

MOTION

A.2

2. Introducing Character Home Retention Incentives and New Housing Choices in RS Zones (Single-Family)

THAT the document entitled "*Guidelines for Additions, Infill and Multiple Conversion Dwelling in Association with the Retention of a Character House in an RS Zone*", and amendments to the document entitled "*Strata Title Policies for RS, RT and RM Zones*", be approved by Council for use by applicants and staff for development applications in all RS Districts.

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City of Vancouver *Land Use and Development Policies and Guidelines*

Planning, Urban Design and Sustainability Department

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GUIDELINES FOR ADDITIONS, INFILL AND MULTIPLE CONVERSION DWELLING IN ASSOCIATION WITH THE RETENTION OF A CHARACTER HOUSE IN AN RS ZONES

Adopted by City Council on October 3, 2017



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1 Application and Intent

These guidelines are to be used in conjunction with the RS district schedules of the Zoning and Development By-law and pertain to the approval of conditional floor area for additions to a character house, the approval of the conditional uses of infill and multiple conversion dwelling, and the approval of certain development relaxations, when associated with the retention of a qualifying character house.

The intent of the guidelines is to ensure that:

- (a) renovations, alterations and additions to existing character houses maintain a form and character sensitive to the design of the original house;
- (b) additions, infill, and conversion developments are respectful of the design of adjacent properties and provide a good fit with the overall neighbourhood; and,
- (c) site design considers and respects existing amenities, including trees and mature landscape.

The guidelines will be used to:

- (a) assist owners and applicants in designing developments; and,
- (b) provide a basis on which City staff evaluates projects for approval of conditional floor area, the conditional uses of infill and multiple conversion dwelling, and discretionary variations in regulations.

2 General Design Consideration

2.1 Character House Criteria

A character house is defined as ‘an existing building that, in the opinion of the Director of Planning, has sufficient heritage character to justify its conservation’.

A character house is typically a one family dwelling constructed prior to January 1, 1940, that meets the following character merit criteria as established by the Director of Planning. An assessment is required to determine if a house is considered to have character merit and a candidate for discretionary incentives in zoning, including conditional floor area, infill or multiple conversion dwelling, and development relaxations.

The following are the minimum criteria:

- (a) Must have:
 - (i) *Original massing and primary roof form* - Alterations/additions that are subsidiary to the original massing and primary roof form, such as dormers, are not considered to have altered the character of the house.

- (b) Plus any four of the following:
- (i) *Entry* - Original open front porch or veranda, or only partially filled in, or other original entry feature.
 - (ii) *Cladding* - Original cladding or replacement cladding consistent with the era when the house was built.
 - (iii) *Window Openings* - Original location, size and shape (50 percent or more). The windows themselves may not be original.
 - (iv) *Period Details* - Two or more period details, such as fascia, window casing or trim, eave brackets, soffits, exposed beam or joist ends, half-timbering, decorative shingling, porch columns, original wood doors, entry transom/sidelights, decorative or feature windows (special shapes, bay windows, crafted/leaded glass), brick or stone chimneys, piers or foundations, secondary porch, turrets, etc.
 - (v) *Streetscape Context* - The house is part of a context of 2 or more character houses on the same block face (including the subject house). In assessing the streetscape, at least 2 houses on either side of the subject house should be included.

Pre-1940s buildings that have been severely altered and do not qualify as character houses may be considered for incentives, including infill and/or conversion, if character elements are restored and reinstated as part of a development proposal. In special cases, a house built in 1940 or after that has particular architectural merit and retains original and distinctive character features may be considered a character house. In these cases, retention incentives may be supported on a case by case basis at the discretion of the Director of Planning.

A character house is not required to be listed on the Vancouver Heritage Register. Houses listed on the Vancouver Heritage Register are eligible for the zoning incentives available to character houses, including conditional floor area, infill or conversion, if meeting the above criteria.

2.2 Character House Retention Requirements

To be eligible for incentives, including conditional floor area, infill or conversion, the existing character house must be retained and restored to its original character as viewed from the street. At the pre-application stage, an assessment of the existing condition of the house will be undertaken by Planning staff to inform the amount of restoration required. This may include restoration of character elements, such as traditional window styles or opening up of entry porches that have been enclosed. The extent of restoration required will be determined by the scope of the proposal. Minimum expectations regarding the level of structural retention required in a character house undergoing major renovations and seeking conditional benefits in zoning are outlined in the Zoning By-Law Administrative Bulletin: *Retention and Renovation of Character Merit Buildings – Scope and Documentation* (<http://bylaws.vancouver.ca/bulletin/R021.pdf>).

2.3 Additions

Additions should appear subordinate in visual prominence to the retained character house, as seen from the street. In general, additions should be located at the rear. Additions may extend to the side, noting that side additions should be set back from the front façade in order to create a clear distinction between old and new. Additions to the existing front facade are not supportable.



Figure 1 - Addition is set back from the front. This retains the original façade and minimises disruption to the streetscape

Rear additions are not required to replicate the period or style of the original house; however, a high degree of design sensitivity should be brought to additions seeking an architectural expression that is distinct from the original house.

Additions should be subordinate to the form and massing of the original house. Large additions may be seen to overwhelm the original house form and compromise its character value. Therefore, the maximum floor space ratio may not be fully achievable through an addition when the existing character house is modest in size. In those cases, infill may be a more supportable approach for the site.

Flexibility is provided with regards to building depth for additions. See Section 4.6 of these guidelines.

3 Site Design and Tree Retention

Existing trees and mature landscape are an important aspect of many character house sites, contributing to the character and amenity of the site and neighbourhood. Tree retention strategies should be explored at an early stage in the site design. Character house projects and associated infill, laneway houses or garages should be located and designed to preserve existing trees, where possible. Existing landscape features, such as stone walls, should also be retained, where possible.

To retain significant trees, the Director of Planning may relax the regulations regarding the siting of buildings, and the required number of parking stalls. Alternately, some sites may not be considered suitable for infill if significant tree removal is required. Utility connections and new landscape work such as driveways, walkways, patios, privacy fences and intensive plantings should be located to avoid disturbance of tree protection zones. Generally, site grading should respect the existing topography and provide compatibility with adjacent sites.

4 Uses

4.1 Multiple Conversion Dwelling

Multiple conversion dwelling is the conversion of an existing character house to contain more than one dwelling unit, but does not include a one-family dwelling with secondary suite.

In considering development permit applications for multiple conversion dwellings, the following factors will be taken into account:

- (a) quality and livability of the resulting units;
- (b) suitability of the building for conversion in terms of age and size;
- (c) effect of the conversion on adjacent properties; and
- (d) effect of the conversion on the form and character of the existing house.

Additions may be permitted in accordance with these guidelines.

4.2 Infill

Infill may be permitted as an incentive to retain an existing character house by allowing the construction of a second residential building, typically in the rear yard on sites with a developed lane.

In general, infill buildings should be subordinate to the existing character house, and respectful of adjacent properties. The following guidelines are intended to ensure a modest, neighbourly scale for infill buildings. Numerical values are not intended to be prescriptive, but to provide appropriate benchmarks to assist with the evaluation of proposed designs.

4.2.1 Infill Location

Infill will typically be located in the rear yard of sites with a developed lane.

On large sites where there is no lane access, a rear yard infill may be considered, provided there is a consistent pattern on the block of vehicular access from the street and new driveways can be located to avoid existing trees.

Front or side yard infill buildings may be considered on large sites where doing so would not unduly detract from the character and pattern of development of the neighbourhood.

Relocation of a character house may be considered to provide an access path to the infill building, or required separation between the buildings, with due regard to the zoning regulations for yards, and provided significant features such as stone foundations and pillars can be retained and existing trees preserved, where possible.

4.2.2 Floor Space Ratio (FSR)

The infill should not exceed 0.25 FSR, or 186 square metres (2000 square feet).

4.2.3 Yards, Separation and Building Width

The minimum side yard setback should be 1.0 metre (3.3 feet).

The minimum rear yard setback should be 0.9 metres (3 feet).

The minimum separation between the existing character house and the infill building should be 4.9 metres (16 feet) to provide sufficient open space on site and in relation to neighbouring sites.

The maximum width of rear yard infill and accessory buildings should not exceed 80 percent of site width.

4.2.4 Height

Infill height is limited to one and a 'partial' second storey. Designs that approach the appearance or impact of a full two-storey expression should be avoided.

The permitted height will be related to the proposed roof form as follows:

(a) Pitched Roofs

The second storey is not limited in floor area, but should be contained within a simple, steeply pitched primary roof form of a minimum pitch of 7:12. Secondary roof forms may be provided as outlined below (dormers).

The maximum overall height should not exceed 7.7 metres (25 feet) to the ridge of a roof with a minimum pitch of 7:12.

The spring height for the primary roof should not exceed 1.2 metres (4 feet).

Depending on the extent of dormers, a lower spring height may be suitable for some roof designs, to ensure an appropriate scale for the second storey and to facilitate the provision of windows at a standard sill height.

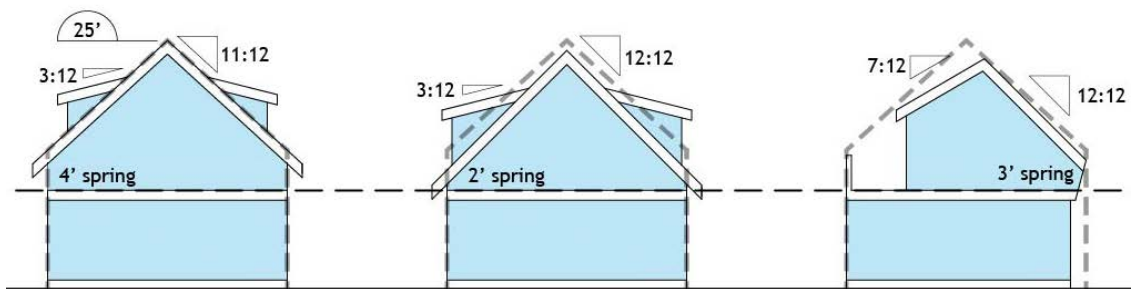


Figure 2 - Height for minimum 7:12 pitch roofs

(b) Dormers

Dormer roof slopes should generally not be less than 3:12.

Dormer walls should be set in a minimum of 0.6 metres (2 feet) from the wall below and from adjacent walls (end gables) where possible.

The eave height of dormer roofs should be as low as practical to reduce the perceived scale of the partial upper storey.

- (i) On a roof where the ridge runs across the property:
 - the largest dormer(s) should face the lane, and should not exceed 75 percent of the width of the partial upper storey; and,
 - dormers facing the character house should not exceed 50 percent of the width of the partial upper storey.
- (ii) On a roof with gable ends facing the lane:
 - dormers facing a required side yard should not exceed 60 percent of the building length.
- (c) Flat roofs, shed roofs and roof pitches less than 7:12

For flat, shed, or shallow pitched roofs, more design care is necessary to minimize the appearance of a two-storey building.

The floor area of the partial second storey should be approximately 60 percent of the floor area of the first storey, with setbacks to reduce its prominence.

The maximum overall height should not exceed 5.8 metres (19 feet).

Increases in height may be considered due to topography, to assist in the provision of required assemblies for a green roof, or to accommodate discrete clerestory elements above the primary roof line, noting such elements should improve livability, daylighting and ventilation, and add architectural interest through variation in the roof profile.

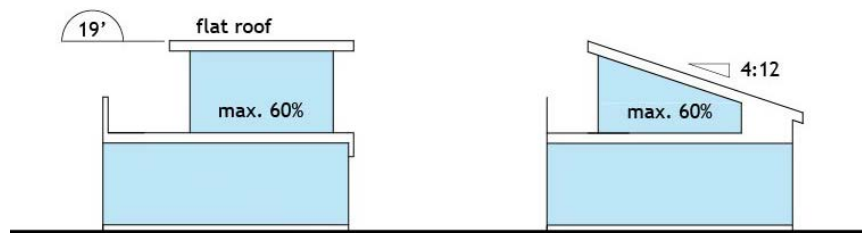


Figure 3 - Height and partial second storey for roofs with pitch < 7:12

4.2.5 Solar Panels

Solar Panels are excluded from height in accordance with the Administration Bulletin: Solar Hot Water and Photovoltaic Panels – Installation Guidelines for Residential Zones.

4.2.6 Green Roofs

Green roofs on infill buildings are encouraged to improve environmental performance, and to provide an amenable outlook from upper levels of neighbouring houses.

4.2.7 Balconies and Decks

Balconies and decks should be in-keeping with the roof design. Balconies may be located at the partial second storey of the infill building and should face the lane, or a flanking street at corner sites. Balconies or decks facing the interior of the site, or roof decks above the partial second storey, are not permitted for infill buildings.

5 Relaxations of Regulations of the Zoning and Development By-law

The Director of Planning may relax the regulations of the Zoning and Development By-Law when a character house is retained as per Section 5 of the applicable RS district schedule. In cases where relaxation of a regulation is proposed to support retention of a character house, the Director of Planning will also consider impact on adjacent properties. Further direction is given below.

5.1 Site Area

Some RS zones limit infill development to large lots and/or in association with a caretaker dwelling unit. Those limitations are not applicable to infill in conjunction with retention of a character house.

5.2 Height

Additions may be permitted to match the height of a character house to better relate to and integrate with its roof form.

5.3 Yards

Additions may be permitted to match the yard setbacks of a character house to better relate to its massing, or floor plans, with due regard to the requirements of the Vancouver Building By-law.

5.4 Above-grade basement floor area exclusion in RS-3 and RS-3A

In accordance with Section 4.7.3 (f) of the RS-3 and RS-3A District Schedule, basements are excluded from floor area if the main floor is located less than 2.0 metres (6.56 feet) above finished grade. Historically, character houses may have a higher main floor resulting in the existing basement being included in floor area. For a character house, the Director of Planning may exclude floor space below an existing main floor level which is located 2.0 metres (6.56 feet) or more above finished grade; however, if the renovation project includes a new basement and foundation, the Director of Planning may require the main floor level of the house to be lowered to comply with the regulation.

5.5 Site Coverage

The site coverage of buildings should be responsive to building massing and open space at neighbouring sites.

The site coverage of buildings should not exceed 45 percent of the site area.

The area of impermeable materials, which includes the site coverage of buildings and impermeable surfaces (such as paths, driveways, and patios), should not exceed 60 percent of the total site area.

The area of impermeable materials may be increased a modest amount due to site constraints if rainwater management best practices are proposed. Refer to the *City of Vancouver Integrated Rainwater Management Plan, Best Management Practice Toolkit, Volume 2*.

5.6 Building Depth

Increases in the permitted building depth relative to the lot depth may be considered, as follows:

- (a) For the cellar or basement and first storey, a building depth of 45 percent may be allowed; and,
- (b) For the second floor and above, a building depth of 40 percent may be allowed.

Greater percentage building depth may be considered for sites with depth less than 30.5 metres (100 feet) or to support retention of existing trees or mature landscape.

In general, the building depth should not exceed 50 percent.

Additions seeking an increase in building depth should be responsive to the configuration of neighbouring buildings. The best massing solution may vary, depending on the particulars of the existing character house and neighbouring buildings.

Additions that project into rear yards beyond neighbouring buildings should be designed to minimize massing and overlook impacts. New windows and balconies or decks should be carefully positioned to ensure privacy, and portions of the addition that project beyond the permitted building depth may be required to step down in height.

5.7 External Design

External Design regulations are primarily intended for new house construction. Renovation, addition and conversion of existing character houses are therefore exempt.

6 Basements

It is encouraged to utilize existing basement space in order to manage above grade building massing and maintain an appropriate visual scale for additions. The conversion of existing basement floor space into crawl space or parking is strongly discouraged.

Some existing character houses have basements with low headroom. To improve headroom, the existing basement slab may be lowered, or the house may be raised a modest amount, or a combination of both. Raising the house should not be considered where it will compromise existing character features, such as stone or brick foundations or pillars.

When raising the existing character house, the main floor should not be located disproportionately high above grade, entry porches or features should be kept in their original location at the main floor and the lowest level should continue to read as a 'base'. To that end, the main floor should not be raised more than 0.45 metres (18 inches), and should not be located more than 2 metres (6.56 feet) above grade, so that the basement will continue to conform to the requirements of the basement definition in the Zoning and Development By-law. If the renovation project includes a new basement and foundation, digging deeper to obtain increased headroom is preferred.

7 Quality, Durability and Expression

Additions, infill and conversion projects should be designed to be lasting, quality additions to neighbourhoods. Material selection and detailing should ensure performance over time.

A variety of architectural styles may be considered for infill development, so that neighbourhoods may continue to evolve in a way that respects the character of existing streetscapes.

8 Lane Frontage

Infill should be designed to enhance the lane. In effect, the lane becomes the public space or 'street' on which infill buildings and laneway houses are located. The lane frontage should provide a residential character with a pleasant outlook for residents and a visually interesting experience for passersby.

Dwelling units should have living space with an outlook to the lane on the lower level, where possible, and primary windows and decks facing the lane on the upper level.

Consideration should be given to locating the infill entrance facing the lane. An inset entry porch should be provided to ensure the entrance is a safe and welcoming place for people to stand to avoid vehicular traffic in the lane.

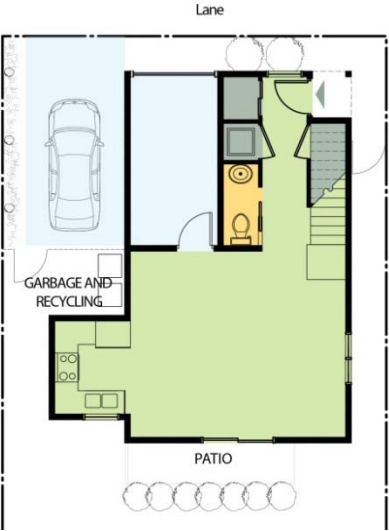


Figure 4 - Plan of infill with lane entry

9 Entrances and Access to Dwelling Units

9.1 Multiple Conversion Dwelling

The original front entrance to a character house should be retained. Entries to additional dwelling units should be identifiable while maintaining the visual prominence of the original entry.

9.2 Infill

Pedestrian access to the infill building will be from the street and along a path at the side of the existing character house. The path may also provide access to dwelling units located within the existing character house. The width of the path is related to the number of units served by the path and must meet Vancouver Building By-law fire fighter access requirements, with current requirements noted as follows:

- Access to one dwelling unit: 0.90 metres (3 feet)
- Access to two dwelling units: 1.2 metres (4 feet)
- Access to more than two dwelling units: 2 metres (6.56 feet)

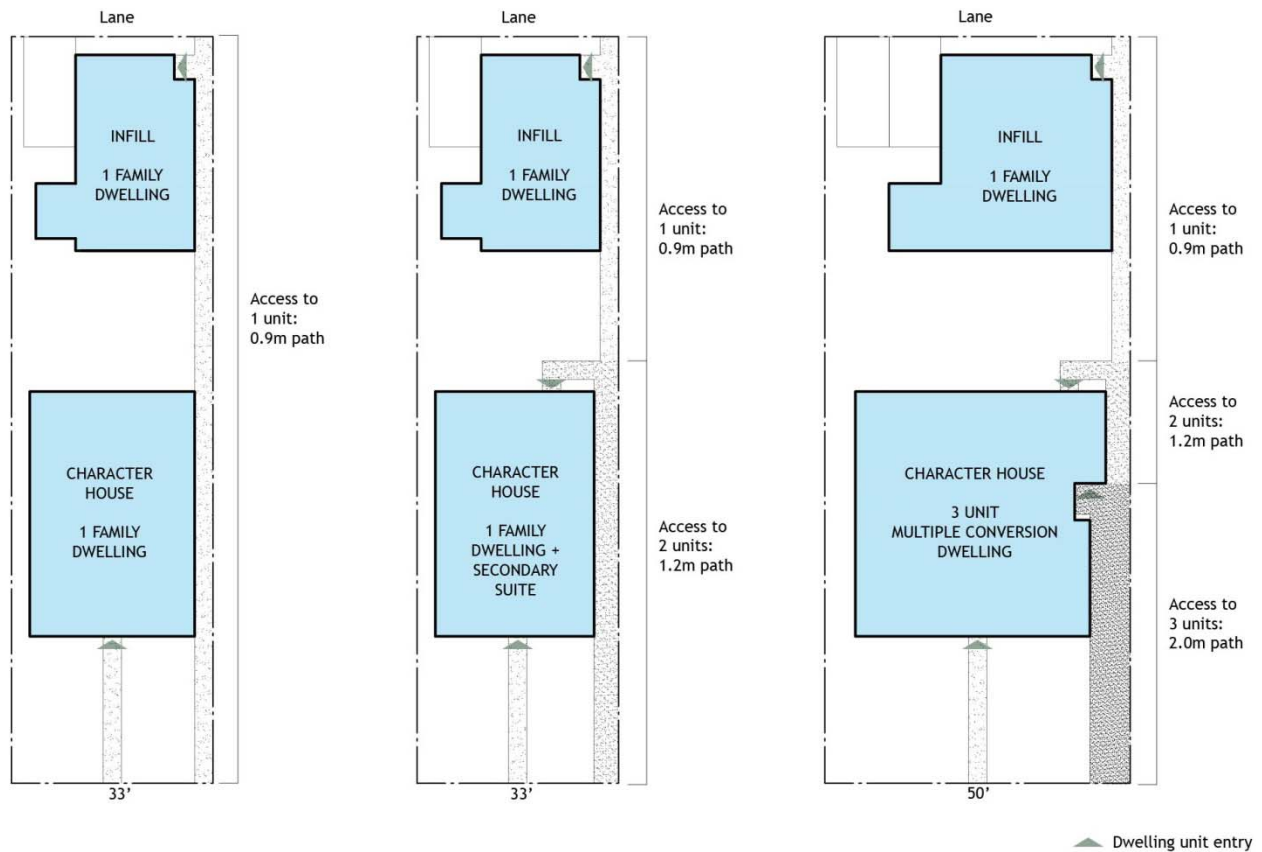


Figure 5 - Examples of access path width requirements

For both infill and conversion projects, where entries to units are not visible from a street (e.g. units at the rear of the site), their presence and location may be announced through architectural or landscape features.

10 Dwelling Unit Density

For Multiple Conversion Dwelling and Infill, the dwelling unit density should not exceed 74 units per hectare, except where the calculation of dwelling units per hectare results in a fractional number, the nearest whole number shall be taken and one-half shall be rounded up to the nearest whole number.

11 Parking

One parking space per dwelling unit should be provided. The Director of Planning may consider a lesser number of parking spaces if warranted due to site constraints. On 33 foot wide lots, two parking spaces may be considered: one internal and one external space, to enhance infill designs by providing living space at the ground floor facing the lane.

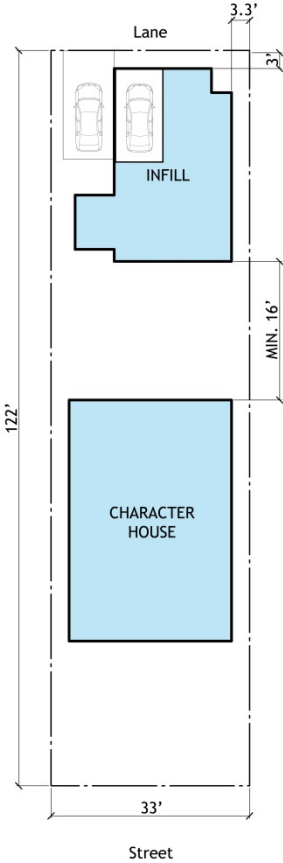


Figure 6 - Parking configuration for infill on 33 ft. lot

On wider lots, a maximum of two parking spaces may be contained within an infill building and excluded from floor area. Surface parking must be permeable, including permeable pavers or wheel strips. Standard unit pavers are not considered as permeable. Surface parking should be screened by a 1.0 metre (3.3 feet) landscape planting bed adjacent to a side property line. This dimension may be reduced to 0.3 metres (1 foot) for 33 foot lots to accommodate a fence and climbing vine planting.

12 Landscape Design

The landscape design should enhance presentation to the street and the experience of the lane, improve the environmental performance of the property, provide sufficient outdoor amenity space for dwelling units on the site, and assist with the creation of privacy for the dwelling units on site and for neighbours.

12.1 Street Frontage

Front yards should create friendly and visually open semi-public spaces.

12.2 Tree Protection, Retention and Replacement

The Protection of Trees By-law applies to all trees on private property, and includes requirements for the retention and replacement of trees on the development site, protection of trees nearby on neighbouring sites and on City property. In accordance with the provisions of this by-law, applicants will be required to submit an arborist's report.

For sites which could accommodate additional trees, the Director of Planning may require trees to be planted on the development site in coordination with a landscape plan/tree plan.

12.3 Useable Open Space and Circulation

Private, semi-private or shared outdoor areas should be provided at grade, adjacent to and convenient for each dwelling unit. Walkways should be sensitive to overlook onto private patios. Planting beds should screen common walkways using planting, rather than fencing, where possible. The amount of open space provided should be functional and should relate to the size of the dwelling unit. Where the rear yard is limited in size, a usable upper level deck with a minimum clear depth of 1.5 metres (5.0 feet) may meet the intent of the guidelines for private outdoor space.

12.4 Lane Frontage

The 0.9 metres (3.0 feet) minimum setback between an infill building and the lane should be permeable and landscaped where not required for vehicle or pedestrian access. Planted areas that face the lane are intended to expand the public realm and should not be blocked from view by private fencing. Fencing, where desired, should be set back from the property line to enhance the prominence of the planting. Where possible, plants should be located at grade in contiguous soil, i.e. avoiding planter boxes. Planting should consist of woody, evergreen and hardy plant material for year-round presence and structure. Hose bibs should be located near lane edge planting. A 6 inch curb should be provided to protect planting beds at lane edge. Vehicular gates, including sliding types, are discouraged.

12.5 Garbage and Recycling

Garbage and recycling should be provided onsite in a designated storage area that is accessible to all units on the lot and screened from outdoor amenity space and the lane frontage.

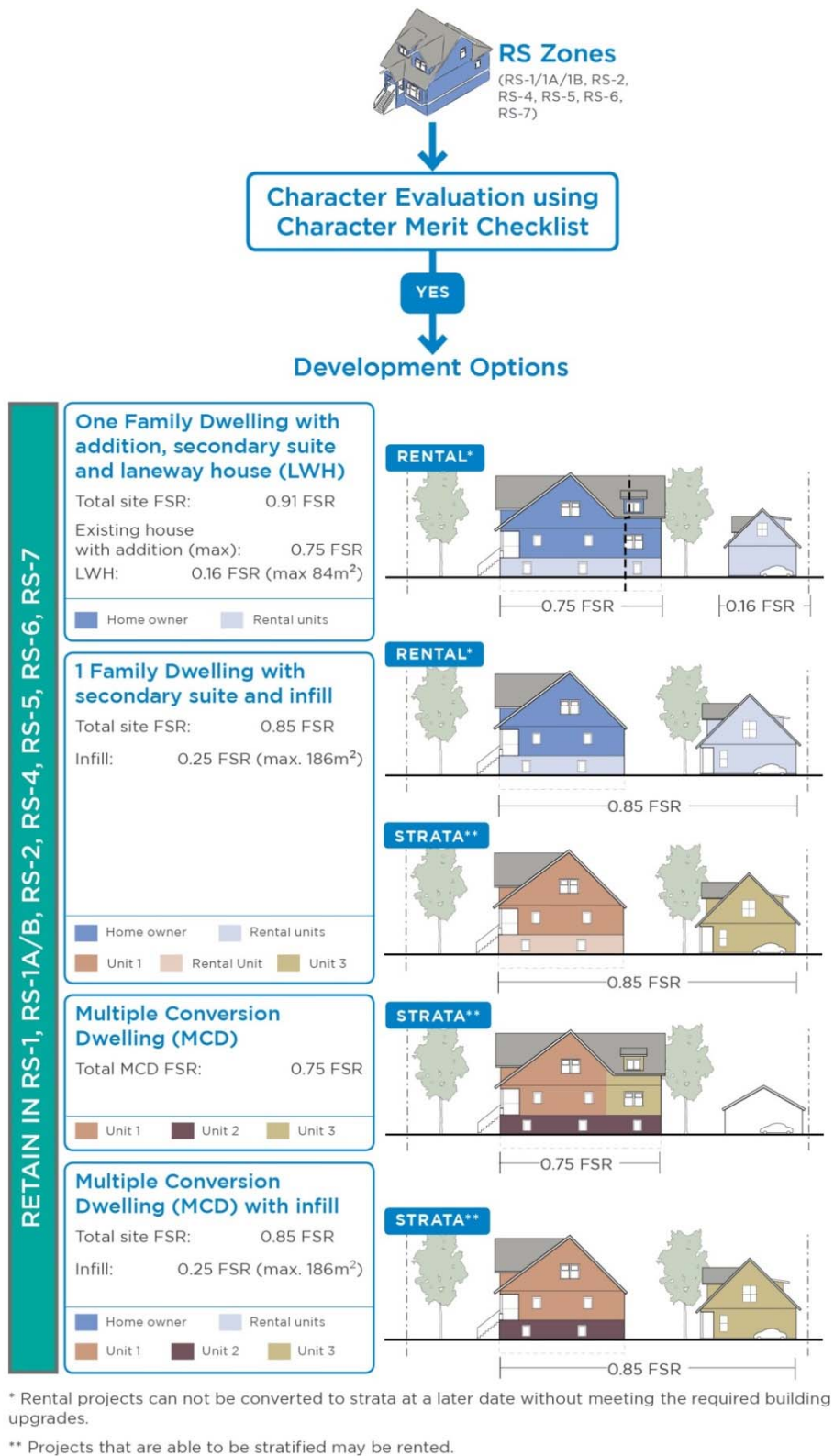
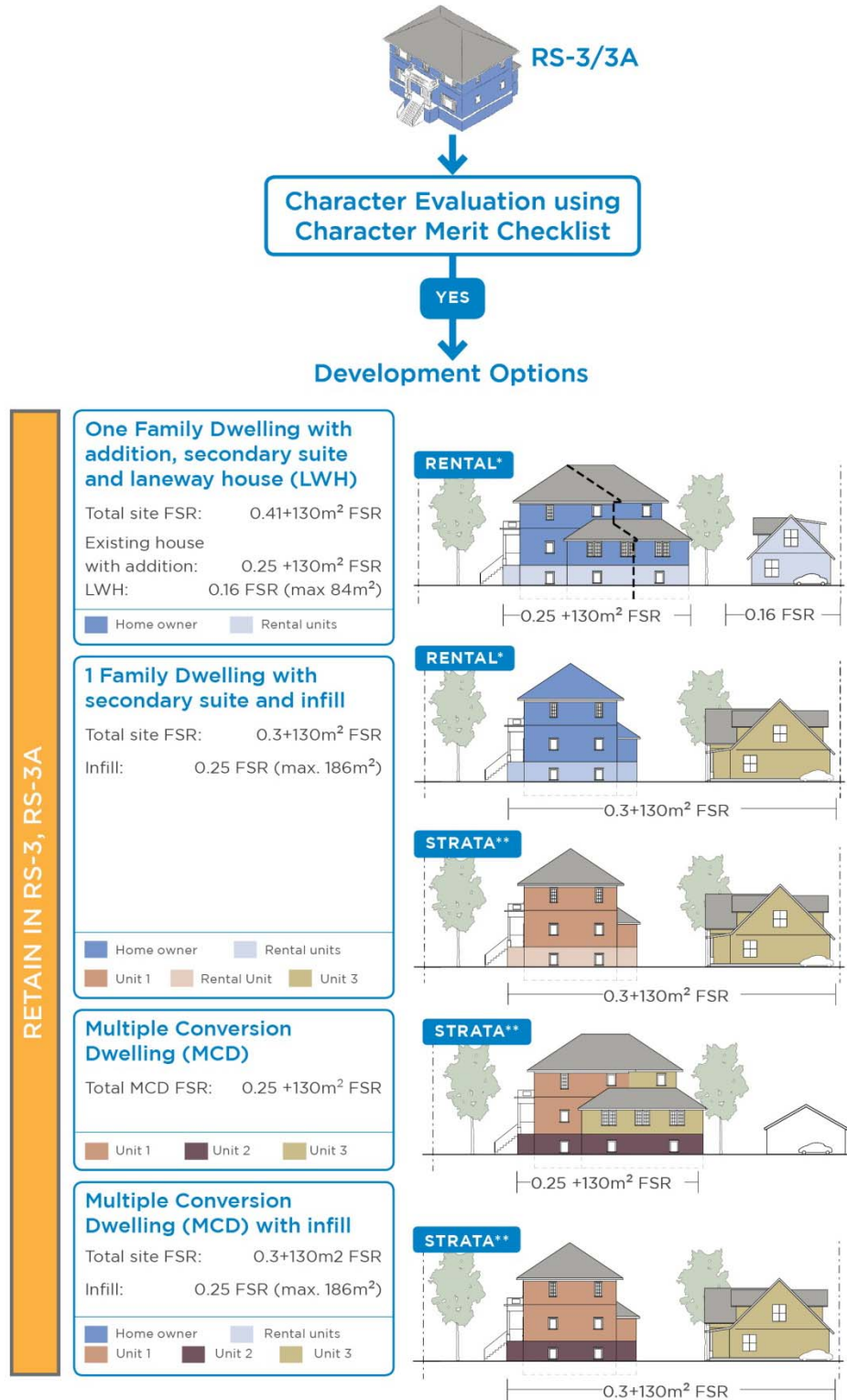


Figure 7 - Development Options for Character Houses in RS zones 1, 1A/B, 2, 4, 5, 6, and 7



* Rental projects can not be converted to strata at a later date without meeting the required building upgrades.

** Projects that are able to be stratified may be rented.

Figure 8 - Development Options for Character Houses in RS zones 3, 3A



City of Vancouver *Land Use and Development Policies and Guidelines*

Planning, Urban Design and Sustainability Department

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NOTE: ~~STRIKE-OUTS~~ INDICATE DELETIONS AND BOLD ITALICS INDICATE ADDITIONS

Amendments to “STRATA TITLE POLICIES FOR RS, RT AND RM ZONES”

Adopted by City Council on July 28, 2009

Amended May 15, 2013, July 9, 2013, June 24, 2014, February 2, 2016 and October 4, 2016

1. Application and Intent

These guidelines apply to the strata titling of previously occupied buildings or new construction in the RS, RT and RM zones.

Under Section 242 (1) of the **Strata Property Act** of British Columbia, City Council is the approving authority for conversion of previously occupied buildings into strata lots. Pursuant to Section 242 (10) of the **Strata Property Act**, Council has delegated its approval authority to the Approving Officer for previously occupied buildings containing less than six dwelling units.

Newly constructed buildings, which are not occupied prior to registration of a strata plan at the Land Title Office, do not require the approval of City Council or the Approving Officer.

2 Secondary Suite

In the RS, RT and RM zones, one secondary suite is conditionally permitted in a one-family dwelling. The suite can either be built at the same time a new one-family dwelling (i.e. house) is being constructed, or a suite can be incorporated into an existing one-family dwelling. The construction and safety requirements of the Vancouver Building By-law (VBBL) for a secondary suite within an existing one-family dwelling (which may not be strata titled) are less demanding than for new construction.

In the RT-11 and RT-11N, and RM-7, RM-7N, RM-8 and RM-8N zones, one secondary suite is conditionally permitted in each principal dwelling unit of a two-family dwelling. The suites can either be built at the same time a new two-family dwelling is being constructed or incorporated into an existing two-family dwelling. In the latter case, construction and safety requirements of the VBBL need to be confirmed.

Terms regarding suites are not the same in the Vancouver Building By-law and the Zoning and Development By-law (Z&D). The VBBL terms include Secondary Suite and Group “C” Residential Occupancy Classification. The Z&D terms include One-Family Dwelling with Secondary Suite and Two-Family Dwelling with Secondary Suite. Contact Development Services staff (VBBL) or Planning staff (Z&D) for how these two by-laws apply in your specific situation.

Developments with secondary suites may be strata titled in some instances; however a secondary suite cannot be defined as a separate strata lot under any circumstances.

3 Laneway House

In the RS zones and RT-11 and RT-11N, and RM-7, RM-7N, RM-7AN, RM-8, RM-8N, RM-9, RM-9A, RM-9N, RM-9AN and RM-9BN zones, a laneway house is conditionally permitted. A new laneway house can be built on a site which accommodates an existing one-family dwelling, or a new laneway house can be built in conjunction with a new one-family dwelling. In both cases, the one-family dwelling can also include a secondary suite.

4 Principal Dwelling Unit with Lock-off Unit

In the RT-11 and RT-11N zones, a principal dwelling unit with lock-off unit is conditionally permitted in an infill one-family dwelling, infill two-family dwelling, one-family dwelling and two-family dwelling provided it is on a site with more than two principal buildings and the site area is 511 m² (5,500 sq. ft.) or greater in size.

In the RM-7, RM-7N, RM-7AN, RM-8, RM-8N, RM-9, RM-9A, RM-9N, RM-9AN and RM-9BN zones, a principal dwelling unit with lock-off unit is conditionally permitted in a multiple dwelling.

For new construction, as a condition of development permit approval, the registered owner shall execute a covenant which must be registered against the title of the property prior to issuance of the Development Permit. The covenant is to ensure that the number of strata lots created upon registration of a strata plan is consistent with the number of approved principal dwelling units (i.e. the lock-off unit cannot be defined as a separate strata lot).

5 *Character Houses in RS Zones*

In RS zones, Multiple Conversion Dwelling and Infill are conditionally permitted in conjunction with retention of a character house.

In these cases, Council or the Approving Officer may consider an application to convert a previously occupied building to strata title ownership, subject to the number of strata lots being consistent with the approved number of principal dwelling units (i.e. a Secondary Suite or a Lock-off Unit cannot be defined as a separate strata lot).

~~5~~ 6 Policies

The following outlines the policies for the conversion of previously occupied buildings or new construction to strata title ownership in applicable zoning districts.

5.1 6.1 In the RS-1, RS-1A, RS-2, RS-3, RS-3A, RS-4, RS-5 and RS-6 Zones

Conversions

Except as previously noted in Section 5, Council, or the Approving Officer, will not entertain any applications to convert a previously occupied building to strata title ownership where:

- (a) a suite is approved as a One-Family Dwelling with Secondary Suite as defined in the Zoning and Development By-law;
- (b) a suite is approved as a Secondary Suite as defined in the Vancouver Building By-law;
- (c) a unit is approved as a Laneway House as defined in the Zoning and Development By-law; or
- (d) a unit is approved as a Laneway House as defined in the Vancouver Building By-law.

New Construction

As a condition of development permit approval for:

- (a) a new One-Family Dwelling with a Secondary Suite;
- (b) a new One-Family Dwelling with a new Laneway House; or
- (c) a new One-Family Dwelling with a Secondary Suite and a new Laneway House

the registered owner shall execute a covenant which must be registered against the title of the property that prohibits registration of a strata plan. The city will release the covenant, on the owner's request, not less than 12 months after issuance of the occupancy permit.

5.2 6.2 In the RS-7 Zone

Conversions

Except as previously noted in Section 5, Council, or the Approving Officer, will not entertain any application to convert a previously occupied building to strata title ownership where:

- (a) the site is less than 668 m²;
- (b) a suite is approved as a One-Family Dwelling with Secondary Suite as defined in the Zoning and Development By-law;
- (c) a suite is approved as a Secondary Suite as defined in the Vancouver Building By-law;
- (d) a unit is approved as a Laneway House as defined in the Zoning and Development By-law; or
- (e) a unit is approved as a Laneway House as defined in the Vancouver Building By-law.

New Construction

As a condition of development permit approval for:

- (a) a new Two-Family Dwelling on a site less than 668 m²;
- (b) a new One-Family Dwelling with a Secondary Suite;
- (c) a new One-Family Dwelling with a new Laneway House; or
- (d) a new One-Family Dwelling with a Secondary Suite and a new Laneway House.

the registered owner shall execute a covenant which must be registered against the title of the property that prohibits registration of a strata plan. The city will release the covenant, on the owner's request, not less than 12 months after issuance of the occupancy permit.

5.3 6.3 In the RS-1B, RT and RM Zones

Conversions

Council, or the Approving Officer, will not entertain any applications to convert a previously occupied building to strata title ownership where:

- (a) a suite is approved as a One-Family Dwelling with Secondary Suite as defined in the Zoning and Development By-law;
- (b) a suite is approved as a Secondary Suite as defined in the Vancouver Building By-law; or
- (c) a unit is approved as a Laneway House as defined in the Zoning and Development By-law or the Vancouver Building By-law.

An exception may be made for existing developments containing two or more principal dwelling units (One-Family Dwelling with Infill Dwelling, Two-Family Dwelling or Multiple Conversion Dwelling), in combination with Secondary Suites or Lock-off Units. In these cases, Council or the Approving Officer may consider an application to convert the previously occupied building to strata title ownership, subject to the number of strata lots being consistent with the approved number of principal dwelling units (i.e. a Secondary Suite or a Lock-off Unit cannot be defined as a separate strata lot).

All other applications to convert previously occupied buildings to strata title ownership, including a One-Family Dwelling with a new Infill Dwelling, Two-Family Dwelling or Multiple Conversion Dwelling will be subject to approval by City Council or the Approving Officer and the process outlined in the City's Strata Title and Cooperative Conversion Guidelines.

New Construction

- (a) One-Family Dwelling with Secondary Suite, One-Family Dwelling with Laneway House, or One-Family Dwelling with Secondary Suite and Laneway House

As a condition of development permit approval, the registered owner shall execute a covenant which must be registered against the title of the property that prohibits registration of a strata plan. The city will release the covenant, on the owner's request, not less than 12 months after issuance of the occupancy permit.

- (b) New Developments containing two or more principal dwelling units, in combination with Secondary Suite(s) or Lock-off Units

As a condition of development permit approval for a new development containing two or more principal dwelling units (One-Family Dwelling with an Infill Dwelling, Two-Family Dwelling or Multiple Dwelling), in combination with Secondary Suites or Lock-off Units, the registered owner shall execute a covenant to be registered against the title of the property. The covenant is to ensure that the number of strata lots created upon registration of a strata plan is consistent with the approved number of principal dwelling units (i.e. a Secondary Suite or a Lock-off Unit cannot be defined as a separate strata lot).