BUILDING OR STRUCTURE LOCATION AND SEPARATION**

Detached accessory buildings or structures shall not be located in the front yard, except those in 3D.T4.7.

#### **5.2 ACCESSORY BUILDING OR STRUCTURE DEVELOPMENT STANDARDS**

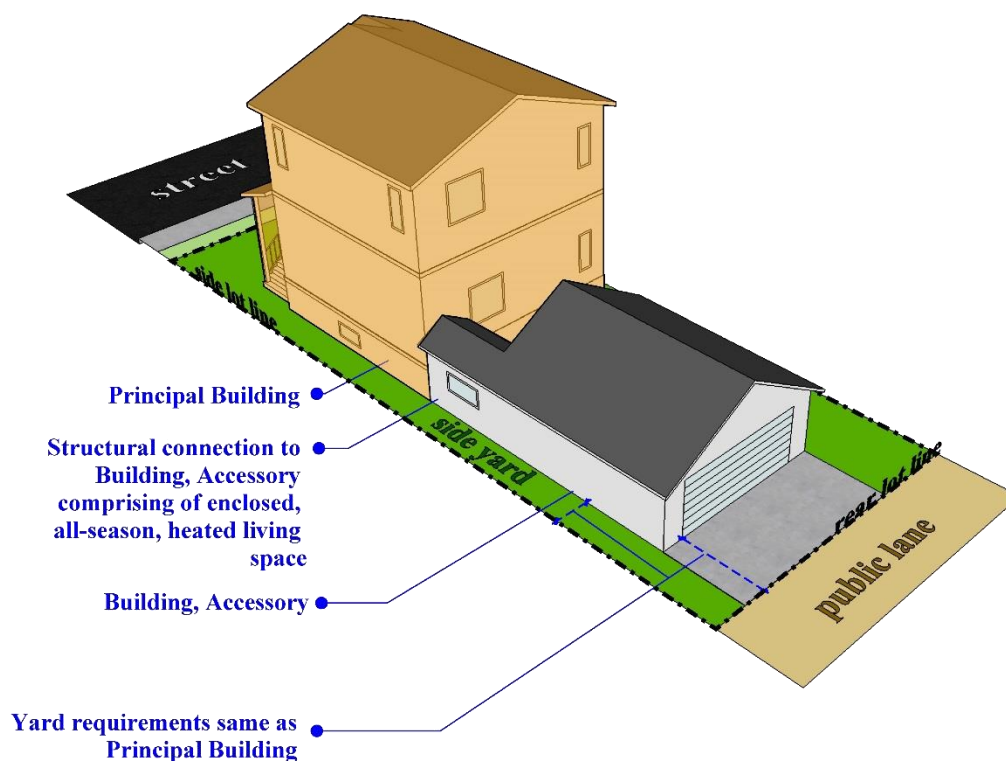
The standards prescribed in Table 3D.T5 apply to all accessory buildings or structures in the Residential High-Rise zone.

<b>TABLE 3D.T5 RESIDENTIAL HIGH-RISE ZONE DEVELOPMENT STANDARDS FOR ACCESSORY BUILDINGS OR STRUCTURES</b>		
<b>Sec.</b>	<b>Development Criteria</b>	<b>Standard (Per lot except for Building, Row where standards are per unit)</b>
<b>T5.1</b>	<b>Maximum Area</b>	
	(1) Accessory to a: (a) Building, Detached; or (b) Building, Row	75 square metres
	(2) Accessory to: (a) any type of building within a Planned Group (b) Building, Stacked with more than two units; (c) Public Use, General; (d) Utility, General	Greater of 75 square metres or 15 percent of the lot area.
<b>T5.2</b>	<b>Minimum Setback for an Accessory Building or Structure on an interior lot</b>	
	(1) Where the accessory building or structure is located entirely within the rear yard:	
	(a) setback from rear lot line	
	(i) where the vehicular access door of a garage faces the rear lot line adjoining a public lane; or	1.50 metres
	(ii) otherwise	600 millimetres
	(b) setback from side lot lines	600 millimetres
	(2) Where the accessory building or structure is located entirely within the side yard:	
	(a) setback from side lot line	Same as otherwise required for the principal building on site.
<b>T5.3</b>	<b>Minimum Setback for an Accessory Building or Structure located on a corner lot</b>	
	(1) Where the accessory building or structure is located entirely within the rear yard:	
	(a) setback from rear lot line:	
	(i) where a vehicular access door of a garage faces rear lot line adjoining a public lane; or	1.50 metres
	(ii) otherwise	600 millimetres
	(b) Setback from side lot line:	
	(i) where a vehicular access door of a garage faces flankage lot line	6.0 metres from flankage lot line
	(ii) otherwise	600 millimetres
	(2) Where the accessory building or structure is located entirely within the side yard:	
	(a) setback from side lot line	
	(i) where a vehicular access door of a garage faces flankage lot line; or	6.0 metres from flankage lot line
	(ii) otherwise	Same as otherwise required for the principal building on site.
<b>T5.4</b>	<b>Minimum Setback from a principal building on the site</b>	1.0 metre
<b>T5.5</b>	<b>Maximum Height</b>	
	(1) An accessory building used as a communal amenity area in a Dwelling, Planned Group	11.0 metres
	(2) Otherwise	4.0 metres

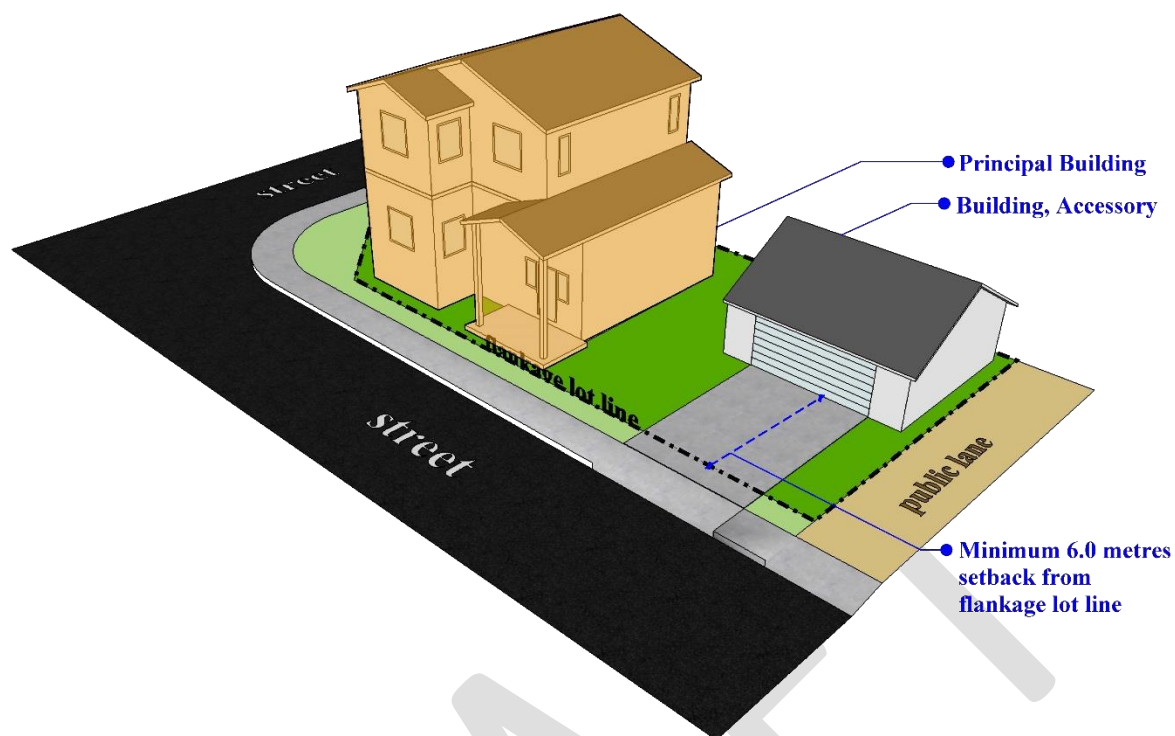
### 5.3 ACCESSORY BUILDING OR STRUCTURE EXCEPTIONS

- (1) Notwithstanding the minimum setback requirements for an accessory building or structure specified under Table 3D.T5:

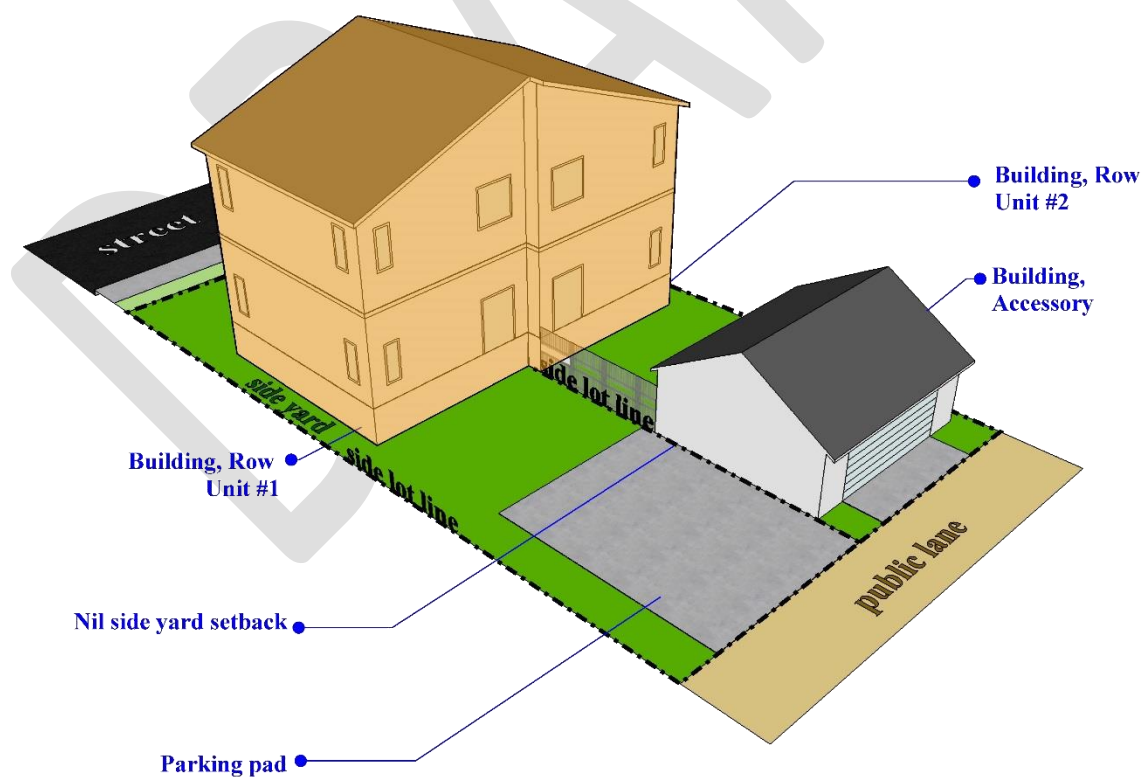
- (a) where an accessory structure is structurally attached to the principal structure as a continuous, enclosed, all-season, heated building envelope, it shall be considered as a part of the principal structure, and shall maintain the yard requirements of the principal building (see Figure 3D.F3);
- (b) notwithstanding clause 3A.5.3(a), where access to an attached or detached garage or carport is provided directly from a flankage side, setback to the attached garage or carport shall be minimum 6.0 metres from the flankage lot line (see Figure 3D.F4); and
- (c) where the principal building on a site has no side yard requirement, an accessory building on that site may be built without a side yard setback from the same property line from which the principal building has no required side yard setback (see Figure 3D.F5).



**Figure 3D.F3: Accessory Connection**



**Figure 3D.F4: Flankage Yard Parking**



**Figure 3D.F5: Parking Access off the Lane**

- (2) The minimum setback requirements of Table 3D.T5 shall not apply to a detached accessory building with a floor area of 10 square metres or less and is located in the rear or side yard, provided that no part of the accessory structure can overhang the property line:
- (3) Where a detached accessory structure mentioned in subsection 3D.5.3(2) is located on a corner lot, the same side yard setback shall be maintained from the corner side as required for the principal building.
- (4) All accessory structures or buildings shall be included in the calculation of the total site coverage calculation, except those listed in 3D.T4.7.

### **3D.6 PARKING AND LOADING**

#### **6.1 NO OBSTRUCTION**

For a Building Stacked containing five or more dwelling units or a building containing non-dwelling land uses, parking stalls required by this Bylaw shall not be obstructed in any way by garbage receptacles, structures, equipment or materials which interfere with the ability of the parking stall to serve its function.

#### **6.3 ACCESSIBLE PARKING STALLS**

- (1) Notwithstanding any other provision in this bylaw, a minimum of two per cent of the required number of parking stalls shall be provided in the form of accessible parking stalls in the Residential High-Rise zone.
- (2) Accessible parking stalls shall be clearly designated with signs above ground indicating their purpose.
- (3) Relative to the placement of non-accessible parking stalls, accessible parking stalls shall be located closest to the:
  - (a) accessible building entrance if it exists; or
  - (b) building entrance with shortest path of travel from the accessible parking stalls.

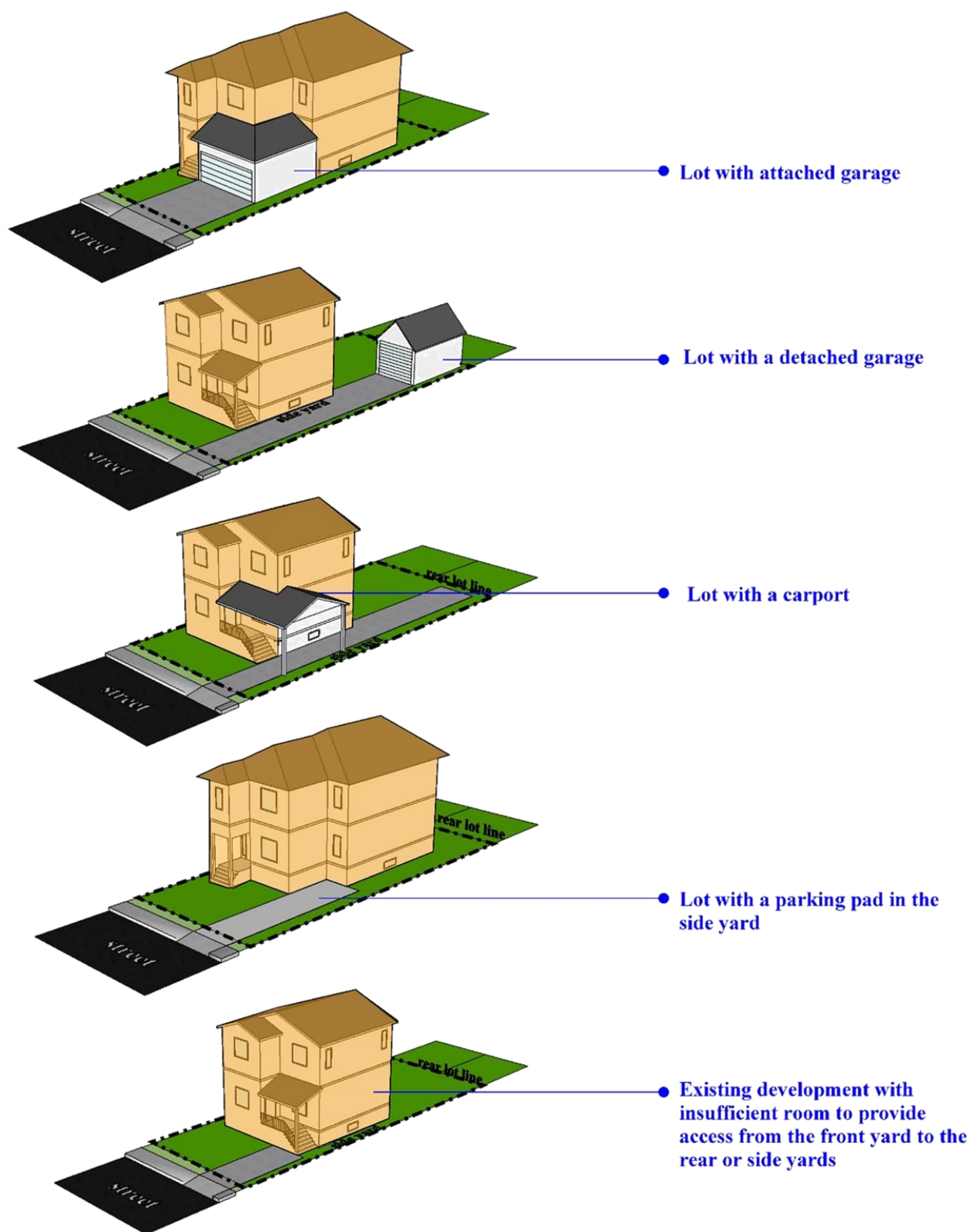
#### **6.3 MOTOR VEHICLE REGULATIONS**

- (1) All motor vehicle parking stalls, loading stalls and manoeuvring areas shall be located entirely on the same lot as the principal land use they serve except as provided by caveated parking, shared parking or shared maneuvering area as prescribed in subpart 1F.3 of Chapter 1.
- (2) No motor vehicle parking stall, manoeuvring area, garage door, loading stall or loading bay shall be located in:



- (a) any areas provided to meet the total site landscaping area; or
  - (b) the required front yard unless otherwise specified in this Bylaw.
- (3) Motor vehicles parked on site shall only be parked in approved parking stalls or on an approved driveway leading up to a garage, carport or legal parking pad located on site (see Figure 3D.F6).

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**Figure 3D.F6: Front Yard Parking**

- (4) The following requirements apply in determining the location of access to parking on a lot in the Residential High-Rise zone:
- (a) where a lot backs onto a lane, vehicle access to the required parking stall shall be from the lane;
  - (b) notwithstanding clause 3A.6.3(4)(a), front yard vehicular access may be permitted, where:
    - (i) the lot has a lawfully existing building and a lawfully existing parking stall with access provided from the front yard; or
    - (ii) more than 80 per cent of principal buildings on the same blockface have existing front yard vehicular access with the proper surface type; and
    - (iii) the lot has a minimum frontage of 8.5 metres.
  - (c) where a lot does not back onto a lane, the following conditions allow for front yard parking:
    - (i) the lot has an attached garage with access provided from the front yard; or
    - (ii) the lot has a detached garage, a carport or a parking pad located in the side or rear yard, with access provided from the front yard; or
    - (iii) the lot contains an existing development with insufficient room to provide access from the front yard to the rear or side yards.
- (5) Where a lot in the Residential High-Rise zone is a corner lot, the following conditions allow for flankage yard parking:
- (a) the lot has an attached garage with access provided from the flankage yard;
  - (b) the lot has a detached garage, a carport or a parking pad located in the side or rear yard, with access provided from the flankage yard; or
  - (c) there is insufficient room to provide access from the flankage yard to the rear or side yards.
- (6) Where vehicle access to the required parking stall is provided from the front yard, the number of vehicles parked on a legal driveway located in the front yard is limited to the capacity of the garage, carport or parking pad, or two, whichever is greater.

- (7) Notwithstanding clause 3D.6.3(4)(c), no parking shall be permitted in the front yard of a Building, Stacked.
- (8) The maximum width of a driveway in the Residential High-Rise zone shall not exceed the exterior dimensions of the garage, carport or the parking pad for a building containing only Dwelling land uses.

#### **6.4 MINIMUM MOTOR VEHICLE PARKING REQUIREMENTS**

- (1) Table 3D.T6 lists the required motor vehicle parking requirements for land uses in the Residential High-Rise zone.
- (2) If in determining the number of required motor vehicle parking and loading stalls a fractional stall is calculated:
  - (a) any fraction up to and including one-half shall be disregarded;
  - (b) any fractions over one-half shall be deemed to be equivalent to one stall.
- (3) The required parking stalls may be provided as tandem parking unless otherwise specified in this Bylaw.
- (4) Up to 30 per cent of the required parking stalls in any parking area may be designed as compact stalls.
- (5) All compact parking stalls shall be clearly designated with signs indicating their purpose.

**TABLE 3D.T6: RESIDENTIAL HIGH-RISE ZONE PARKING REQUIREMENTS**

Sec.	Land Use	Motor Vehicle	
T6.1	Dwelling, Secondary Suite or Dwelling, Unit	One stall is required per Dwelling Unit.	
T6.2	Dwelling, Group Care	Greater of: (a) one stall is required per six beds; or (b) two stalls are required.	
T6.3	Dwelling, Assisted Living	0.4 stalls are required per Dwelling Unit.	
T6.4	Planned Group	Same as the requirement for the permitted or discretionary dwelling units in the Residential High-Rise zone.	
T6.5	Service Trade, Homestay	0.5 stall per Service Trade, Homestay is required in addition to the parking requirement for the Dwelling Unit.	
T6.6	Business, Residential	(1) A minimum of one parking stall shall be provided for the Residential Business in addition to the parking required for the Dwelling Unit on the same lot if the Residential Business utilizes a business vehicle. (2) Where the Residential Business is an Institution, Day Care, parking requirements listed under T6.7 shall apply.	
T6.7	Institution, Day Care	(1) One stall is required per unit; and (2) Passenger drop-off stall in accordance with the following:	
		Individuals under care	Minimum number of passenger drop-off stalls
		1-10	1 stall
		10-15	2 stalls
		16-30	3 stalls
		31-45	4 stalls
		46-60	5 stalls
		More than 60	Two additional stalls for each increment of 15 individuals in excess of 60
		(3) Notwithstanding subsection (2), where the applicant demonstrates, to the satisfaction of the Development Officer, that on-street parking capacity can adequately serve as a passenger drop-off stall without impeding traffic flow, the Development Officer may reduce the minimum passenger drop-off stall requirements accordingly.	
		(4) Parking stalls required pursuant to subsection (1) shall not be used to satisfy the passenger drop-off stall requirements of subsection (2).	
(5) All on-site passenger drop-off stalls shall be reserved and clearly marked for passenger drop-off purposes.			
T6.8	All other land uses	One stall is required per 75 square metres of total floor area.	

## 6.5 MINIMUM LOADING REQUIREMENTS

- (1) On any lot containing buildings with a combined gross floor area of 1,401 to 10,000 square metres, one loading stall shall be required.
- (2) On any lot where the combined gross floor area of 10,001 square metres or more, one loading stall shall be required in addition to the requirement mentioned in subsection 3D.6.5(1).
- (3) Dwelling units shall not be calculated toward the combined gross floor area mentioned in subsection 3D.6.5(1) or (2).
- (4) All loading stalls shall be clearly marked to indicate their purpose.
- (5) Notwithstanding subsections 3D.6.5(1) and (2) the Development Officer may decrease the number of required loading stalls.

## **6.6 BICYCLE PARKING REQUIREMENTS**

- (1) Where a development consists of one or more Building, Stacked containing five or more Dwelling Units:
  - (a) long-term bicycle parking stall(s) shall be required as per clause 3D.6.6(1)(b) if the sum of the Dwelling Units in the Building, Stacked is 20 or more;
  - (b) a minimum of one long-term bicycle parking stall shall be provided for every 20 Dwelling Unit to be located on the same lot as the Dwellings; and
  - (c) requirements of clause 3D.6.6(1)(b) may be counted toward the total lot minimum bicycle parking requirement prescribed in subsection 3D.6.6(2).
- (2) For every 10 required motor vehicle parking stalls, whether to meet the parking requirement in Table 3D.T6 or not, there shall be either:
  - (a) two short-term bicycle parking stalls;
  - (b) 0.5 long-term bicycle parking stalls; or
  - (c) an equivalent combination of the clauses 3D.6.6(2)(a) and (b).
- (3) If, in determining the number of required parking stalls, a fractional bicycle parking stall is calculated, any fraction will be rounded up to the next whole number.
- (4) Required short-term bicycle stalls shall be located closer to the building entrance than the motor vehicle parking stalls.
- (5) Required long-term bicycle stalls shall be located either:
  - (a) on the grade floor of the principal building(s) on the lot; or
  - (b) within a secure area closer to the entrance than the building's motor vehicle parking stalls.
- (6) If the motor vehicle parking stalls are covered or located within a structure, then the bicycle parking stalls must also be covered or located within a structure.

## 6.7 MUNICIPAL HERITAGE PROPERTY AND PROVINCIAL HERITAGE PROPERTY

- (1) Where required, the number of motor vehicle parking stalls existing upon municipal heritage property and provincial heritage property, at the time of such heritage designation, shall be maintained for any development approved after such date.
- (2) Notwithstanding the motor vehicle parking requirements in sections 3D.6.4 and 3D.6.5, development of designated municipal heritage property and provincial heritage property shall not be required to provide parking and loading facilities beyond that mentioned in subsection 3D.6.7(1).

## 3D.7 LANDSCAPING AND AESTHETIC SCREENING

### 7.1 MINIMUM TOTAL SITE LANDSCAPING REQUIREMENTS

- (1) The minimum landscaping requirements prescribed in Table 3D.T7 apply to principal land uses and developments in the Residential High-Rise zone.

TABLE 3D.T7: RESIDENTIAL HIGH-RISE ZONE TOTAL SITE LANDSCAPING REQUIREMENTS		
Sec.	Land Use	Minimum Landscaping Requirements
T7.1	<ul style="list-style-type: none"> <li>• Dwelling, Assisted Living</li> <li>• Dwelling, Group Care</li> <li>• Dwelling, Unit</li> <li>• Planned Group</li> </ul>	15% total site landscaping area
T7.2	<ul style="list-style-type: none"> <li>• Assembly, Community</li> <li>• Assembly, Religious</li> <li>• Institution, Day Care</li> <li>• Service Trade, Homestay</li> </ul>	10% total site landscaping area
T7.3	<ul style="list-style-type: none"> <li>• Dwelling, Secondary Suite</li> <li>• Open Space, Active</li> <li>• Public Use, General</li> <li>• Utility, General</li> <li>• Business, Residential</li> </ul>	No Requirement

- (2) For all uses listed in sections T7.1 and T7.2 of Table 3D.T7, where a parking or loading area abuts a public street, a minimum 3.0 metre landscaped strip measured from the inside of the curb or the sidewalk shall be provided. The requirement of this subsection can be credited toward the fulfillment of the total site landscaping requirement prescribed in Table 3D.T7.
- (3) If there is a conflict between the requirements in Table 3D.T7, the most stringent requirement shall apply.
- (4) All landscaping requirements shall be completed in accordance with the approved landscape plan by the end of the growing season in which the use of the building or site has taken place. When the use of a building has occurred after the end of the growing season, all required and approved

landscaping features shall be completed by June 1 of the following growing season.

## **7.2 PLANTING REQUIREMENTS**

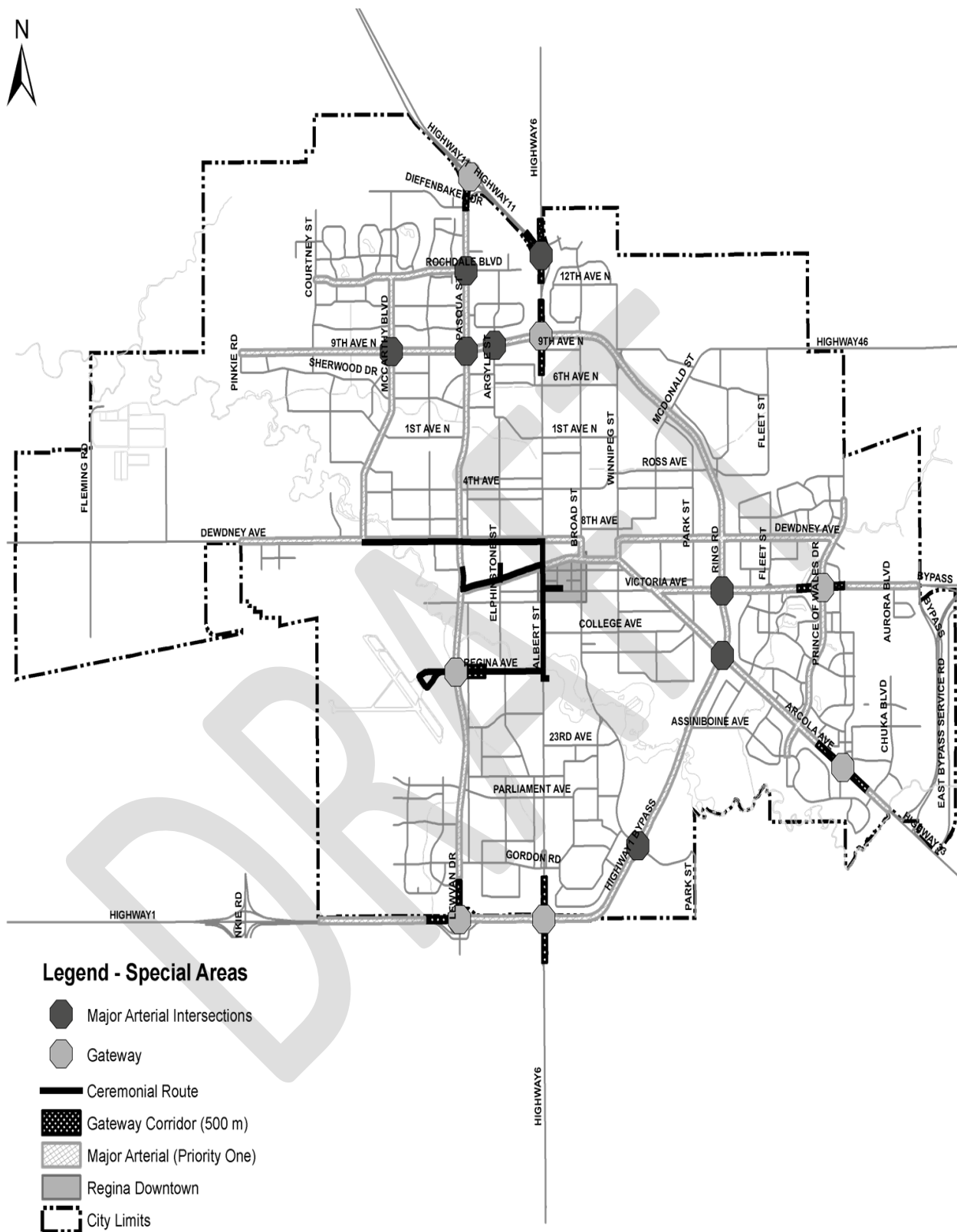
For uses listed in sections T7.1 and T7.2 of Table 3D.T7, the following planting ratios shall apply to achieve the total site landscaping area, as required by Table 3D.T7:

- (a) a minimum of one tree per 40 square metres of required site landscaping is required per lot.
- (b) for every ten metres along a registered road right-of-way, a minimum of one deciduous tree is required. This includes portions separated from a right-of-way only by an easement or boulevard.
- (c) a minimum of one shrub per 20 square metres of required site landscaping is required per lot.

## **7.3 INCLUDED LANDSCAPE AREAS**

- (1) The total site landscaping area, as required by Table 3D.T7, may include, but is not restricted to:
  - (a) parking area landscaping;
  - (b) major roadways landscape design areas (see Figure 3D.F7);
  - (c) boulevard areas;
  - (d) curbing;
  - (e) perimeter screening; and
  - (f) any portion of required aesthetic screening.
- (2) Developments within the major roadways landscape design areas in Figure 3D.F8 may be subject to additional landscaping requirements.
- (3) Development - such as buildings, structures, parking areas or loading areas - and non-permeable surfaces shall not be included as part of the total site landscaping area.





### Figure 3C.F7: Major Roadways Landscape Design Map

**7.4 PRESERVATION OF EXISTING PLANT MATERIAL**

Where existing plant material on site is retained, it may be credited toward the fulfillment of the total site landscaping requirement.

**7.5 AESTHETIC SCREENING OF INCOMPATIBLE USES**

- (1) A proposed new development or substantial addition to existing development in the Residential High-Rise zone shall provide minimum 1.83 metre high aesthetic screening along its abutting lot line(s) in the following situations:
  - (a) where the proposed development comprising of three or more units abuts an existing building containing one or two units; or,
  - (b) where the proposed development comprising of a non-Dwelling use abuts an existing building containing one or two units.
- (2) In addition to other requirements of this Bylaw, the following activities and/or areas on a lot in the Residential High-rise zone containing four or more dwelling units or a non-dwelling land use shall be aesthetically screened from all sides to a height of 1.83 metres or to the satisfaction of the Development Officer:
  - (a) all collection areas for garbage, refuse or recycling;
  - (b) all storage areas that are outdoors or partially outdoors; and,