

## Section 40 Decks

40.1 The following applies to all decks constructed within a residential district:

- a. No decks shall be located on or over any utility right-of-way or easement or any drainage right-of-way or easement;
- b. The setbacks shall be measured from the outermost edges of the surface of the deck;
- c. Low Level Decks and Raised Decks may encroach up to 1.5m into a required front yard setback provided that the deck shall remain uncovered and unenclosed by walls, lattice or other similar material;
- d. Low Level Decks and Raised Decks on corner lots shall be setback 1.5m from the side property line on the street side of corner lots;
- e. Decks that are covered and/or enclosed from above shall be considered an addition to the principal building. A covered and/or enclosed deck is required to meet the district requirements (outlined in Part Ten) for the principal building and is included in the site coverage calculation;

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- f. Low Level Decks and Raised Decks attached to a semi-detached dwelling or a townhouse may extend up to the common lot line between units if the deck is provided with a privacy wall. The privacy wall must extend the full depth of the deck and be a minimum of 2.0m high as measured from the surface of the deck to the top of the privacy wall. Where a privacy wall is not provided, decks shall comply with the requirements for a single-detached dwelling in the same district; and
- g. At the discretion of the Development Authority, a deck may encroach into any required yard where the deck is designed to accommodate access to a dwelling unit for a person with a mobility disability. Such a deck will be permitted on a temporary basis and shall be removed when no longer required to provide access for a person with a mobility disability.

40.2 The following applies to all Low Level Decks constructed in a residential district:

- a. Uncovered and unenclosed Low Level Decks shall not be included in the site coverage calculation; and
- b. Low Level Decks may be built within 15cm of the side property line and up to the rear property line except in accordance with Section 40.1a.

40.3 The following applies to all Raised Decks (greater than 0.6m in height) constructed in a residential district:

- a. Raised Decks shall be included in the site coverage calculation; and
- b. Raised Decks that are uncovered and unenclosed shall be setback 1.2m from the side property line and 4.6m from the rear property line.