

Growing Space for Trees: Protecting and Enhancing the Tree Canopy While Supporting Infill Housing and Addressing Concerns with Iceberg Homes

Last updated: September 23, 2025

Attachment 2: Recommended Updates to City-wide Zoning By-law 569-2013

Proposed text updates are underlined.

Updated definition of soft landscaping: “means **landscaping** excluding hard-surfaced areas such as decorative stonework, retaining walls, walkways, artificial turf, permeable pavements, or other hard-surfaced landscape-architectural elements”.

Amend Regulation 10.5.50.10(7) as follows:

(7) Swimming Pools or Similar Ancillary Structures Containing Water Deemed to not be Soft Landscaping for Specified Regulations

In the Residential Zone category, for the calculation of **soft landscaping** required by regulation 10.5.50.10(3) and (4), the area of **soft landscaping** does not include the water surface area of outdoor swimming pools, hot tubs, fountains, or other **ancillary structures** used to hold water, except for artificial ponds.

Amend Regulation 15.5.50.10(4) as follows:

(4) Swimming Pools or Similar Ancillary Structures Containing Water Deemed to not 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** does not include the water surface area of outdoor swimming pools, hot tubs, fountains, or other **ancillary structures** used to hold water, except for artificial ponds.

Based on preliminary research and analysis, staff propose the following amendments to City-wide Zoning By-law to address the construction of iceberg homes:

Add regulation 10.5.40.70(3), which is as follows:

(3) Parts of a Building to which a Required Building Setback Applies

Despite regulation 5.10.40.70(2), the required minimum **building setbacks** apply to all parts of a **residential building**, not including an **apartment building**, above-ground and below-ground, excluding footings.

Add regulation 40.5.40.70(2), which is as follows:

(2) Parts of a Townhouse to which a Required Building Setback Applies

Despite regulation 5.10.40.70(2), the required minimum **building setbacks** apply to all parts of a **townhouse** above-ground and below-ground, excluding footings.

Add regulation 50.5.40.70(3), which is as follows:

(3) Parts of a Building to which a Required Building Setback Applies

Despite regulation 5.10.40.70(2), the required minimum **building setbacks** apply to all parts of a **residential building**, not including an **apartment building**, above-ground and below-ground, excluding footings.

Further amendments to zoning regulations may be considered through consultation and analysis.