

## Zoning Clearance Certificate Requirements – Low Density Residential DECKS AND ROOFED-OVER PATIOS

### Checklist to be submitted with Consolidated Pre-Building Permit Application

#### YOU REQUIRE A ZONING CERTIFICATE IF:

1. The height of the deck or balcony platform is  $\geq 60$  cm above grade
2. The deck or patio is roofed over.

<b>Site Plan/Survey Requirements</b> (Plans must be prepared in metric)	<b>Applicant's initials or n/a</b>	<b>Staff review (✓ or n/a)</b>
Copy of an existing survey issued by an Ontario Land Surveyor (OLS) <ul style="list-style-type: none"> <li>• The survey is used for reference purposes and must include legible property dimensions</li> <li>• If you are required to provide a Grading and Drainage Plan certified by an OLS or Professional Engineer to meet the GDCC requirements, this up-to-date plan should also be used for the Zoning Certificate application</li> </ul>		
<b>Site Plan prepared in metric and printed to scale</b> with legible dimensions; recommended scales are 1:100, 1:200, 1:250 and 1:300		
Dimension setbacks perpendicular from property lines to the edge of the platform and stairs (closest point) <ul style="list-style-type: none"> <li>• If roofed over, provide setback to roof overhang (includes eaves or gutter)</li> </ul>		
Provide outside dimensions of platform		
Provide height measured from grade to the top of the platform		
<b>Floor Plan Requirements</b> (metric dimensions must be included)	<b>Applicant's initials or n/a</b>	<b>Staff review (✓ or n/a)</b>
Provide all outside dimensions of deck or patio		
Provide area calculation of deck or patio		
<b>Elevation Drawing Requirements</b> (metric dimensions must be included)	<b>Applicant's initials or n/a</b>	<b>Staff review (✓ or n/a)</b>
Provide all elevations (front, rear, right, and left)		
Dimension height measured from grade to the top of the platform		
If roofed over, provide overhang dimensions measured from the wall to the outside edge of the eave or gutter		

If applicable, Committee of Adjustment File No. \_\_\_\_\_ Date of decision: \_\_\_\_\_

**Note: Variance must clear appeal period and be final approved prior to issuance of Zoning Clearance Certificate**



## APPLICABLE ZONING REGULATIONS

### DECKS AND ROOFED-OVER PATIOS – Low Density Residential

A **deck** is a platform (with stairs/steps) that **exceeds a height of 60 cm**. A **patio** is a platform that is **under 60 cm in height**. Both are measured from the lowest point of grade at the platform perimeter to the floor of the platform.

Decks and patios may be free-standing or attached to a dwelling and are intended for use as outdoor living area. They may be roofed over, screened-in and enclosed by a hand rail not exceeding a height of 122 cm above the platform floor; otherwise a deck or patio shall not be enclosed.

**Please note:**

- If the platform exceeds 60 cm in height, but does not include stairs, it is considered a balcony. Balconies have separate regulations.
  - A **balcony** is a platform having at least one (1) side open that may be covered by either a roof or another balcony and shall have no direct access to the ground.
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Regulations:

### **2.3 PATIOS, DECKS, BALCONIES, AND PORCHES – RESIDENTIAL**

2.3.1 Patios, as defined in Part 16, are permitted in all zones.

- (a) Patio roofs shall be subject to the yard and setback regulations contained in Tables 1.2.1 and 1.2.2

2.3.2 Decks, as defined in Part 16, are permitted in all zones.

- (a) Deck roofs shall be subject to the yard and setback regulations contained in Tables 1.2.1 and 1.2.2

- (b) **Decks located above the first storey in the side and rear yard of detached dwellings are not permitted.**

The above shall not apply to Uptown Centre, Orchard Community and Alton Community zones.

2.3.3 Balconies are permitted in all zones, provided:

- Accessory to dwelling unit
- Must meet principal building setback with encroachment allowance permitted in Part 1, Section 2.13 (c)

- a) **Balconies located above the first storey in the side and rear yard of detached dwellings are not permitted.**

The above shall not apply to Uptown Centre, Orchard Community and Alton Community zones.

**Table 1.2.1**

<b>Regulations for Decks associated with Detached, Semi-Detached, Duplex, Triplex, Fourplex, and Street Townhouse Dwelling Units</b>			
<b>Regulation</b>	<b>Deck Requirements</b>		
	<b>Over 60 cm to 1.2 m High</b>	<b>Over 1.2 m High</b>	
		<b>Up to 15 m<sup>2</sup></b>	<b>Over 15 m<sup>2</sup></b>
Maximum Deck Area (a)	no maximum	15 m <sup>2</sup>	30 m <sup>2</sup>
Permitted in a Front Yard	no	no	no
Permitted in a Rear Yard	yes	yes	yes
Permitted in a Side Yard	yes	yes	yes
Setback from a Street Line	3 m	4.5 m	6 m
Setback from a Rear Lot Line	1.8 m	4.5 m	6 m
Setback from a Side Lot Line	1.2 m (b)	1.8 m (b)	3 m
Maximum coverage (c)	50% of the yard area in which decks are located		

**Footnotes to Table 1.2.1**

- (a) Total combined area of all platforms over 1.2 m high excluding stairs.
- (b) Where a side lot line extends from a common wall dividing attached dwelling units the setback shall not apply.
- (c) Coverage means the surface area of a yard which may be covered by decks.

**Table 1.2.2**

<b>Deck Regulations for all other dwellings not included in Table 1.2</b>	
Encroachment into a Required Front Yard	Not permitted
Encroachment into a Required Rear Yard	3 m maximum
Encroachment into a Required Side Yard	3 m maximum

**Notes:**

- Roofed-over patios are regulated under the 1<sup>st</sup> column of Table 1.2.1 (over 60 cm to 1.2 m high). The setbacks apply to the limit of the roof overhang, including eaves or gutter, and stairs.
- See Zoning By-law 2020, Part 16, Definitions; and Part 1, General Regulations, Section 2.3 for complete information on decks, patios and balconies.