

Permitted Projections Into Yards (Section 65)

(By-law 2020-289)

- 65.** (1) Despite any other provision to the contrary, the following features and other similar features are permitted to project from a principal building or a building containing a coach house into a required or provided yard, whichever yard is lesser, in accordance with Table 65. Where no yard setback is specified, the provisions of Table 65 do not apply. This section does not apply to:
- (a) accessory buildings which are regulated by Section 55, except as set out in row (9) of Table 65. (By-law 2008-386)
 - (b) development parcels within the interior of a planned unit development that are not adjacent to a required yard;
 - (c) required separation areas between development parcels in a planned unit development, or
 - (d) the projection of any structure listed in Table 65, row (6) into the minimum required setback from watercourses or waterbodies (Section 69).
 - (e) subsection 138(1), which deems a 0 m setback between two vertically-attached units, applies. (By-law 2010-307)
 - (f) In the case where the minimum required building setback from a lot line is less than the minimum setback outlined in Table 65 below, the minimum required building setback prevails. (By-law 2020-299)
- (2) An at-grade projection must not project into the minimum aggregated soft landscaped area required in the front yard and in the corner side yard pursuant to Section 139, on lots zoned R1, R2, R3 and R4 within Area A of Schedule 342. (By-law 2020-289)

Table 65 - Permitted Projections into Yards (By-law 2020-289)

I Feature	Maximum Size and Extent of Projection	
	II For Residential Use Buildings	III For All Other Buildings
(1) Chimney, chimney box and fireplace box	1 m, but not closer than 0.6 m to a lot line	2 m, but not closer than 0.6 m to a lot line
(2) Eaves, eave-troughs and gutters	1 m, but not closer than 0.3 m to a lot line	2 m, but not closer than 0.3 m to a lot line
(3) Ornamental elements such as sills, belt courses, cornices, parapets and pilasters	0.6 m, but not closer than 0.6 m to a lot line	1.2 m, but not closer than 0.6 m to a lot line
(4) Canopies and awnings	(a) Residential use buildings other than low-rise apartment dwellings and mid-high rise apartment dwellings: -1.8 m, but not closer than 0.6 m to a lot line	
	(b) All other buildings including a low-rise apartment dwelling and mid-high-rise apartment dwelling:	

I Feature	Maximum Size and Extent of Projection	
	II For Residential Use Buildings	III For All Other Buildings
		i) a distance equal to ½ the depth of a front, rear or corner side yard but not closer than 0.6 m to a lot line, and
		ii) 1.8 m into an interior side yard, but not closer than 0.6 m to a side lot line
(5) Fire escapes, open stairways, stoop, landing, steps and ramps	(a) Wheelchair ramps - no limit	
	(b) Other features:	
		i) where at or below the floor level of the first floor: 1. in the case of the interior side yard or rear yard: no limit, and 2. in the case of the front yard or corner side yard: no closer than 0.6m to a lot line, and
		ii) other cases: 1. In the case of any yard: 1.5 m, but not closer than 1 m to a lot line; except that, switchback stairs and landings may project 2.2 m into the rear yard where these are intended to provide a means of egress for dwelling units located on the second and higher storeys. (By-law 2020-289)
(6) Covered or uncovered balcony, porch, deck, platform and verandah, with a maximum of two enclosed sides, excluding those covered by canopies and awnings	a) uncovered, unenclosed features such as decks or platforms where the walking surface is not higher than 0.6 m above adjacent grade : (i) in the interior side yard and rear yard: no limit (ii) in the front yard and corner side yard – the greater of 2m or 50% of the required front yard or corner side yard, but no closer than 1m to a property line; and (By-law 2008-462) (By-law 2014-278)	
	(b) In the R1, R2, R3 and R4 Zones within Area A of Schedule 342: (i) (6)(a) applies, and (ii) On a lot with a depth of between 23.5m and 30.5 m, where the rear lot line abuts an R1, R2, R3 or R4 zone, the maximum rear yard projection (By-law 2024-563) is: (iii) 1.2 m above the first floor. (iii) Where a lot has a depth of 23.5 m or less, the maximum rear yard projection is 0 m above the first floor; (By-law 2024-563) (iv) In all other cases, the maximum projection is 2 m, but no closer than 1 m from any lot line. (v) Where a deck or balcony occurs above the first floor and is within 1.5 metres of an exterior side wall or interior side lot line of a residential-zoned lot, a 1.5 metre high opaque screen is to be provided facing the interior side lot line. (By-law 2020-289) (By-law 2021-111)	
	(c) In all other cases: 2 metres, but no closer than 1 metre from any lot line. (By-law 2020-289)	

I Feature	Maximum Size and Extent of Projection	
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(7) Bay window where window faces a lot line	1 m, but not closer than 1.2 m from a lot line	No restriction
(8) Air conditioner condenser, heat pump or similar equipment (By-law 2013-224)	1 m, but not closer to a lot line than 0.3 m, and may not be located in a front yard or a corner side yard	(a) In a yard abutting a residential use - 1 m, but not closer to a lot line than 0.3 m (b) Other cases - no restriction
(9) A carport that exists on or before October 8, 2008 (By-law 2008-386)	A carport that existed on or before October 8, 2008 complies if:	
	(a) it is attached to the house to which it is accessory;	
	(b) it is entirely open on at least two sides;	
	(c) it is built over the driveway;	
	(d) it is not in:	
	i) a required front yard	
	ii) a required side yard abutting a street, or	
	iii) that area of the rear yard abutting a street that is equal distance from the side lot line abutting the street as the required corner side yard.	