Chapter 1 Administration

1.40 Zones and Zone Categories

1.40.15 Residential Apartment Zone Category

(3) Purpose of the Zones in the Residential Apartment Zone Category

The purpose of each zone in the Residential Apartment Zone category is as follows:

(A) Residential Apartment (RA)

The purpose of the RA zone is to provide areas for apartment buildings, and townhouses as infill.

Chapter 15 Residential Apartment

15.5 Regulations Applying to the Residential Apartment Zone Category

15.5.1 General

15.5.1.10 Interpretation

(1) Application of General Regulations Section

The regulations in Section 15.5 apply to all lands, uses, buildings and structures in the Residential Apartment Zone category.

(2) Interpretation of the Residential Apartment Zone Symbol

The zone symbol on the Zoning By-law Map for zones in the Residential Apartment Zone category consists of the letters RA or RAC, indicating the primary land use permitted in the respective zone.

(3) Interpretation of the Zone Label

In the Residential Apartment Zone category, the letters following the zone symbol in the zone label have the following meaning:

(A) the letter "f" and a numerical value indicates the required minimum lot frontage required for a lot, in metres;

(B) the letter "a" and a numerical value indicates the required minimum lot area required for a lot, in square metres;

(C) the letters "au" and a numerical value indicates the required minimum lot area required for each dwelling unit on a lot, in square metres;

(D) the letter "u" and a numerical value indicates the permitted maximum number of dwelling units permitted on a lot; and
(E) the letter "d" and a numerical value indicates the permitted maximum floor space index permitted for a lot.

15.5.20 Permitted Uses

15.5.20.1 General

(1) Lawfully Existing Public School, Private School
A lawfully existing public school or private school on a lot in the Residential Apartment Zone category is permitted on that lot, and:
(A) any expansion or addition to the lawfully existing public school or private school building must comply with Section 150.48 and the requirements for the zone in which the lot is located; and
(B) the lawfully existing public school or private school may be replaced with a new school building that complies with Section 150.48 and the requirements for the zone in which the lot is located.

15.5.30 Lot Requirements

15.5.30.1 General

(1) Lot Requirements
Additional lot requirements are in each zone in the Residential Apartment Zone category.

15.5.30.11 Lot Area Exemptions

(1) Permitted Lot Area for Lawfully Existing Lots
In the Residential Apartment Zone category, if the lawful lot area of a lawfully existing lot is less than the minimum lot area required by this By-law, that lawful lot area is the minimum lot area for that lawfully existing lot.

(2) Additions to Lawfully Existing Buildings
Any addition or extension to a lawfully existing building or structure on a lot referred to in regulation 15.5.30.11(1) must comply with all other regulations in this By-law or be authorized by a Section 45 Planning Act minor variance.

15.5.30.20 Lot Frontage

(1) Minimum Front Lot Line for a Residential Building
In the Residential Apartment Zone category, a residential building may not be erected on a lot that does not have a front lot line of at least 3.5 metres, unless the lot:
(A) abuts a lane with a minimum width of 6.0 metres; and
(B) has a minimum of 3.5 metres of the rear lot line abutting the lane.

15.5.30.21 Lot Frontage Exemptions
(1) **Permitted Lot Frontage for Lawfully Existing Lots**

In the Residential Apartment Zone category, if the **lawful lot frontage** of a **lawfully existing lot** is less than the required minimum **lot frontage** by this By-law, that **lawful lot frontage** is the minimum **lot frontage** for that **lawfully existing lot**.

(2) **Additions to Lawfully Existing Buildings**

Any addition or extension to a **lawfully existing building** or **structure** on a **lot** referred to in regulation 15.5.30.21(1) must comply with all other regulations in this By-law or be authorized by a Section 45 Planning Act minor variance.

### 15.5.30.40 Lot Coverage

(1) **Lot Coverage Exclusion for Permitted Encroachments**

In the Residential Apartment Zone category, any part of a **building** or **structure** permitted to encroach into a required minimum **building setback** in regulation 15.5.40.60 is not included in the calculation of **lot coverage**.

(2) **Parts of Platforms that are Not Permitted Encroachments**

In the Residential Apartment Zone category, any part of a platform without **main walls**, such as a deck, porch, balcony or similar **structure**, that does not encroach into a required minimum **building setback** is not included in the calculation of **lot coverage**, if:

(A) it is attached to or less than 0.3 metres from a **building**; and

(B) the **lot area** covered by these **structures** is no more than 5% of the **lot area**.

### 15.5.30.41 Lot Coverage Exemptions

(1) **Permitted Lot Coverage for Lawfully Existing Buildings**

In the Residential Apartment Zone category, if the area of a **lot** **lawfully** covered by **lawfully existing buildings** or **structures** is greater than the permitted maximum **lot coverage** by this By-law, the **lawful** percentage of the **lot** covered by those **lawfully existing buildings** or **structures** is the maximum **lot coverage** for those **lawfully existing buildings** or **structures** on that **lot**.

(2) **Additions to Lawfully Existing Buildings**

Any addition or extension to **lawfully existing buildings** or **structures** referred to in regulation 15.5.30.41(1) must comply with all other regulations in this By-law or be authorized by a Section 45 Planning Act minor variance.

### 15.5.40 Principal Building Requirements

#### 15.5.40.1 General

(1) **Application of this Article**

The regulations in Article 15.5.40 apply to **buildings** or **structures** in the Residential Apartment Zone category, other than **ancillary buildings** or **structures** which are subject to Article 15.5.60.

(2) **Building Requirements**
Additional building requirements are in each zone in the Residential Apartment Zone category.

15.5.40.10 Height

(1) Determining the Height of a Building
In the Residential Apartment Zone category the height of a building is the distance between the established grade and the elevation of the highest point of the building.

(2) Height of Specific Structures on a Building
In the Residential Apartment Zone category, the following structures on the roof of a building may exceed the permitted maximum height for that building by:

(A) 1.5 metres for:
   (i) parapets for a green roof; and
   (ii) weather vanes; or

(B) 5.0 metres for:
   (i) antennae;
   (ii) flagpoles; and
   (iii) satellite dishes.

(3) Height of Elements for Functional Operation of a Building
In the Residential Apartment Zone category, the following equipment and structures on the roof of a building may exceed the permitted maximum height for that building by 5.0 metres, subject to complying with regulation 15.5.40.10(4):

(A) equipment used for the functional operation of the building, such as electrical, utility, mechanical and ventilation equipment;

(B) structures or parts of the building used for the functional operation of the building, such as enclosed stairwells, roof access, maintenance equipment storage, elevator shafts, chimneys, vents, and water supply facilities; and

(C) structures that enclose, screen or cover the elements listed in (A) and (B) above.

(4) Height - Horizontal Limits on Elements for Functional Operation of a Building
In the Residential Apartment Zone category, equipment, structures or parts of a building that exceed the maximum height for a building, as permitted by regulation 15.5.40.10(3), must comply with the following:

(A) their total area may cover no more than 30% of the area of the roof, measured horizontally; and

(B) if they are located within 6.0 metres of a lot line abutting a street, their total horizontal dimension, measured parallel to the street, may not exceed 20% of the width of the building's main walls facing that street.

(5) Height of Rooftop Amenity Space Safety and Wind Protection
In the Residential Apartment Zone category, unenclosed structures providing safety or wind protection to rooftop amenity space may exceed the permitted maximum height for that building by 3.0 metres, if the structures are no closer than 2.0 metres from the interior face of any main wall.
15.5.40.11 Height Exemptions

(1) Permitted Height for Lawfully Existing Buildings

In the Residential Apartment Zone category, if the lawful height of a lawfully existing building or structure is greater than the permitted maximum height, that lawful height is the maximum height for that lawfully existing building or structure.

(2) Additions to Lawfully Existing Buildings

Any addition or extension to a lawfully existing building or structure referred to in regulation 15.5.40.11(1) must comply with the permitted maximum height for a building or be authorized by a Section 45 Planning Act minor variance.

(3) Alterations to the Roof of Lawfully Existing Buildings

Any alteration to the roof of a lawfully existing building referred to in regulation 15.5.40.11(1) may be constructed to the maximum height in regulation 15.5.40.11(1).

15.5.40.40 Floor Area

(1) Gross Floor Area Calculations for an Apartment Building

In the Residential Apartment Zone category, the gross floor area of an apartment building is reduced by the area in the building used for:

(A) parking, loading and bicycle parking below established grade;
(B) required loading spaces and required bicycle parking spaces at or above established grade;
(C) storage rooms, washrooms, electrical, utility, mechanical and ventilation rooms in the basement;
(D) shower and change facilities required by this By-law for required bicycle parking spaces;
(E) indoor amenity space required by this By-law;
(F) elevator shafts;
(G) garbage shafts;
(H) mechanical penthouse; and
(I) exit stairwells in the building.

(2) Inclusion of Attic Space as Gross Floor Area in a Townhouse

In the Residential Apartment Zone category, the gross floor area of a townhouse includes the portion of the floor area in an attic that has a vertical clearance of more than 1.4 metres between the ceiling joists and the roof rafters, if at least 80% of the area has:

(A) a vertical clearance of more than 2.0 metres; and
(B) an area of at least 10.0 square metres.

(3) Exclusion of Certain Floor Area in an Attic of a Townhouse

If the floor area meets the conditions in regulation 15.5.40.40(2), and the area or a portion of the area is used for mechanical equipment for the functional operation of the townhouse, that area is not included in the gross floor area of the townhouse if it is not more than 5% of the permitted maximum gross floor area of the townhouse to a maximum of 20.0 square metres.
In the Residential Apartment Zone category, the **gross floor area** of a **townhouse** may be reduced by:

(A) the floor area of the **basement**; and
(B) the area of a void in a floor if there is a vertical clearance of more than 4.5 metres between the top of the floor below the void and the ceiling directly above it, to a maximum of 10% of the permitted maximum **gross floor area** for the **townhouse**.

**Floor Space Index Calculation**

In the Residential Apartment Zone category, the floor space index:

(A) for a **non-residential building**, is the result of the **gross floor area** of a **building** divided by the area of the **lot**;
(B) for an **apartment building**, is the result of the **gross floor area**, minus the areas of an **apartment building** listed in regulation 15.5.40.40(1), divided by the area of the **lot**; and
(C) for a **townhouse**, is the result of the **gross floor area**, plus the area of an attic described in regulation 15.5.40.40(2) and subject to regulation 15.5.40.40(3) minus the areas listed in regulation 15.5.40.40(4), divided by the area of the **lot**.

**Floor Area Exemptions**

(1) **Permitted Floor Space Index for Lawfully Existing Buildings**

In the Residential Apartment Zone category, if the **lawful gross floor area** of **lawfully existing buildings** on a **lot** results in a floor space index greater than the permitted maximum floor space index, the **lawful floor space index** resulting from those **lawfully existing buildings** on that **lot** is the maximum floor space index for those **lawfully existing buildings** on that **lot**.

**Decks, Platforms and Amenities**

(1) **Interpretation of Platform Walls**

In the Residential Apartment Zone category, the exterior sides of a platform, such as a deck, porch, balcony or similar **structure**, attached to or within 0.3 metres of a **building**, are not **main walls** if at least 50% of the exterior sides above the floor are open to the outside.

(2) **Platforms in Relation to Building Setbacks**

In the Residential Apartment Zone category, a platform without **main walls**, such as a deck, porch, balcony or similar **structure**, attached to or within 0.3 metres of a **building**, must comply with the required minimum **building setbacks** for the zone.

(3) **Platforms at or Below the First Storey of a Townhouse**

In the Residential Apartment Zone category, the level of the floor of a platform, such as a deck or balcony, permitted in accordance with (2) above and located at or below the first **storey** of a **townhouse**, may be no higher than 1.2 metres above the ground at any point below the platform, except where the platform is attached to or within 0.3 metres of:
(A) a front wall, the floor of the platform may be no higher than 1.2 metres above established grade;
(B) a side main wall, the floor of the platform may be no higher than the level of the floor from which it gains access; and
(C) a rear main wall, any part of the platform floor located 2.5 metres or less from the rear main wall may be no higher than the level of the floor from which it gains access.

15.5.40.60 Permitted Encroachments

(1) Platforms
Despite regulation 15.5.40.50(2), in the Residential Apartment Zone category, a platform with no main walls, such as a deck, porch, balcony or similar structure, attached to or less than 0.3 metres from a building, is subject to the following:

(A) a platform with a floor no higher than the first storey of the building may encroach into a required minimum building setback the lesser of 9.5 metres for an apartment building and 2.5 metres for a townhouse, or 50% of the required minimum building setback for the yard in which it is located, and if it is located in the front yard or rear yard, it may be no closer to a side lot line than the required side yard setback; and
(B) a platform with a floor that is higher than the first storey of the building may encroach into the required minimum building setback the lesser of 2.5 metres for an apartment building and 1.5 metres for a townhouse, or 50% of the required minimum building setback for the yard in which it is located, and if it is located in the front yard or rear yard, it may be no closer to a side lot line than the required side yard setback.

(2) Canopies and Awnings
In the Residential Apartment Zone category, a canopy, awning or similar structure, with or without structural support, or a roof over a platform which complies with the requirements of regulation 15.5.40.60(1), is subject to the following:

(A) if it is above a platform which complies with the requirements of regulation 15.5.40.60(1), the roof, canopy, awning or similar structure may encroach into the required minimum building setback to the same extent as the platform it is covering; and
(B) if it is not above a platform, it may encroach into a required minimum building setback the lesser of 9.5 metres for an apartment building and 2.5 metres for a townhouse, or 50% of the required minimum building setback for the yard in which it is located, if it is:
   (i) covering a driveway, walkway or outdoor amenity space adjacent to an entrance to the building; and
   (ii) in the front yard or rear yard, it may be no closer to a side lot line than the required side yard setback.

(3) Exterior Stairs, Access Ramp and Elevating Device
In the Residential Apartment Zone category:

(A) exterior stairs providing access to a building or structure may encroach into a required minimum building setback, if the stairs are:
(i) no longer than 1.5 horizontal units for each 1.0 vertical unit above the ground at the point where the stairs meet the **building** or **structure**;

(ii) no wider than 2.0 metres; and

(iii) no closer to a **lot line** than 0.6 metres;

(B) an uncovered ramp providing access to a **building** or **structure** may encroach into a required minimum **building setback**, if the ramp is:

(i) no longer than 15 horizontal units for each 1.0 vertical unit above the ground at the point where the ramp meets the **building** or **structure**;

(ii) no wider than 1.5 metres for each sloped ramp segment; and

(iii) no closer to a **lot line** than 0.6 metres; and

(C) an elevating device providing access to a **building** or **structure** may encroach into a required minimum **building setback**, if the elevating device:

(i) elevates no higher than the **first floor** of the **building**;

(ii) has a maximum area of 3.0 square metres; and

(iii) is no closer to a **lot line** than 0.6 metres.

**15.5.40.71 Setbacks Exemptions**

(1) **Permitted Setbacks for Lawfully Existing Buildings and Structures**

In the Residential Apartment Zone category, if the **lawful building setback** of a **lawfully existing building** or **structure** is less than the required minimum **building setback** from:

(A) a **front lot line**, that **lawful building setback** is the minimum **front yard setback** for that **lawfully existing building** or **structure**;

(B) a **rear lot line**, that **lawful building setback** is the minimum **rear yard setback** for that **lawfully existing building** or **structure**; and

(C) a **side lot line**, that **lawful building setback** is the minimum **side yard setback** for that **lawfully existing building** or **structure**.

(2) **Additions to Lawfully Existing Buildings**

Any addition or extension to a **lawfully existing building** or **structure** referred to in regulation 15.5.40.71(1) must comply with the required minimum **building setbacks** or be authorized by a Section 45 Planning Act minor variance.

(3) **REPLACE THIS HEADING**

Regulations 15.10.40.70 (1)(2)(3) and (4) do not apply to a **transportation use** along Eglinton Avenue West and Eglinton Avenue East, provided that setbacks are between 0 and 15 metres. [103-2016] [ By-law: 1031-2014 ]

**15.5.40.81 Separation Exemptions**

(1) **Permitted Separation Between Main Walls for Lawfully Existing Buildings**

In the Residential Apartment Zone category, if the **lawful** separation distance between the **main walls** of **lawfully existing buildings** on the same **lot**, or between **main walls** of the same **lawfully existing building**, is less than the required minimum separation distance between **main walls** required by this By-law, that **lawful** separation distance is the
minimum separation distance for those **lawful main walls** on those **lawfully existing buildings**.

(2) **Additions to Lawfully Existing Buildings - Separation Between Main Walls**

Any addition or extension to a **lawfully existing building** referred to in regulation 15.5.40.81(1) must comply with the minimum separation distance between **main walls** required by this By-law or be authorized by a Section 45 Planning Act minor variance.

(3) **Permitted Separation from Other Zones for Lawfully Existing Buildings**

In the Residential Apartment Zone category, if the **lawful** separation distance between a **lawfully existing apartment building** and a **lot** in an RD or RS zone is less than the required minimum separation distance required by this By-law, that **lawful** separation distance is the minimum separation distance between that **lawfully existing apartment building** and that **lot**.

(4) **Additions to Lawfully Existing Buildings - Separation from Other Zones**

Any addition or extension to a **lawfully existing apartment building** referred to in regulation 15.5.40.81(3) must comply with the required minimum separation distance from a **lot** in an RD or RS zone required by this By-law or be authorized by a Section 45 Planning Act minor variance.

15.5.50 Yards

15.5.50.10 Landscaping

(1) **Landscaping Requirement for an Apartment Building**

A **lot** in the Residential Apartment Zone category must have:

(A) a minimum of 50% of the area of the **lot** for **landscaping**; and
(B) a minimum of 50% of the **landscaping** area required in (A), above, must be **soft landscaping**.

(2) **Landscaping Requirement for a Townhouse**

In addition to the **landscaping** required by regulation 15.5.50.10(1), for a **townhouse** on a **lot** in the Residential Apartment Zone category:

(A) the **front yard** adjacent to the **townhouse** must be **landscaping**;
(B) a minimum of 60% of the **side yard** adjacent to the **townhouse** and abutting a street must be **landscaping**; and
(C) a minimum of 75% of the **landscaping** required in each of (A) and (B), above, must be **soft landscaping**.

(3) **Landscaping Requirement for an Apartment Building Abutting a Lot in the Residential Zone Category**

A **lot** in the Residential Apartment Zone category must have a minimum 1.5 metre wide strip of land for **soft landscaping** along any part of a **lot line** abutting a **lot** in the Residential Zone category.
(4) **L**andscaping **E**xclusion for Permitted Encroachments

In the Residential Apartment Zone category, the calculation of landscaping or soft landscaping required by regulations 15.5.50.10(1) and (2) excludes the area of a required minimum building setback covered by any part of a building or structure which is permitted to encroach into a required minimum building setback by Clause 15.5.40.60.

(5) **S**wimming Pools or Similar Ancillary Structures Containing Water Deemed to be Soft Landscaping for Specified Regulations

In the Residential Apartment Zone category, for the calculation of soft landscaping required by regulation 15.5.50.10(1), the area of soft landscaping may include the water surface area of an outdoor swimming pool or other ancillary structure used to hold water, such as fountains or artificial ponds.

**15.5.60 Ancillary Buildings and Structures**

**15.5.60.1 General**

(1) **A**ppl**o**lication of this Article

The regulations in Article 15.5.60 apply to ancillary buildings or structures in the Residential Apartment Zone category, if they are ancillary to dwelling units or residential buildings.

(2) **L**iving **A**ccommodation in Ancillary Buildings

An ancillary building in the Residential Apartment Zone category may not be used for living accommodation.

(3) **F**ood or **S**anitary Facilities in Ancillary Buildings

An ancillary building in the Residential Apartment Zone category may have:

(A) food preparation facilities and sanitary facilities if the ancillary building or structure is for indoor amenity space required by this By-law; or

(B) either food preparation facilities or sanitary facilities, but not both, if the ancillary building or structure is for any other purpose.

(4) **A**ncillary Building or Structure Construction Timing

In the Residential Apartment Zone category, no above-ground part of an ancillary building or structure may be erected prior to the erection of the main walls and completion of the roof of a residential building on the same lot.

**15.5.60.20 Setbacks**

(1) **F**ront **Y**ard **S**etback for Ancillary Buildings or Structures

The required minimum front yard setback for an ancillary building or structure in the Residential Apartment Zone category is the required minimum front yard setback for the residential building on the lot.

(2) **R**ear **Y**ard Setback for Ancillary Buildings or Structures

The required minimum rear yard setback for an ancillary building or structure in the Residential Apartment Zone category:

(A) is 0.3 metres, if its:

(i) height is 2.5 metres or less; and
(ii) gross floor area is 10 square metres or less; or

(B) is half of its height, if its:
   (i) height is greater than 2.5 metres; or
   (ii) gross floor area is greater than 10 square metres; except

(C) on a through lot, despite (A) and (B) above, is the required minimum front yard setback for the residential building on the adjacent lot, if the residential building on the adjacent lot fronts on the street that abuts the rear lot line of the through lot.

(3) Side Yard Setback for Ancillary Buildings or Structures

In the Residential Apartment Zone category, the required minimum side yard setback for an ancillary building or structure located:

(A) in a side yard, is the required minimum side yard setback for the residential building on the lot;

(B) in a rear yard and less than 4.0 metres from the residential building on the lot, is the required minimum side yard setback for the residential building; and

(C) in a rear yard and 4.0 metres or more from the residential building on the lot:
   (i) is 0.3 metres, if its:
      (a) height is 2.5 metres or less and
      (b) gross floor area is 10 square metres or less, or
   (ii) is half of its height, if its:
      (a) height is greater than 2.5 metres or
      (b) gross floor area is greater than 10 square metres; except
   (iii) on a corner lot, despite (i) and (ii) above, is the required minimum front yard setback for the residential building on the adjacent lot, if the residential building on the adjacent lot fronts on the street that abuts the side lot line of the corner lot.

(4) Rear Yard Setback for Swimming Pools or Similar Ancillary Structures Containing Water

Despite regulation 15.5.60.20(2), in the Residential Apartment Zone category, the required minimum rear yard setback for an outdoor swimming pool or other ancillary structure used to hold water, such as a fountain or artificial pond, with a total water surface area greater than 3.0 square metres, is:

(A) 4.5 metres; and

(B) 7.5 metres, if it is on a through lot.

(5) Side Yard Setback for Swimming Pools or Similar Ancillary Structures Containing Water

Despite regulation 15.5.60.20(3), in the Residential Apartment Zone category, the required minimum side yard setback for an outdoor swimming pool or other ancillary structure used to hold water, such as a fountain or artificial pond, with a total water surface area greater than 3.0 square metres, is:

(A) 4.5 metres; and

(B) if it is on a corner lot, 7.5 metres from the side lot line abutting a street.

(6) Parts of an Ancillary Building or Structure to which a Required Building Setback Applies
In the Residential Apartment Zone category, required minimum ancillary building setback regulations apply to all parts of an ancillary building or structure above and below-ground, excluding footings.

15.5.60.30 Separation

(1) Minimum Separation Between Residential Buildings and Ancillary Buildings or Structures of a Certain Size
In the Residential Apartment Zone category, an ancillary building or structure with a height greater than 2.5 metres, or a gross floor area greater than 10 square metres, must be at least 4.0 metres from a residential building on the same lot.

(2) Separation of Swimming Pools or Similar Ancillary Structures Containing Water from RD Zones
In the Residential Apartment Zone category, an outdoor swimming pool or other ancillary structure used to hold water, such as a fountain or artificial pond, with a total water surface area greater than 3.0 square metres, must be at least 12.0 metres from a lot in the RD zone.

15.5.60.40 Height

(1) Determining the Height of Ancillary Buildings or Structures
In the Residential Apartment Zone category, the height of an ancillary building or structure is the distance between average grade and the elevation of the highest point of the ancillary building or structure.

(2) Maximum Height of Ancillary Buildings or Structures
The permitted maximum height of an ancillary building or structure in the Residential Apartment Zone category is:
(A) 2.5 metres, if the ancillary building or structure is less than 4.0 metres from the residential building on the lot; or
(B) 4.0 metres in all other cases.

15.5.60.50 Floor Area

(1) Inclusion in Floor Space Index
The gross floor area of all ancillary buildings on a lot in the Residential Apartment Zone category is included for the purpose of calculating the total gross floor area and floor space index for the lot.

(2) Maximum Floor Area of Ancillary Buildings or Structures Close to Residential Buildings
In the Residential Apartment Zone category, the permitted maximum gross floor area of an ancillary building located less than 4.0 metres from the residential building on the lot is 10.0 square metres.

15.5.60.70 Lot Coverage

(1) Lot Coverage Requirement for Ancillary Buildings and Structures
An ancillary building or structure on a lot in the Residential Apartment Zone category, other than the water surface area of an outdoor swimming pool or other ancillary structure used to hold water, such as fountains or artificial ponds:

(A) is included in the overall calculation of lot coverage; and
(B) the area of the lot covered by all ancillary buildings and structures may not exceed 10% of the lot area.

(2) Lot Coverage Requirement for Swimming Pools or Similar Ancillary Structures Containing Water

In the Residential Apartment Zone category, the water surface area of an outdoor swimming pool or other ancillary structure used to hold water, such as fountains or artificial ponds:

(A) is not included in the calculation of lot coverage; and
(B) the water surface area may not exceed 15% of the lot area.

15.5.75 Energy Regulations

15.5.75.1 General

(1) Renewable Energy or Cogeneration Energy Device

In the Residential Apartment Zone category, a device producing renewable energy or cogeneration energy on a lot may not be in a front yard or a side yard that abuts a street.

(2) Cogeneration Energy Device

In the Residential Apartment Zone category, a cogeneration energy device must be inside a permitted building.

(3) Geo-energy Device

In addition to the requirements of regulation 15.5.75.1(1), in the Residential Apartment Zone category any above-ground part of a geo-energy device must comply with the requirements for:

(A) a building or structure on the lot; or
(B) if it is on a lot with a residential building, an ancillary building or structure on the lot.

(4) Solar Energy Device

In the Residential Apartment Zone category, a photovoltaic solar energy device or a thermal solar energy device that is:

(A) on a building:

(i) must comply with the required minimum building setbacks for a building on the lot; and
(ii) no part of the device may be higher than 2.0 metres above the permitted maximum height for the building; and

(B) ground mounted, must comply with the requirements for:

(i) a building or structure on the lot; and
(ii) an ancillary building or structure, if it is on a lot with a residential building.
(5) **Wind Energy Device**

In the Residential Apartment Zone category, a **wind energy** device must comply with the following:

(A) there may be no more than one **wind energy** device on a **lot**;
(B) all parts of a **wind energy** device on a **lot** must comply with the required minimum **building setbacks** for a **building** on the **lot**; and
(C) no part of a **wind energy** device may be higher than:

(i) 3.0 metres above the permitted maximum height for the **building** if:

(a) the permitted maximum height for the **building** is less than 24.0 metres; or

(b) the **lot** abuts a **lot** in the Residential Zone category; and

(ii) in all other cases, 5.0 metres above the permitted maximum height for the **building**.

---

15.5.80 **Parking**

15.5.80.1 **General**

(1) **Use of Required Parking Space**

A **parking space** required by this By-law for a use in the Residential Apartment Zone category must be available for the use for which it is required.

(2) **Charging for Visitor Parking**

In the Residential Apartment Zone category, no fee may be charged for a visitor **parking space** for an **apartment building**.

15.5.80.10 **Location**

(1) **Location of Required Parking Spaces**

In the Residential Apartment Zone category, a **parking space** must be on the same **lot** as the use for which the **parking space** is required.

(2) **Parking Space Location for Apartment Buildings**

A minimum of 50% of the required **parking spaces** for an **apartment building** in the Residential Apartment Zone category, other than required visitor **parking spaces**, must be in a **building** or underground **structure**.

(3) **Parking Space Location for Townhouses**

All required **parking spaces** for a **townhouse** in the Residential Apartment Zone category, other than required visitor **parking spaces**, must be in an underground structure.

(4) **Commercial Vehicle Parking Restriction**

A **parking space** on a **lot** in the Residential Apartment Zone category may be used for a commercial **vehicle**, if:

(A) an owner or tenant of a **dwelling unit** on the **lot** is the owner or operator of the **vehicle**; and
(B) it is located within a wholly enclosed building.

(5) Commercial Vehicle Parking Not Permitted in Yards

A parking space located outside of a building in the Residential Apartment Zone category may not be used for:

(A) commercially licensed vehicles;
(B) construction vehicles;
(C) dump trucks;
(D) agricultural vehicles;
(E) repair or towing vehicles;
(F) tracked vehicles;
(G) vehicles with a traction engine;
(H) vehicles designed to run only on rails; and
(I) vehicles equipped with more than six wheels, excluding spare wheels.

15.5.80.20 Setbacks

(1) Parking Space to be Set Back from a Lot Line

In the Residential Apartment Zone category, a parking space that is not located in a building or structure must be at least 0.5 metres from a lot line.

15.5.80.30 Separation

(1) Parking Space Separation from Apartment a Residential Building

In the Residential Apartment Zone category, a surface parking space must be at least 3.0 metres from any main wall of an apartment a residential building.

15.5.100 Access to Lot

15.5.100.1 General

(1) Driveway Width

In the Residential Apartment Zone category, a driveway exclusive of layby areas, vehicle ramps to below-ground parking areas, turnaround areas and required auxiliary turn lanes within 10.0 metres of a lot line abutting a street must have:

(A) A minimum width of 3.0 metres for each lane; and
(B) A maximum width of 6.0 metres. [By-law: LPAT PL130592 May 8, 2019]

(2) Driveway Access to Apartment Buildings

If an apartment building in the Residential Apartment Zone category has 25 dwelling units or more, an unobstructed vehicle access must be provided between the street and the principal pedestrian entrance to the building so that a vehicle can enter and leave the lot while driving forward in one continuous movement.

(3) Driveway Access to Townhouses
In the Residential Apartment Zone category, an individual private driveway leading directly to an individual dwelling unit in a townhouse is not permitted above ground.

15.5.150 Waste

15.5.150.1 General

(1) Waste and Recyclable Materials Storage
   In the Residential Apartment Zone category, all waste and recyclable material must be stored in a wholly enclosed building, if a building is constructed pursuant to a building permit issued more than three years after May 9, 2013.

15.10 Residential Apartment Zone (RA)

15.10.1 General

15.10.1.10 Interpretation

(1) Application of This Section
   The regulations in Section 15.10 apply to all lands, uses, buildings and structures in the RA zone.

15.10.20 Permitted Uses

15.10.20.10 Permitted Use

(1) Use - RA Zone
   The following uses are permitted in the RA zone:

   Ambulance Depot
   Dwelling Unit in a permitted residential building type in Clause 15.10.20.40.
   Fire Hall
   Municipal Shelter
   Park
   Police Station [ By-law: 545-2019 ]

15.10.20.20 Permitted Use - with Conditions

(1) Use with Conditions - RA Zone
   The following uses are permitted in the RA zone if they comply with the specific conditions associated with the reference number(s) for each use in Clause 15.10.20.100:

   Cogeneration Energy (1)
   Community Centre (2)
   Crisis Care Shelter (3)
15.10.20.40 Permitted Building Types

(1) Permitted Residential Building Types - RA Zone
In the RA zone, a dwelling unit is permitted in the following residential building types:

(A) Apartment Building;

(B) Townhouse, if:
   (i) it is on the same lot as an Apartment Building; and
   (ii) the main pedestrian entrance through the front wall or a side main wall of an individual dwelling unit in the townhouse is no farther than 7.5 metres from a lot line abutting a street.

15.10.20.100 Conditions

(1) Cogeneration Energy Production or Renewable Energy Production
In the RA zone, cogeneration energy production or renewable energy production must be in combination with another permitted use on the lot, and comply with all Municipal, Provincial and Federal by-laws, statutes and regulations.

(2) Community Centre or Library
In the RA zone, a community centre or a library must be on a lot that abuts a major street on the Policy Areas Overlay Map.

(3) Crisis Care Shelter
In the RA zone, a crisis care shelter must comply with the specific use regulations in Section 150.20. [By-law: 545-2019]

(4) Day Nursery
A day nursery in the RA zone must comply with the specific use regulations in Section 150.45.

(5) Group Home or Residential Care Home
In the RA zone, a **group home** or a **residential care home** must comply with the specific use regulations in Section 150.15.

(6) **Home Occupation**  
A **home occupation** in the RA zone must comply with the specific use regulations in Section 150.5.

(7) **Nursing Home or Retirement Home**  
In the RA zone, a **nursing home**, **retirement home** or a combination of these two uses, must be on a **lot** that has a **front lot line** or **side lot line** abutting:

(a) a **major street** on the Policy Areas Overlay Map; or  
(b) a **street** which intersects a **major street** on the Policy Areas Overlay Map, and the **lot** is located, in whole or in part, within 80 metres of that intersection.

(8) **Place of Worship**  
In the RA zone:

(a) a **place of worship** may be on a **lot** with an **apartment building**, if the **lot** has 100 or more **dwelling units** in one or more **apartment buildings**, and the **place of worship**:

(i) is inside an **apartment building**;

(ii) is not above the **first storey** of the **apartment building**;

(iii) does not exceed 30.0 square metres in **interior floor area** for the first 100 **dwelling units** in the **apartment building**, which may be increased by 10.0 square metres for each additional 50 **dwelling units** in excess of 100, to a maximum of 110.0 square metres; and

(iv) access to the **place of worship** must be from within the **apartment building**, unless it is on a **lot** with a **front lot line** or **side lot line** abutting a major **street** on the Policy Areas Overlay Map;

(b) if a **place of worship** is not on a **lot** with an **apartment building**, it must:

(i) comply with the specific use regulations in Section 150.50;

(ii) be on a **lot** with:

(a) a **front lot line** or **side lot line** abutting a major **street** on the Policy Areas Overlay Map; and

(b) a **lot area** of at least 2,000 square metres; and

(iii) be in a **building** with no more than 3,000 square metres of **gross floor area**; and

(C) a **lawfully existing place of worship** is exempt from the requirements of regulation 15.10.20.100(8)(B) (ii) and (iii).

(9) **Private Home Daycare**  
A children's play area for a **private home daycare** in the RA zone:

(a) must be fenced; and  
(b) may be no closer to a **lot line** abutting a **street** than 6.0 metres.

(10) **Public Utility**  
In the RA zone, a **public utility** may not be:

(a) a sewage treatment plant;
(B) a water filtration plant; or
(C) an above-ground water reservoir.

(11) Public Utility
In the RA zone, a public utility must be enclosed by walls and comply with the permitted maximum lot coverage, required minimum building setbacks and permitted maximum building height for the RA zone if it is:

(A) a hydro electrical transformer station; or [By-law: OMB PL130592 February 7, 2017]
(B) a natural gas regulator station.

(12) Respite Care Facility
In the RA zone, a respite care facility must be combined with a nursing home or retirement home.

(13) Retail Stores in Apartment Buildings
In the RA zone, a retail store may be on a lot with 100 or more dwelling units in one or more apartment buildings, subject to the following:

(A) there may be only one retail store in an apartment building;
(B) it must be located inside the apartment building;
(C) it may not be above the first storey of the apartment building;
(D) access to the retail store must be from within the apartment building, unless it is on a lot with a front lot line or a side lot line abutting a major street on the Policy Areas Overlay Map;
(E) there may be no outside display of goods; and
(F) the interior floor area of the retail store may not exceed 30.0 square metres for the first 100 dwelling units in the apartment building, which may be increased by 10.0 square metres for each additional 50 dwelling units in excess of 100, to a maximum of 110.0 square metres.

(14) Rooming House
A rooming house in the RA zone must comply with the specific use regulations in Section 150.25.

(15) Secondary Suite
A secondary suite in the RA zone must comply with the specific use regulations in Section 150.10.

(16) Seniors Community House
A seniors community house in the RA zone must comply with the specific use regulations in Section 150.30.

(17) Transportation Use
A building or structure on a lot in the RA zone and used as a transportation use must comply with all requirements for a building on that lot.

(18) Short-term Rental
A short-term rental in the RA zone must comply with the specific use regulations in Section 150.13. [By-law: 1453-2017 Under Appeal]

15.10.30 Lot Requirements
15.10.30.10 Lot Area

(1) Minimum Lot Area
In the RA zone:

(A) if a zone label includes the letter "a", on the Zoning By-law Map, the numerical value following the letter "a" is the required minimum lot area, in square metres; and

(B) if the zone label on the Zoning By-law Map does not include an "a" value on the Zoning By-law Map, the required minimum lot area, in square metres, is the required minimum lot frontage multiplied by 30 metres.

(2) Minimum Lot Area for Each Dwelling Unit in an Apartment Building
If a zone label applying to a lot in the RA zone includes the letters "au", on the Zoning By-law Map, the numerical value following the letters "au" is the required minimum lot area, in square metres, for each dwelling unit in a residential building.

15.10.30.20 Lot Frontage

(1) Minimum Lot Frontage
In the RA zone:

(A) if a zone label includes the letter "f", on the Zoning By-law Map, the numerical value following the letter "f" is the required minimum lot frontage, in metres; and

(B) if the zone label on the Zoning By-law Map does not include an "f" value on the Zoning By-law Map, the required minimum lot frontage is 24.0 metres; and

(C) in addition to the requirement in (A) or (B), above, the required minimum lot frontage is increased by a minimum of 5.0 metres for each townhouse dwelling unit fronting directly on a street.

15.10.30.40 Lot Coverage

(1) Maximum Lot Coverage
In the RA zone:

(A) if a lot is in an area with a numerical value on the Lot Coverage Overlay Map, that numerical value is the permitted maximum lot coverage, as a percentage of the lot area; and

(B) if a lot is not in an area with a numerical value on the Lot Coverage Overlay Map, no lot coverage applies.

15.10.40 Principal Building Requirements

15.10.40.1 General

(1) Application of this Article
The regulations in Article 15.10.40 apply to buildings or structures in the RA zone, other than ancillary buildings or structures which are subject to Article 15.5.60.

(2) Number of Dwelling Units on a Lot
If a zone label applying to a lot in the RA zone includes the letter "u", on the Zoning By-law Map, the numerical value following the letter "u" is the permitted maximum number of dwelling units on the lot.

(3) Minimum Width of a Dwelling Unit in a Townhouse
In the RA zone, the required minimum width of a dwelling unit in a townhouse is 5.0 metres.

(4) Maximum Number of Dwelling Units in a Townhouse
In the RA zone, an individual townhouse may have no more than 8 dwelling units in the building.

15.10.40.10 Height

(1) Maximum Height
The permitted maximum height for a building or structure on a lot in the RA zone is:
(A) the numerical value, in metres, following the letters "HT" on the Height Overlay Map; or
(B) 24.0 metres, if the lot is in an area with no numerical value following the letters "HT" on the Height Overlay Map.

(2) Maximum Number of Storeys
The permitted maximum number of storeys in a building on a lot in the RA zone is:
(A) the numerical value following the letters "ST" on the Height Overlay Map; and
(B) if the lot is in an area with no numerical value following the letters "ST" on the Height Overlay Map, the permitted maximum number of storeys is not limited by this regulation.

(3) Maximum Height for a Townhouse
Despite regulations 15.10.40.10(1) and 15.10.40.10(2), the permitted maximum height for a townhouse in the RA zone is 10.0 metres.

(4) Height of Main Pedestrian Entrance for a Dwelling Unit in a Townhouse
In the RA zone, for an individual dwelling unit in a townhouse, the elevation of the lowest point of a main pedestrian entrance through the front wall or a side main wall may be no higher than 1.2 metres above established grade.

15.10.40.40 Floor Area

(1) Floor Space Index
In the RA zone, the permitted maximum floor space index is:
(A) the numerical value following the letter "d" in the zone label on the Zoning By-law Map; and
(B) if the zone label on the Zoning By-law Map does not include a "d" value on the Zoning By-law Map, the floor space index is not limited by this regulation.
15.10.40.50 Decks, Platforms and Amenities

(1) Amenity Space for Residential Apartment Buildings

In the RA zone, an apartment building on a lot with 20 or more dwelling units in the residential buildings on the lot, in total, must provide amenity space provided at a minimum rate of 4.0 square metres for each dwelling unit on the lot, of which:

(A) at least 2.0 square metres for each dwelling unit is indoor amenity space located at or above established grade; [By-law: 1353-2015]

(B) at least 40.0 square metres is outdoor amenity space in a location adjoining or directly accessible to the indoor amenity space; and

(C) no more than 25% of the outdoor component may be a green roof.

15.10.40.70 Setbacks

(1) Minimum Front Yard Setback

The required minimum front yard setback in the RA zone is 6.0 metres.

(2) Minimum Rear Yard Setback

The required minimum rear yard setback in the RA zone is 7.5 metres.

(3) Minimum Side Yard Setback

The required minimum side yard setback in the RA zone is 7.5 metres.

(4) Rear Yard Setbacks and Side Yard Setbacks in Relation to the Height of an Apartment Building

Despite regulation 15.10.40.70(2) and (3), for any portion of an apartment building in the RA zone with a height greater than 11.0 metres, the required minimum rear yard setback and required minimum side yard setbacks for each portion of the building above 11.0 metres in height must be increased by 1.0 metre for each additional 2.0 metres, or part thereof, above 11.0 metres in height.

15.10.40.80 Separation

(1) Distance Between Main Walls of the Same Residential Building

In the RA zone, if a residential building has main walls where a line projected outward at a right angle from one of the main walls intercepts another main wall of the same building, the required minimum above-ground separation distance between those main walls is:

(A) for any portion of the building with a height equal to or less than 11.0 metres:

(i) 5.5 metres if there are no openings to dwelling units in one or more of those main walls; and

(ii) 11.0 metres if each main wall has an opening to a dwelling unit; and

(B) for any portion of the building with a height greater than 11.0 metres, a distance equal to the average height of those main walls.

(2) Distance Between Residential Buildings on the Same Lot
In the RA zone, if two or more residential buildings are located on the same lot, the required minimum above-ground separation distance between the main walls of the respective buildings is:

(A) for any portion of the buildings with a height equal to or less than 11.0 metres:
   (i) 5.5 metres if there are no openings to dwelling units in the main wall of one or more of the buildings; and
   (ii) 11.0 metres if each main wall has an opening to a dwelling unit; and
(B) for any portion of the buildings with a height greater than 11.0 metres, a distance equal to the average height of those buildings.

(3) Apartment Building Separation from RD and RS Zones
An apartment building in the RA zone must be at least 15.0 metres from a lot in an RD or RS zone.