

**BY-LAW NO. \_\_\_\_\_**

**A By-law to amend the Zoning and Development By-law No. 3575  
to create new district schedules, amend C-2, and rezone certain  
designated areas in Grandview-Woodland**

1. This By-law amends the indicated provisions of the Zoning and Development By-law No. 3575.
2. This by-law amends the Zoning District plan attached as Schedule D to By-law No. 3575, and amends or substitutes the boundaries and districts shown on it, according to the amendments, substitutions, explanatory legends, notation, and references shown on the plans marginally numbered Z-738 (a)(i), Z-738 (a)(ii), Z-738 (a)(iii), and Z-738 (a)(iv) attached as Schedule A to this by-law, and incorporates Schedule A into Schedule D of By-law No. 3575.
3. In section 3.2.7, Council inserts “, RM-11 and RM-11N, and RM-12N” after “RM-10 and RM-10N”.
4. In section 5.14, in the paragraph in Column B which is opposite paragraph 2, Council adds “, RM-11 and RM-11N, and RM-12N” after “RM-10 and RM-10N”.
5. In section 9.1, under the heading “Multiple Dwelling”, Council:
  - (a) inserts “RM-11 and RM-11N” below “RM-10 and RM-10N”; and
  - (b) inserts “RM-12N” above “FM-1”.
6. Council amends Schedule F, Affordable Housing and Amenity Share Costs, by adding the following new rows:

“

RM-11 and RM-11N	\$36.13 per m <sup>2</sup>	\$36.13 per m <sup>2</sup>
RM-12N	\$36.13 per m <sup>2</sup>	\$36.13 per m <sup>2</sup>

”

7. Council enacts a new RM-11 and RM-11 Districts Schedule, as attached to this by-law as Schedule B.
8. Council enacts a new RM-12N District Schedule, as attached to this by-law as Schedule B.

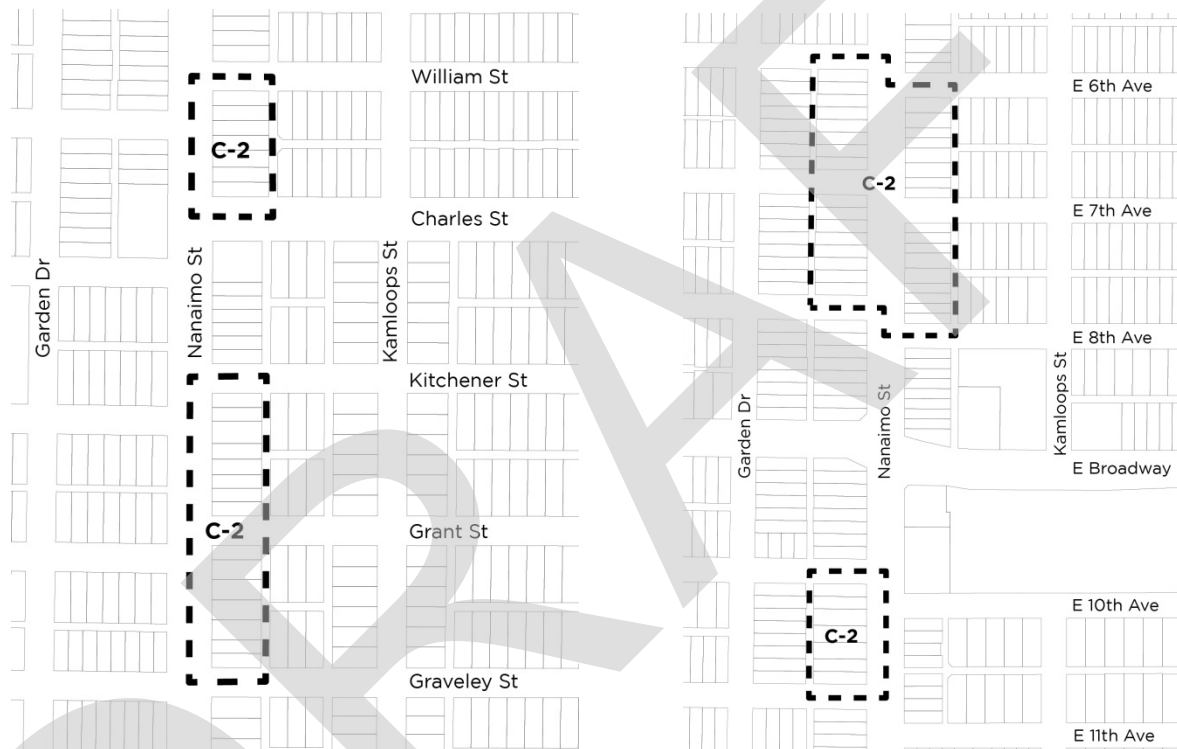
9. In the C-2 District Schedule, Council:

(a) in section 4.2, strikes out “- Not Applicable.” and adds the following new sections:

“4.2.1 For buildings located in the area shown on the map in Figure 1, the maximum frontage for any commercial use is 15.3 m.

4.2.2 The Director of Planning may increase the maximum frontage regulation in section 4.2.1 provided consideration is first given to the intent of this Schedule and all applicable policies and guidelines adopted by Council.

**Figure 1. Nanaimo Street C-2 Areas with Maximum Commercial Frontages and Land Dedications**



”  
,

- (b) in section 4.3, re-numbers Figure 1 as Figure 2;
- (c) in section 4.3.1, strikes out “Figure 1” and replaces it with “Figure 2”;
- (d) in section 4.4, re-numbers Figure 2 as Figure 3;
- (e) in section 4.4.1, strikes out “Figure 2” and replaces it with “Figure 3”;
- (f) in section 4.5, re-numbers Figure 3 as Figure 4;
- (g) in section 4.5.1, strikes out “Figure 3” and replaces it with “Figure 4”;
- (h) in section 4.6, re-numbers Figure 4 as Figure 5;
- (i) in section 4.6.1, strikes out “Figures 4 and 5” and replaces them with “Figure 5”; and
- (j) adds new sections 4.11, 4.12, 4.13 and 4.14 as follows:

**“4.11 Dedication of Land for Lane Purposes**

4.11.1 For development sites located in the area shown in Figure 1, where a site does not abut a lane, or abuts a lane which is less than 6.1 m in width, a portion of the site, as determined by the City Engineer, to a maximum of 3.1 m, must be dedicated for lane purposes.

4.11.2 Where dedication is made, it shall be deemed not to reduce the site area for the purpose of calculating floor space ratio.”;

**4.12 (Reserved)**

**4.13 (Reserved)**

**4.14 Dedication of Land for Sidewalk and Boulevard Purposes**

4.14.1 For development sites located in the area shown in Figure 1 which adjoin the streets set forth below, a portion of the site must be dedicated for sidewalk and boulevard improvements to achieve a distance from the centerline of the street to the property line of the development site, measured at right angles, of the distance set out below:

- (i) Nanaimo Street, from William Street to Graveley Street 15.1 m; or
- (ii) Nanaimo Street, from East 6<sup>th</sup> Avenue to East 11<sup>th</sup> Avenue 16.1 m.

4.14.2 Where dedication is made, it shall be deemed not to reduce the site area for the purpose of calculating floor space ratio.”.

10. A decision by a court that any part of this By-law is illegal, void, or unenforceable severs that part from this By-law, and is not to affect the balance of this By-law.

11. This By-law is to come into force and take effect on the date of its enactment.

ENACTED by Council this                      day of                      , 2018

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Clerk

DRAFT

Schedule A



Schedule A



The properties outlined in black (  ) are rezoned:  
From **RT-4** to **RM-11N**

**Z-738 (a)(ii)**

RZ - Grandview-Woodland - RM-11N

map: 1 of 6

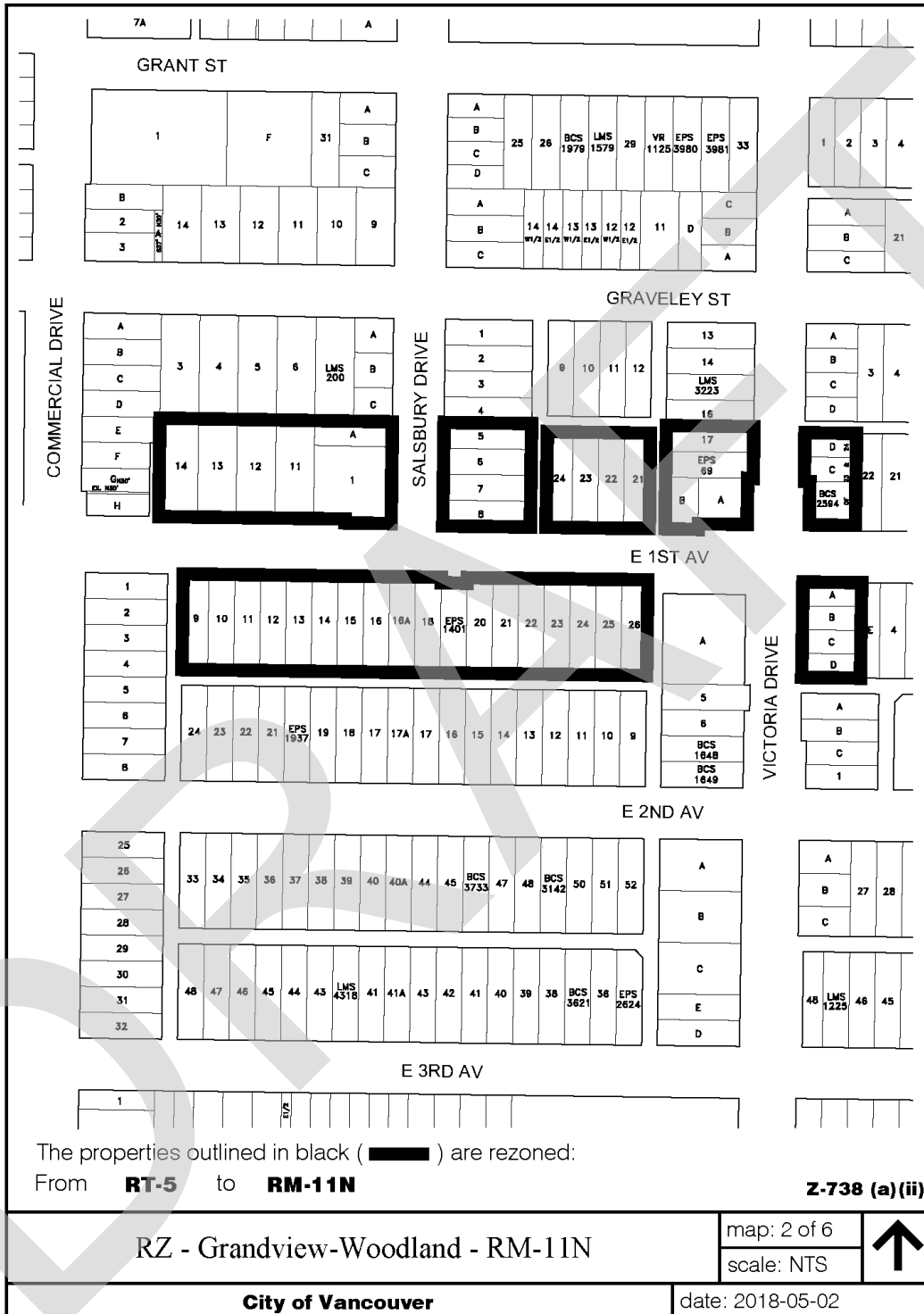
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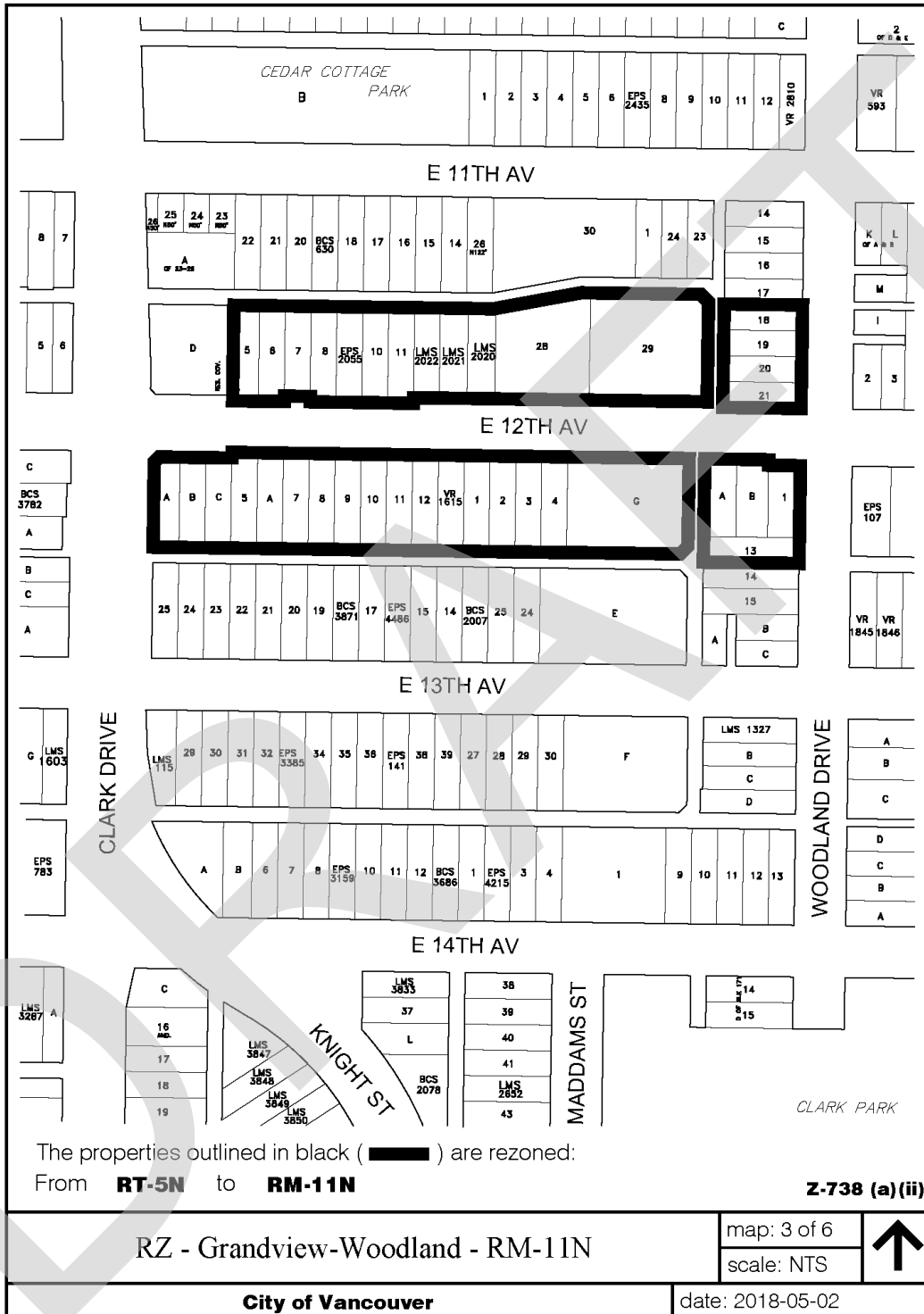
City of Vancouver

date: 2018-05-02

Schedule A



Schedule A





Schedule A



The properties outlined in black ( **█** ) are rezoned:  
 From **RT-5N** to **RM-11N**

**Z-738 (a)(ii)**

**RZ - Grandview-Woodland - RM-11N**

map: 4 of 6

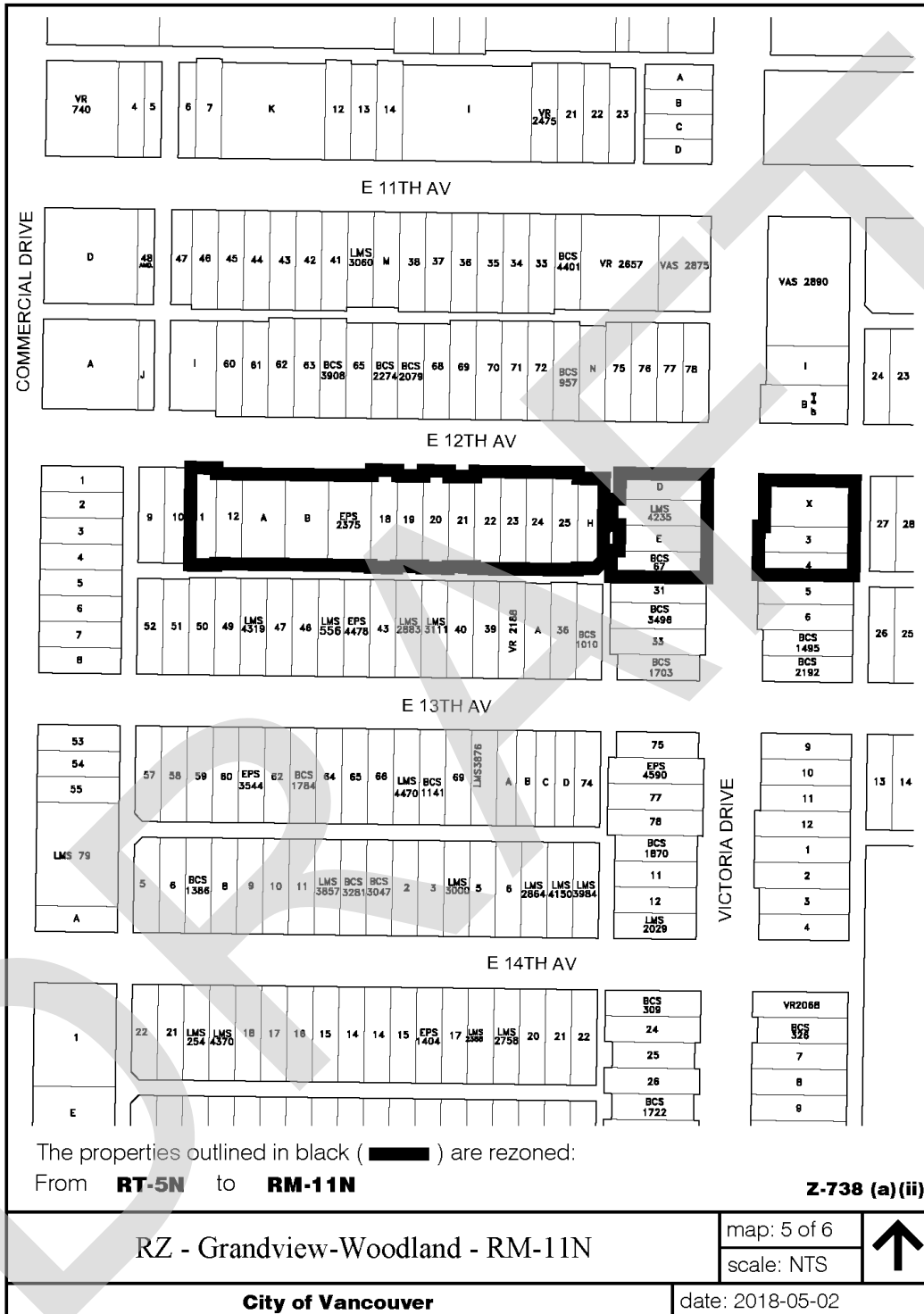
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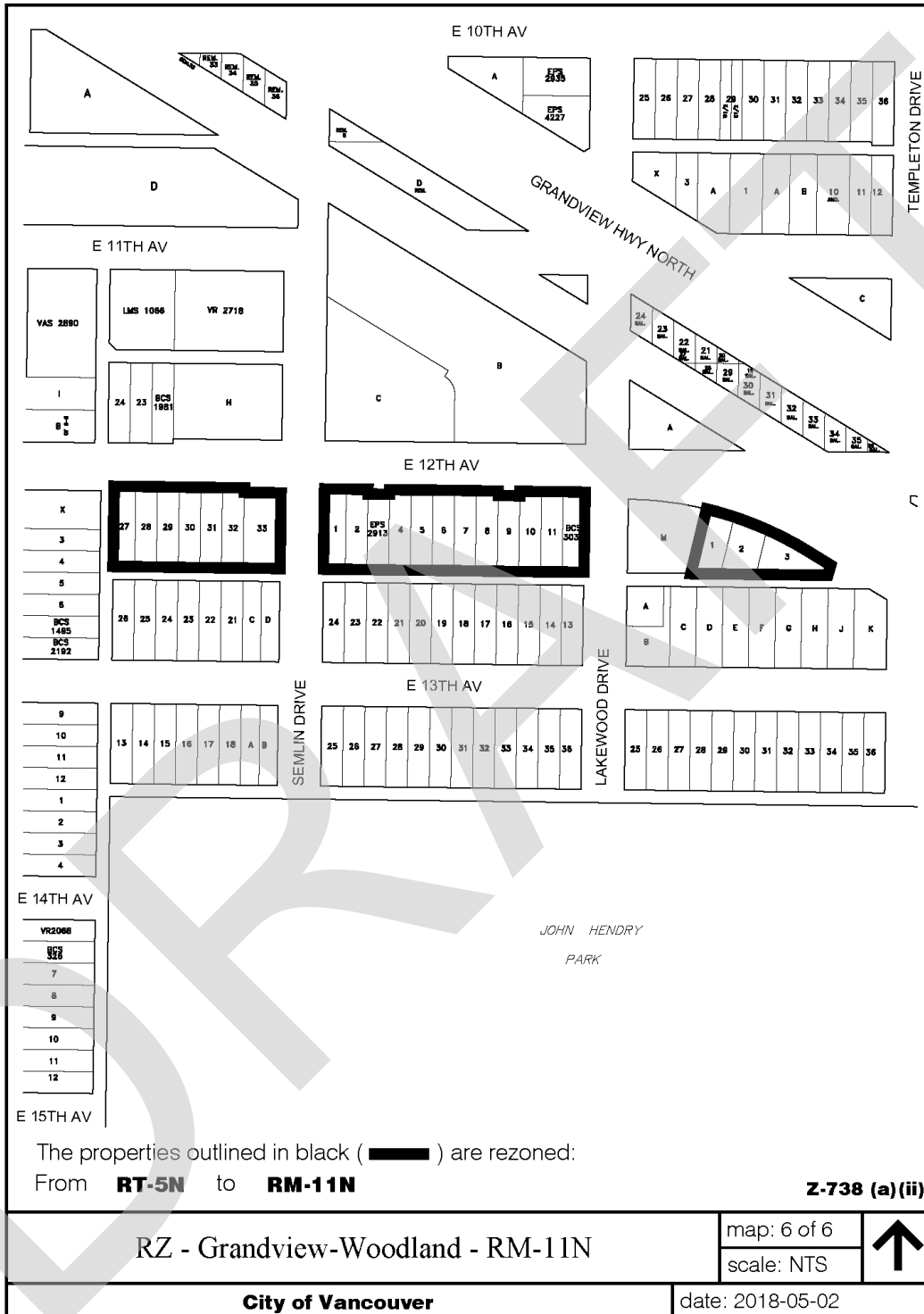
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date: 2018-05-02

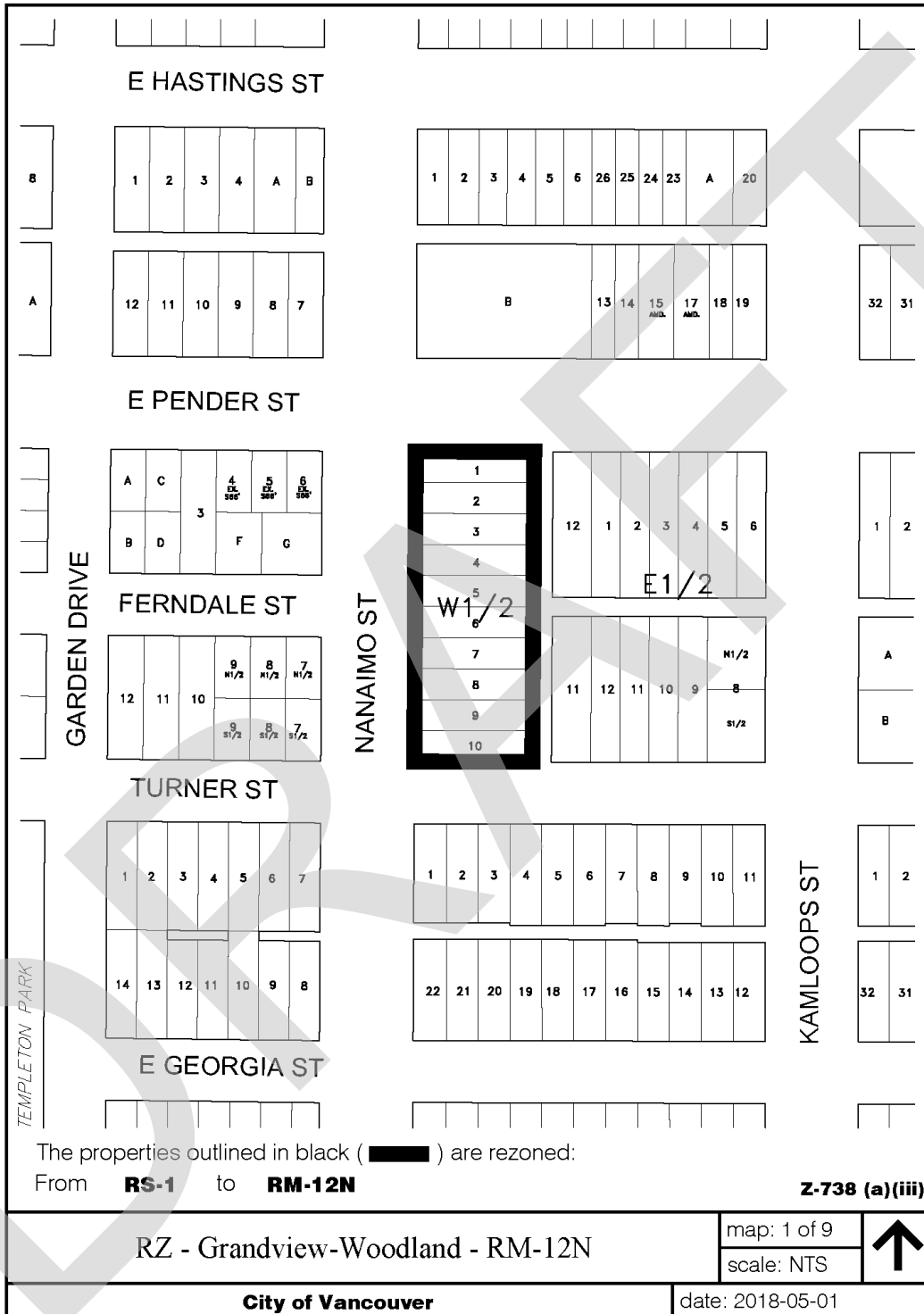
Schedule A



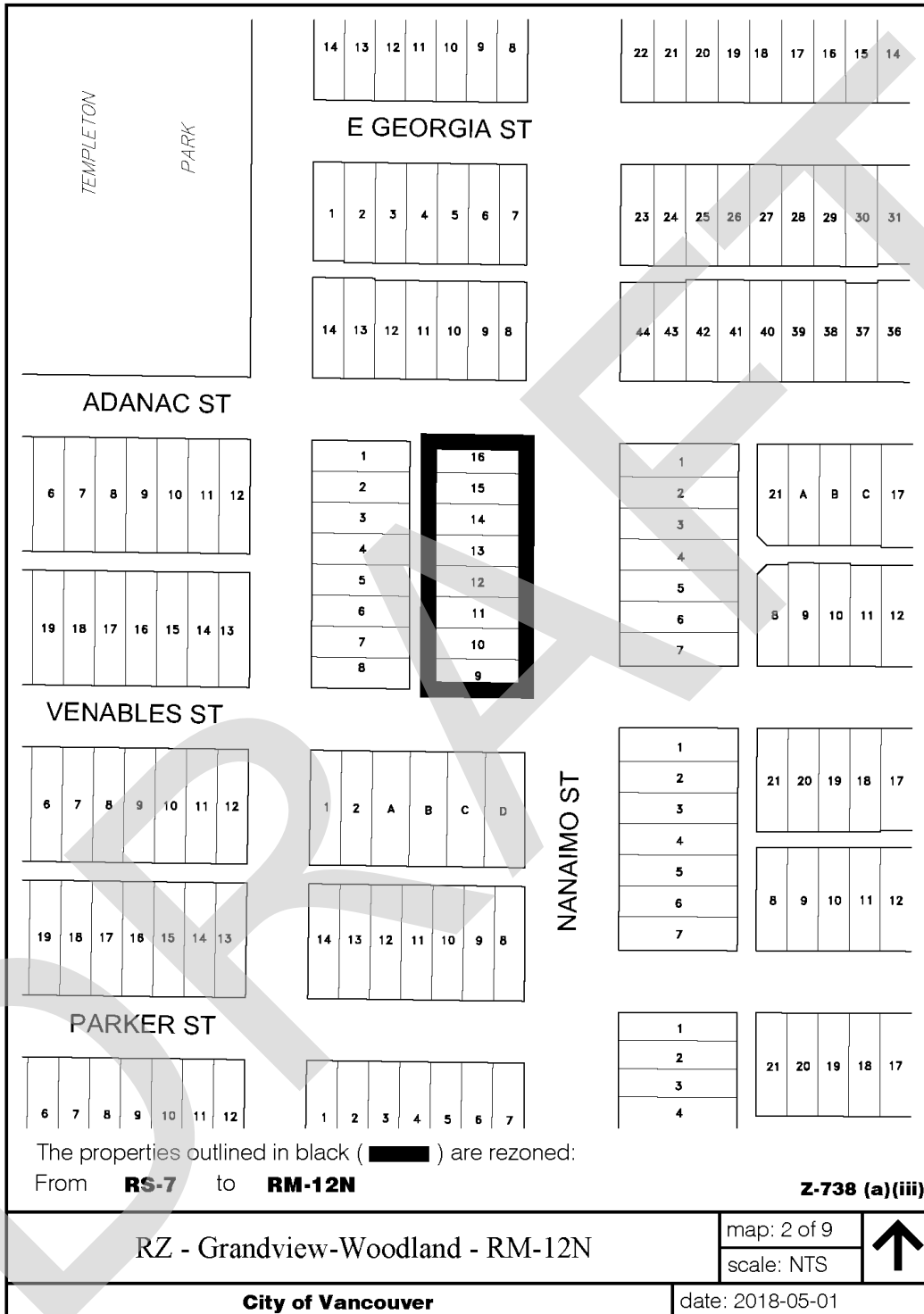
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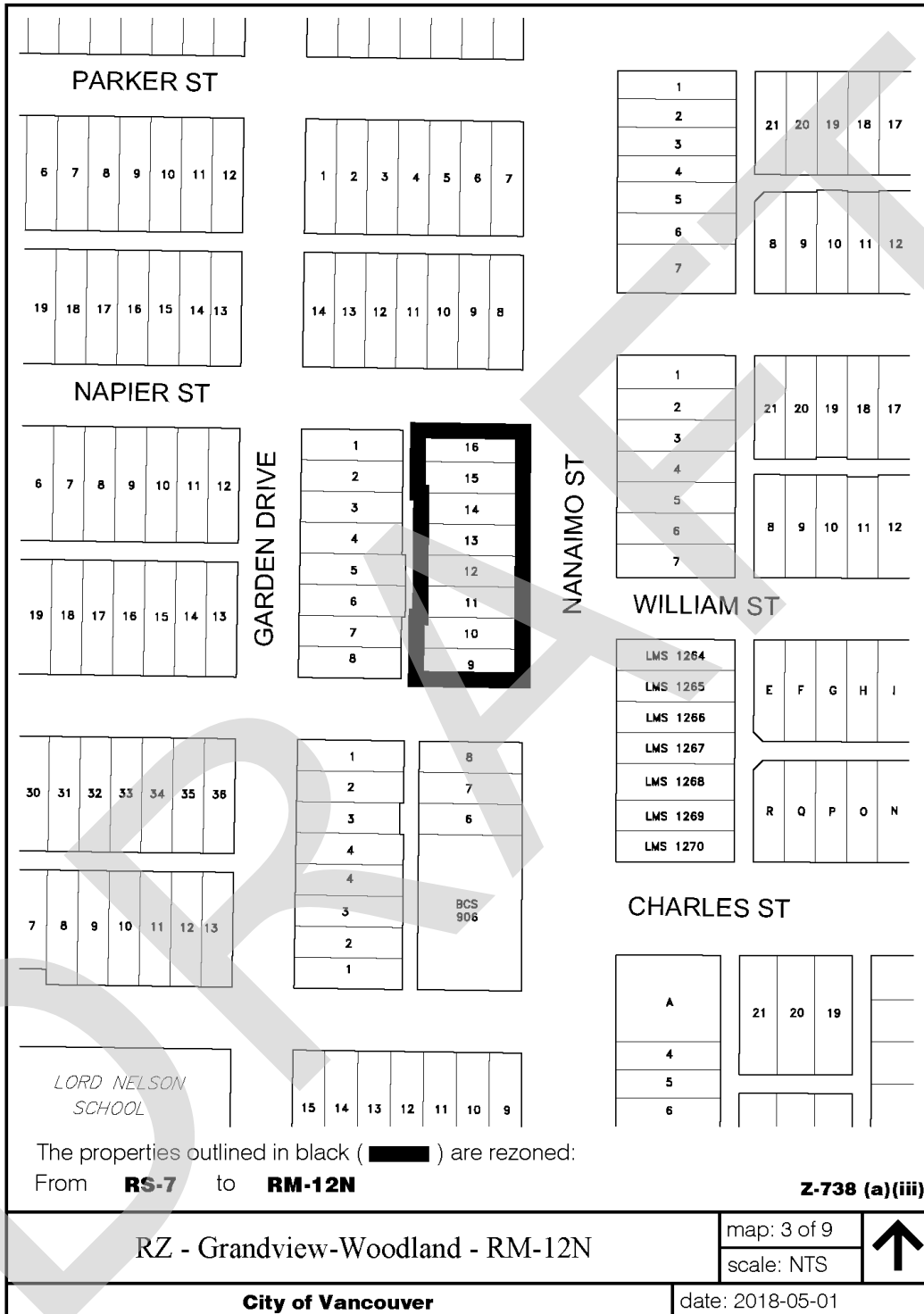
Schedule A



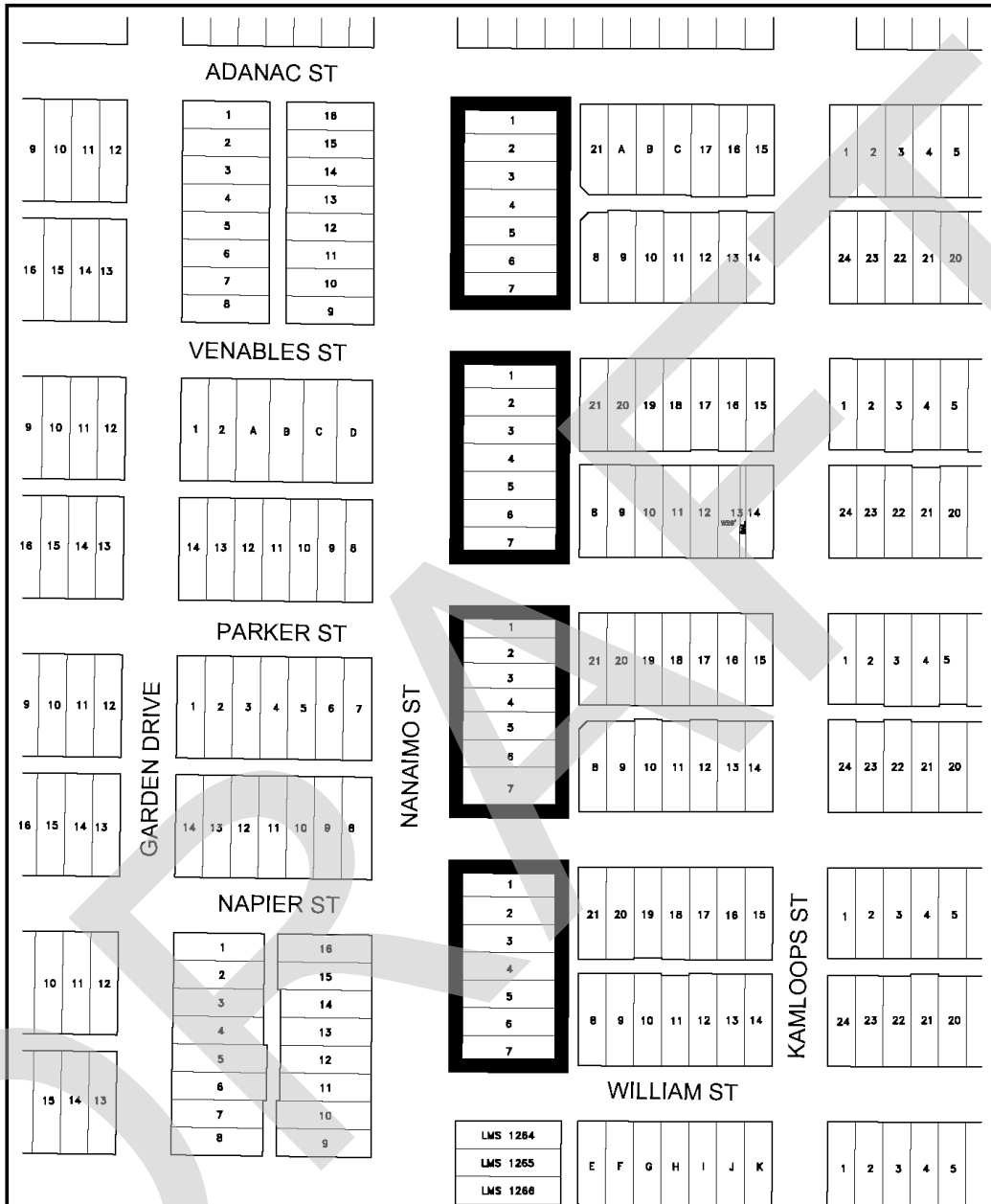
Schedule A



Schedule A



Schedule A



The properties outlined in black (  ) are rezoned:  
 From **RS-1** to **RM-12N**

**Z-738 (a)(iii)**

**RZ - Grandview-Woodland - RM-12N**

map: 4 of 9

scale: NTS



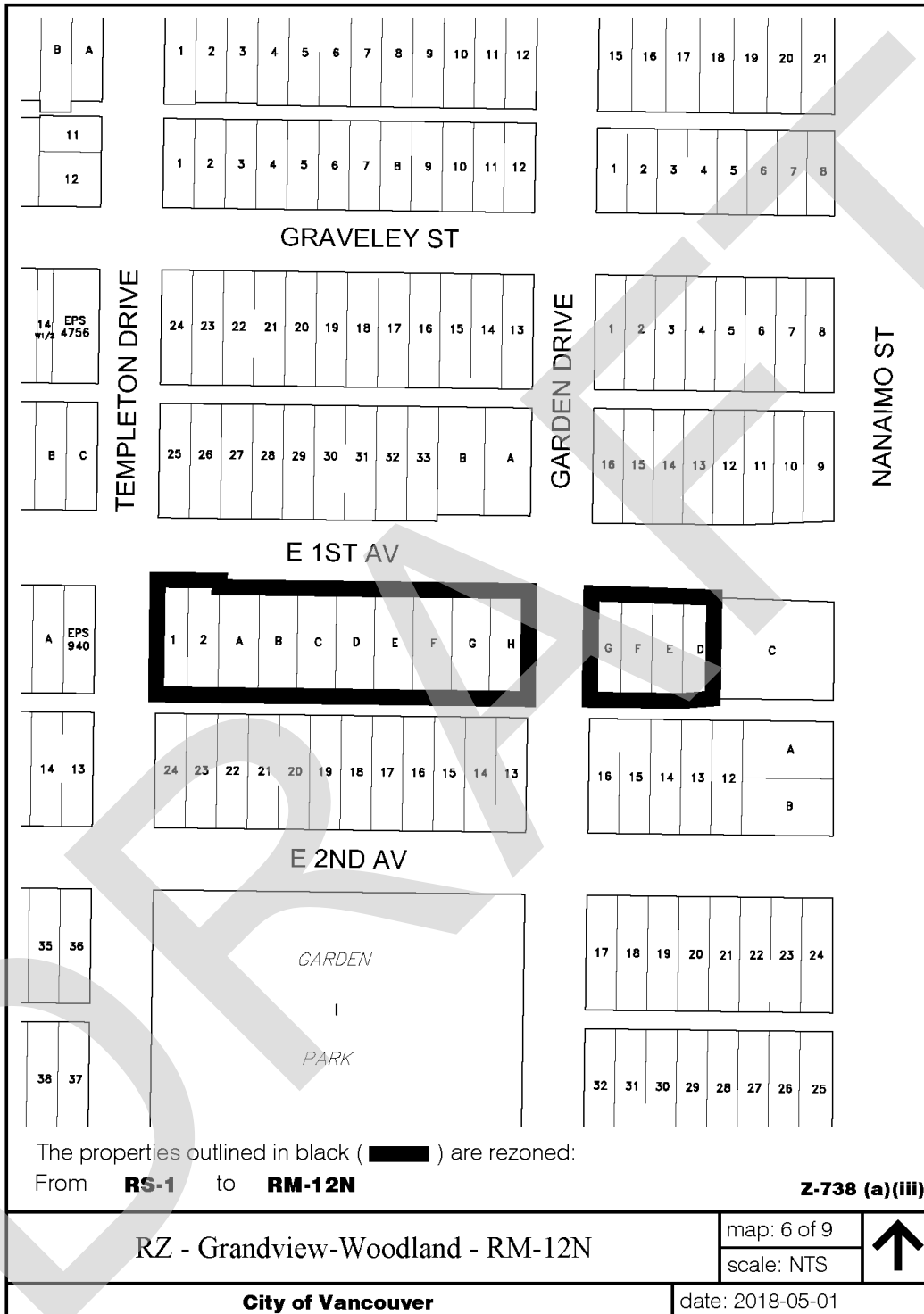
**City of Vancouver**

date: 2018-05-01

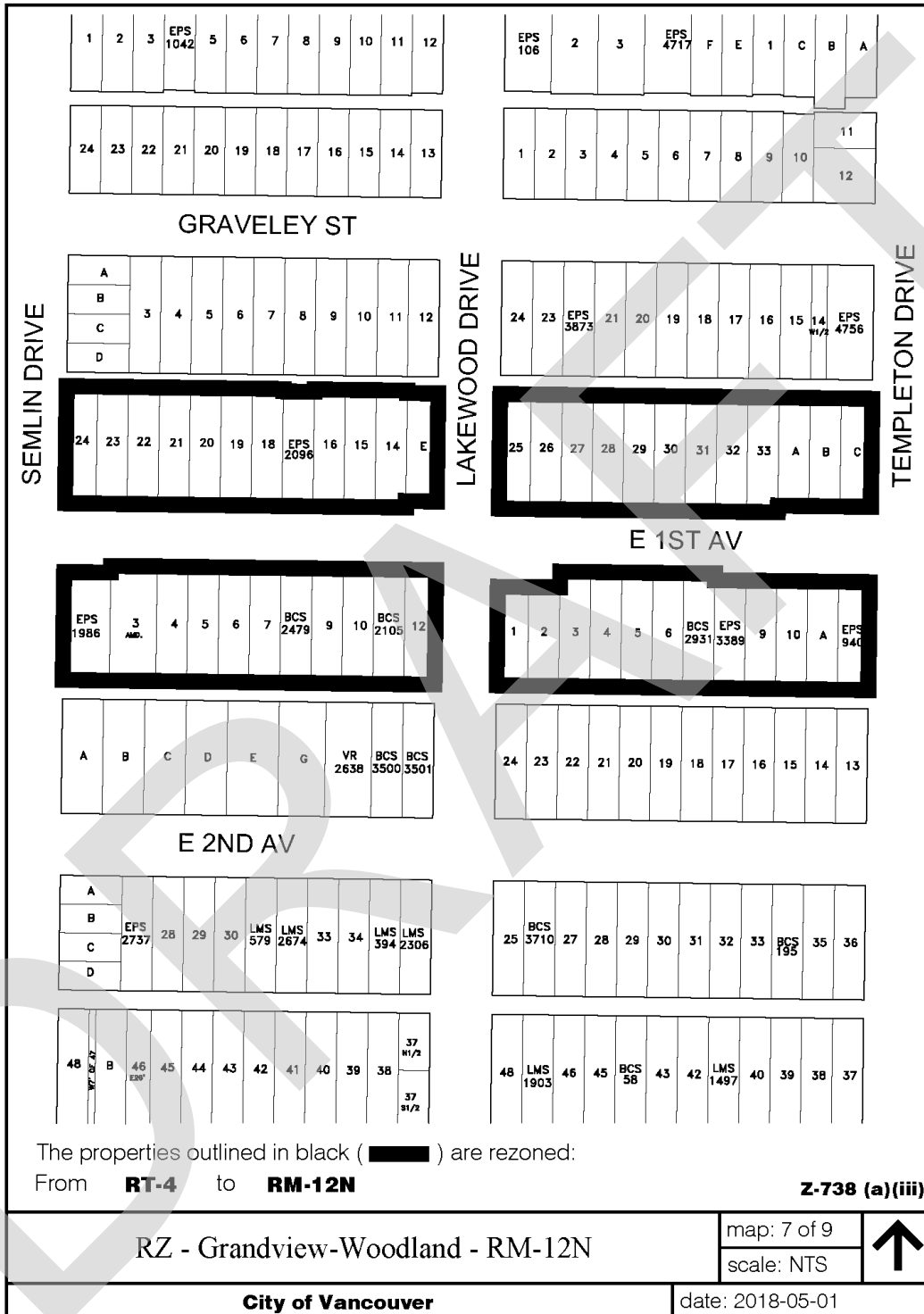
Schedule A







Schedule A



Schedule A



The properties outlined in black (  ) are rezoned:  
 From **RS-1** to **RM-12N**

**Z-738 (a)(iii)**

RZ - Grandview-Woodland - RM-12N

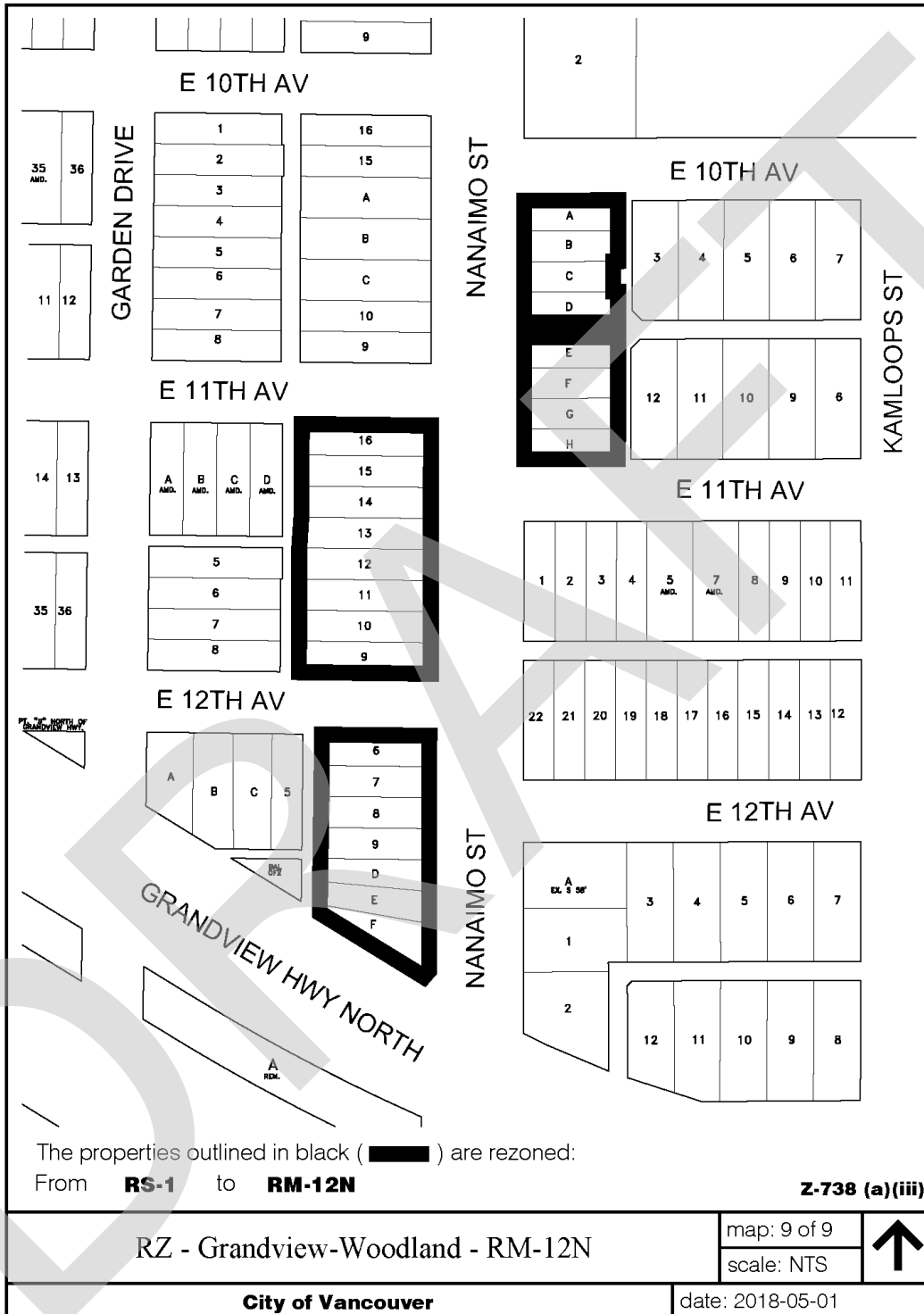
map: 8 of 9

scale: NTS



City of Vancouver

date: 2018-05-01



The properties outlined in black (  ) are rezoned:  
 From **RS-1** to **RM-12N**

**Z-738 (a)(iii)**

**RZ - Grandview-Woodland - RM-12N**

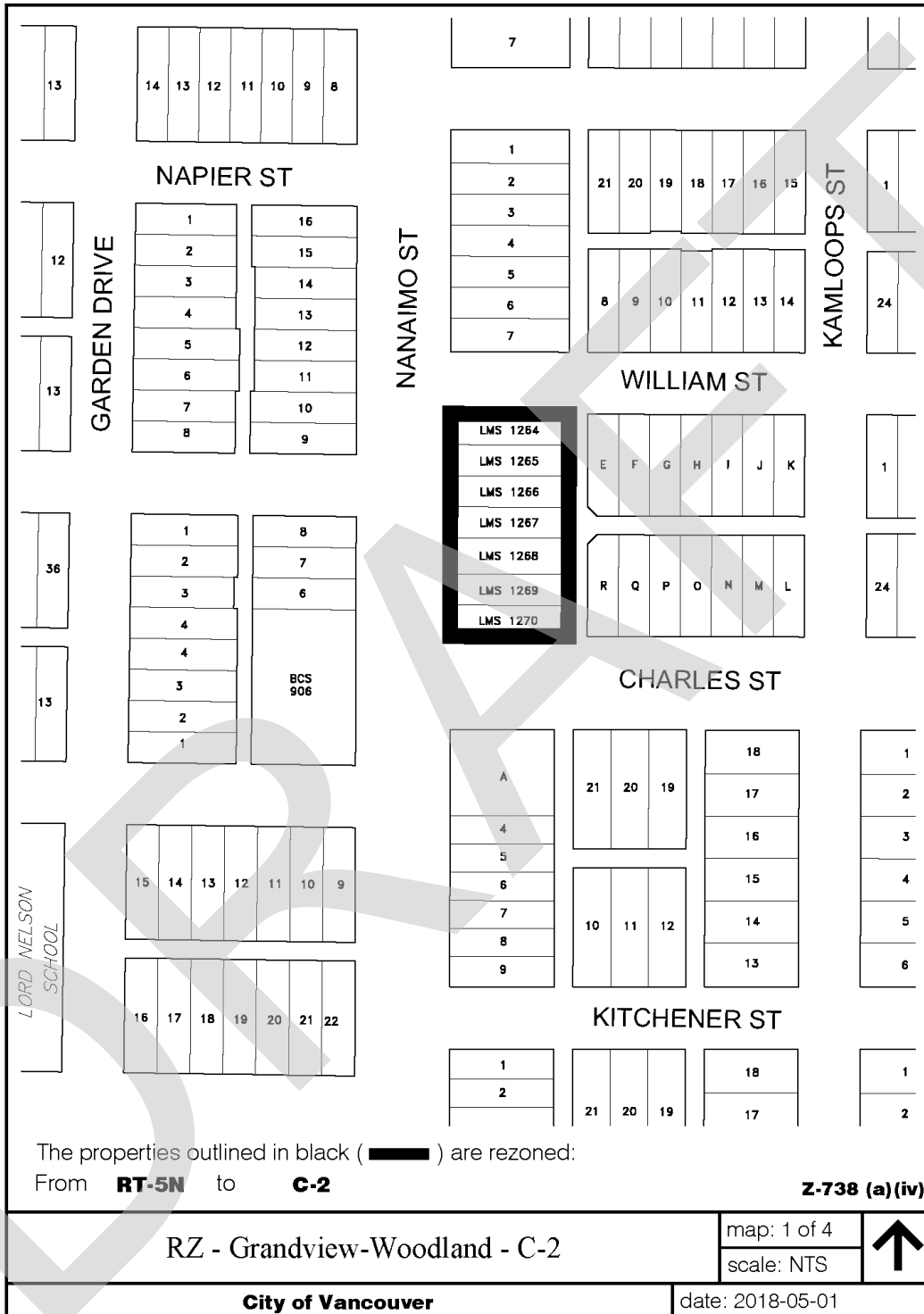
map: 9 of 9

scale: NTS



**City of Vancouver**

date: 2018-05-01



Schedule A



Schedule A



Schedule A



The properties outlined in black (  ) are rezoned:  
 From **RS-1** to **C-2**

**Z-738 (a)(iv)**

**RZ - Grandview-Woodland - C-2**

map: 4 of 4

scale: NTS



**City of Vancouver**

date: 2018-05-01



## RM-11 and RM-11N Districts Schedule

### 1 Intent

The intent of this Schedule is to permit medium density residential development primarily in the form of four-storey “T”-shaped apartments, and to foster compact, sustainable, multi-family neighbourhoods that support walking, cycling and transit use.

Emphasis is on a high standard of liveability and dwelling units that are varied in size, composition and tenure, including those suitable for families with children. Common and private outdoor spaces are required. Lock-off units are permitted, within limits, to provide flexible housing choices. All new development will demonstrate high-quality design and enrich the public realm.

Additional options for lower density development are only permitted on locked in lots, as set out in the RM-11 design guidelines. New one-family dwellings and new laneway houses are not permitted.

The RM-11N District differs from the RM-11 District in that it requires evidence of noise mitigation for residential development in close proximity to arterial streets or a rapid transit guideway.

### 2 Outright Approval Uses

2.1 Subject to all other provisions of this By-law and to compliance with the regulations of this Schedule, the uses listed in section 2.2 are permitted in these districts and will be issued a permit.

#### 2.2 Uses

- 2.2.A
- Accessory Buildings customarily ancillary to any of the uses listed in this Schedule, provided that:
    - (a) no accessory building exceeds 3.7 m in height, measured to the highest point of the roof if a flat roof, to the deck line of a mansard roof, or to the mean height of the level between the eaves and the ridge of a gable, hip or gambrel roof, except that no portion of an accessory building may exceed 4.6 m in height;
    - (b) all accessory buildings are located:
      - (i) within 7.9 m of the ultimate rear property line, and
      - (ii) no less than 3.6 m from the ultimate centre line of any rear or flanking lane and 1.5 m from a flanking street;
    - (c) the total floor area of all accessory buildings, measured to the extreme outer limits of the building, is not greater than 48 m<sup>2</sup>;
    - (d) not more than 80% of the width of the site at the rear property line is occupied by accessory buildings;
    - (e) no accessory building is closer than 3.7 m to any residential dwelling;
    - (f) no accessory building obstructs the daylight access prescribed in this Schedule; and
    - (g) roof decks and sun decks are not located on an accessory building.

- Accessory Uses customarily ancillary to any of the uses listed in this section, provided that accessory parking spaces must comply with the provisions of section 2.2.A (b) of this Schedule.

#### 2.2.DW [Dwelling]

- Laneway house, lawfully existing as of [date of enactment], subject to section 11.24 of this By-law.
- One-Family Dwelling, lawfully existing as of [date of enactment].
- One-Family Dwelling with Secondary Suite, lawfully existing as of [date of enactment].

#### 2.2.I [Institutional]

- Community Care Facility – Class A, subject to the regulations and relaxations that apply to a one-family dwelling.

### 3 Conditional Approval Uses

3.1 Subject to all other provisions of this By-law, the Director of Planning may approve any of the uses listed in section 3.2 of this Schedule, with or without conditions, if the Director of Planning first considers:

- the intent of this Schedule and all applicable Council policies and guidelines; and
- the submission of any advisory group, property owner or tenant.

#### 3.2 Uses

3.2A • Accessory Buildings not provided for in section 2.2.A of this Schedule and customarily ancillary to any of the uses listed in this Schedule, provided that for multiple dwelling:

- no accessory building exceeds 3.7 m in height, measured to the highest point of the roof if a flat roof, to the deck line of a mansard roof, or to the mean height of the level between the eaves and the ridge of a gable, hip or gambrel roof, except that no portion of an accessory building may exceed 4.6 m in height;
- all accessory buildings are located:
  - within 7.9 m of the ultimate rear property line, and
  - no less than 3.6 m from the ultimate centre line of any rear or flanking lane, and 1.5 m from a flanking street;
- the total floor area of all accessory buildings, measured to the extreme outer limits of the building, is not greater than 48 m<sup>2</sup>, except that:
  - the Director of Planning may increase the total floor area of all accessory buildings to a maximum of 24 m<sup>2</sup> for each dwelling unit, not including lock-off units, if the Director of Planning first considers the intent of this Schedule and all applicable Council policies and guidelines;
- not more than 30% of the width of the site at the rear property line is occupied by accessory buildings, except that the Director of Planning may increase the amount of the width of the site at the rear property line that may be occupied by accessory buildings to a maximum of 80%, if the Director of Planning first considers the intent of this Schedule and all applicable Council policies and guidelines;
- no accessory building is closer than 3.7 m to any residential dwelling; and
- roof decks and sundecks are not located on an accessory building.

- Accessory Uses customarily ancillary to any of the uses listed in this section.

### 3.2.AG [Agricultural]

- Urban Farm – Class A, subject to the provisions of section 11.29 of this By-law.

### 3.2.C [Cultural and Recreational]

- Artist Studio – Class A, in conjunction with a Multiple Dwelling, and subject to the provisions of Section 11.18 and 11.19 of this By-law.
- Club.
- Community Centre or Neighbourhood House.
- Library in conjunction with a Community Centre.
- Park or Playground.

### 3.2.D • Deposition or extraction of material which alters the configuration of the land.

### 3.2.DW [Dwelling]

- Infill in conjunction with retention of a character house existing as of [date of enactment], where the Director of Planning considers the development site to consist of locked in lots.
- Multiple Conversion Dwelling, in conjunction with the retention of a character house existing on the site as of [date of enactment], that contains no housekeeping or sleeping units, where the Director of Planning considers the development site to consist of locked in lots.
- Multiple Dwelling consisting of four or more dwelling units.
- Multiple Dwelling consisting of no more than three dwelling units, where the Director of Planning considers the development site to consist of locked in lots.
- Principal Dwelling Unit with Lock-off Unit, provided that in Multiple Dwellings there may be one lock-off unit for every three principal dwelling units, except that the Director of Planning may permit a higher ratio after first considering the intent of this Schedule and all applicable Council policies and guidelines.
- Residential Unit associated with and forming an integral part of an Artist Studio, subject to section 11.19 of this By-law.
- Secondary Suite, in a One-Family Dwelling or Two-Family Dwelling lawfully existing as of [date of enactment].
- Seniors Supportive or Assisted Housing, subject to section 11.17 of this By-law.
- Two-Family Dwelling, where the Director of Planning considers the development site to consist of locked in lots.
- Two-Family Dwelling with Secondary Suite, where the Director of Planning considers the development site to consist of locked in lots.

### 3.2.I [Institutional]

- Ambulance Station.
- Child Day Care Facility.
- Church, subject to the provisions of section 11.7 of this By-law.
- Community Care Facility – Class B, subject to the provisions of section 11.17 of this By-law.
- Group Residence, subject to the provisions of section 11.17 of this By-law.
- Hospital, subject to the provisions of section 11.9 of this By-law.
- Public Authority Use essential in this District.

- School – Elementary or Secondary, subject to the provisions of section 11.8 of this By-law.
- Social Service Centre.

3.2.R [Retail]

- Farmers' Market, subject to the provisions of section 11.21 of this By-law, and to compatibility with nearby sites, parking, traffic, noise, hours of operation, size of facility, and pedestrian amenity.
- Public Bike Share.

3.2.S [Service]

- Short Term Rental Accommodation, subject to the provisions of section 11.32 of this By-law.

3.2.U [Utility and Communication]

- Public Utility.

**3.3 Conditions of Use**

3.3.1 In multiple dwellings consisting of four or more dwelling units, not including lock-off units, with a floor space ratio less than or equal to 1.2, a minimum of 25% of the total dwelling units must be three-bedroom units.

3.3.2 In multiple dwellings consisting of four or more dwelling units, not including lock-off units, with a floor space ratio greater than 1.2:

- (a) a minimum of 25% of the total dwelling units must be two-bedroom units;
- (b) a minimum of 10% of the total dwelling units must be three-bedroom units;

3.3.3 Notwithstanding section 3.3.2, the Director of Planning may vary the distribution of units, provided that no less than 35% of the total dwelling units are two- or three-bedroom units, and provided the Director of Planning first considers the intent of this Schedule and all applicable policies and guidelines adopted by Council.

**4 Regulations**

All approved uses are subject to the following regulations, except for the following dwelling uses that are regulated by the RT-5 District Schedule: Infill in conjunction with retention of a character house, Multiple Conversion Dwelling in conjunction with retention of a character house, One-Family Dwelling, One-Family Dwelling with Secondary Suite, Two-Family Dwelling, and Two-Family Dwelling with Secondary Suite.

**4.1 Site Area**

4.1.1 The minimum site area for multiple dwellings consisting of four or more dwelling units, not including lock-off units, or for seniors supported or assisted housing is 1000 m<sup>2</sup>.

**4.2 Frontage**

4.2.1 The minimum site frontage for multiple dwellings consisting of four or more dwelling units, not including lock-off units, is 36.6 m along the streets set forth below:

- (i) East 1<sup>st</sup> Avenue,
- (ii) East 12<sup>th</sup> Avenue, or
- (iii) Garden Drive.

4.2.2 Notwithstanding section 4.2.1 of this Schedule, for development sites that include a corner lot consolidation where the intervention of a lane prevents the achievement of a 36.6 m site frontage, if the Director of Planning first considers the intent of this Schedule and all applicable Council policies and guidelines, the Director of Planning may permit a minimum site frontage of 36.6 m along either street frontage, for sites along the streets set forth below:

- (i) East 1<sup>st</sup> Avenue, or
- (ii) East 12<sup>th</sup> Avenue.

4.2.3 Notwithstanding sections 4.2.1 and 4.2.2 of this Schedule, the Director of Planning may reduce the minimum site frontage requirement if the Director of Planning first considers the intent of this Schedule and all applicable Council policies and guidelines.

4.2.4 The maximum site frontage for multiple dwellings consisting of four or more dwelling units, not including lock-off units, is 50 m.

4.2.5 Notwithstanding section 4.2.4 of this Schedule, the Director of Planning may increase the maximum site frontage limits if the Director of Planning first considers the intent of this Schedule and all applicable Council policies and guidelines.

### **4.3 Height**

4.3.1 A multiple dwelling consisting of four or more dwelling units, not including lock-off units, must not exceed 13.7 m in height.

4.3.2 Notwithstanding section 4.3.1 of this Schedule, the Director of Planning may increase the maximum height to 14.7 m, if the Director of Planning first considers the intent of this schedule and all applicable Council policies and guidelines.

### **4.4 Front Yard**

4.4.1 Front yards must have a minimum depth of 3.7 m.

4.4.2 Notwithstanding section 4.4.1 of this Schedule, the Director of Planning may vary the front yard for multiple dwellings consisting of four or more dwelling units, not including lock-off units, if the Director of Planning first considers the intent of this Schedule and all applicable Council policies and guidelines.

4.4.3 Covered porches complying with section 4.7.9 (j) of this Schedule, may project up to 1.5 m into the required front yard.

4.4.4 Notwithstanding section 10.7.1 (b) of this By-law, eaves and gutters or other projections, which in the opinion of the Director of Planning are similar, may project into the minimum front yard to a maximum of 1.0 m measured horizontally.

### **4.5 Side Yard and Setback**

4.5.1 Side yards for multiple dwellings consisting of four or more dwelling units, not including lock-off units, must have a minimum width of 2.1 m.

4.5.2 If the side of the site adjoins, without the intervention of a lane, the side yard of a site located in an RS or RT district, the minimum width of a side yard for multiple dwellings consisting of four or more dwelling units, not including lock-off units:

- (a) shall be 2.1 m for all parts of a building below the fourth storey; and
- (b) shall be 4.6 m for all parts of a building at or above the fourth storey,

except that the Director of Planning may permit a reduced side yard or side setback provided the Director of Planning first considers the intent of this Schedule and all applicable policies and guidelines adopted by Council.

4.5.3 Notwithstanding section 10.7.1 (b) of this By-law, eaves and gutters or other projections, which in the opinion of the Director of Planning are similar, may project into the minimum side yard to a maximum of 1.0 m measured horizontally.

#### **4.6 Rear Yard**

4.6.1 Multiple dwellings consisting of four or more dwelling units, not including lock-off units, must have a rear yard with a minimum depth of 6.1 m.

4.6.2 Notwithstanding section 10.7.1 (b) of this By-law, eaves and gutters or other projections, which in the opinion of the Director of Planning are similar, may project into the minimum rear yard to a maximum of 1.0 m measured horizontally.

#### **4.7 Floor Area and Density**

4.7.1 Except as provided in sections 4.7.2 and 4.7.3 of this Schedule, floor space ratio must not exceed 0.75 FSR for all uses.

4.7.2 For multiple dwellings consisting of four or more dwelling units, not including lock-off units, where 100% of the residential floor area is either developed as:

- (a) secured market rental housing, secured by a housing agreement that restricts the rates at which rents may be increased,
- (b) social housing exempt from development cost charges in accordance with section 523D (10) (d) of the Vancouver Charter, or
- (c) seniors supportive or assisted housing that is secured market rental housing subject to an agreed upon rental increase limit; and

if the Director of Planning first considers the intent of this Schedule, all applicable Council policies and guidelines, and the submissions of any advisory groups, property owners or tenants, on sites with a minimum frontage of 36.6 m and a minimum site area of 1000 m<sup>2</sup>, the Director of Planning may permit an increase in floor area to a maximum floor space ratio of 1.7 FSR.

4.7.3 For multiple dwellings consisting of four or more dwelling units, not including lock-off units, or seniors supportive or assisted housing, if the Director of Planning first considers the intent of this Schedule, all applicable Council policies and guidelines, and the submissions of any advisory groups, property owners or tenants, on sites with a minimum frontage of 36.6 m, and a minimum site area of 1000 m<sup>2</sup>, the Director of Planning may permit an increase in floor area by

one m<sup>2</sup> per amenity share or affordable housing share provided to the city at no cost to the city, to a maximum floor space ratio of 1.7 FSR.

- 4.7.4 For the purposes of section 4.7.3 of this Schedule, the cost of an affordable housing share in the RM-11 and RM-11N Zoning Districts is the amount specified per m<sup>2</sup> in Schedule F of this By-law, for any increase in floor space ratio above 0.75.
- 4.7.5 For the purposes of section 4.7.3 of this Schedule, the cost of an amenity share in the RM-11 and RM-11N Zoning Districts is the amount specified per m<sup>2</sup> in Schedule F of this By-law, for any increase in floor space ratio above 0.75.
- 4.7.6 For the purposes of this Schedule, amenity means one or more of the following:
- (a) Community Centre or Neighbourhood House;
  - (b) Library;
  - (c) Museum or Archives;
  - (d) Park or Playground;
  - (e) Plaza;
  - (f) Rink;
  - (g) Swimming Pool;
  - (h) Child Day Care Facility;
  - (i) Public Authority Use; and
  - (j) Social Service Centre.
- 4.7.7 Notwithstanding section 4.7.3 of this Schedule, the maximum floor space ratio achievable as the result of the provision of amenity shares or affordable housing shares must otherwise comply in all respects with this Schedule and this By-law.
- 4.7.8 Computation of floor area must include:
- (a) all floors, including earthen floor, to be measured to the extreme outer limits of the building;
  - (b) stairways, fire escapes, elevator shafts, and other features which the Director of Planning considers similar, measured by their gross cross-sectional areas and included in the measurements for each floor at which they are located; and
  - (c) the floor area of bay windows, regardless of seat height, location in building or relationship to yard setbacks, which is greater than the product of the total floor area permitted above the basement multiplied by 0.01.
- 4.7.9 Computation of floor area must exclude:
- (a) open residential balconies or sun decks, and any other appurtenances which, in the opinion of the Director of Planning, are similar to the foregoing, if the total area of these exclusions does not exceed 12% of the permitted residential floor area for multiple dwellings of four or more units, and 8% of the permitted floor area for all other uses;
  - (b) patios and roof gardens, if the Director of Planning first approves the design of sunroofs and walls;
  - (c) for multiple dwellings, where floors are used for:
    - (i) off-street parking and loading, those floors or portions thereof which are located at or below base surface, provided that the maximum exclusion for a parking space must not exceed 7.3 m in length,
    - (ii) bicycle storage located below base surface, or, if located at or above base surface are contained in an accessory building which complies with section 2.2.A of this Schedule, and

- (iii) heating and mechanical equipment, or uses which in the opinion of the Director of Planning, are similar to the foregoing, which are located below the base surface;
- (d) for multiple dwellings consisting of three units, and for dwelling uses other than multiple dwellings, where floors are used for off-street parking and loading, or bicycle storage in multiple conversion dwellings consisting of three or more dwelling units, or uses which, in the opinion of the Director of Planning, are similar to the foregoing:
  - (i) those floors or portions thereof not exceeding 7.3 m in length, which are located in an accessory building which complies with section 2.2.A of this Schedule, or in an infill one-family dwelling or principal building located within 7.9 m of the ultimate rear property line, up to a maximum of 48 m<sup>2</sup>, and
  - (ii) on sites with no developed secondary access, those floors or portions thereof not exceeding 7.3 m in length and minimum required maneuvering aisle, which are located either in a principal building, an accessory building, or an infill building up to a maximum area that the Director of Planning may determine, provided Director of Planning first considers all applicable Council policies and guidelines;
- (e) for non-dwelling uses, where floors are used for off-street parking and loading, heating and mechanical equipment, or uses which, in the opinion of the Director of Planning, are similar to the foregoing, those floors or portions thereof not exceeding 7.3 m in length so used, which are located in an accessory building located within 7.9 m of the ultimate rear property line, or below base surface;
- (f) amenity areas, including day care facilities, recreation facilities, and meeting rooms to a maximum total of 10 percent of the total permitted floor area;
- (g) areas of undeveloped floors which are located:
  - (i) above the highest storey or half-storey and to which there is no permanent means of access other than a hatch, or
  - (ii) adjacent to a storey or half-storey with a ceiling height of less than 1.2 m;
- (h) floors located at or below finished grade with a ceiling height of less than 1.2 m;
- (i) for multiple dwellings, all residential storage area above or below base surface, except that if the residential storage area above base surface exceeds 3.7 m<sup>2</sup> per dwelling unit, there will be no exclusion for any of the residential storage space above base surface for that unit;
- (j) covered verandas or porches, provided that:
  - (i) the portion facing the street, side property line or rear property line is open or protected by partial walls or guard rails, which conform to the height minimum specified in the Building By-law,
  - (ii) the total excluded area, combined with the balcony and sundeck exclusions permitted in section 4.7.8 (a) of this Schedule, does not exceed 16% of the permitted floor area for multiple dwellings of four or more units, and 13% of the permitted floor area for all other dwelling uses, and
  - (iii) the ceiling height, excluding roof structures, of the total area being excluded does not exceed 3.1 m measured from the porch floor; and
- (k) above grade floor area built as open to below, designed in combination with venting skylights, opening clerestory windows or other similar features which, in the opinion of the Director of Planning, reduce energy consumption or improve natural light and ventilation to a maximum exclusion of one percent of permitted floor area.

## 4.8 Site Coverage

- 4.8.1 The maximum site coverage for buildings is 45% of the site area, except that, for multiple dwellings, the maximum site coverage for all buildings is 55% of the site area, and the Director of Planning may increase the maximum site coverage for multiple dwellings if the Director of Planning first considers the intent of this Schedule and all applicable Council policies and guidelines.



- 4.8.2 Site coverage for buildings must be based on the projected area of the outside of the outermost walls of all buildings and includes carports, but excludes steps, eaves, balconies and sundecks.
- 4.8.3 In the case of a sloping site where a structure is located in or beneath a yard, the structure will be excluded from the site coverage calculation if it does not, except for required earth cover, permitted fences and similar items, project above the average elevation of the portions of the streets, lanes or sites located adjacent to such structure, and does not, in any event, project more than 1.0 m above the actual elevation of adjoining streets, lanes and sites.
- 4.8.4 The area of impermeable materials, including site coverage for buildings, must not exceed 75% of the total site area, except that for multiple dwellings, the Director of Planning may increase the area of impermeable materials, provided that the Director of Planning first considers the intent of this Schedule and all applicable Council policies and guidelines.
- 4.8.5 For the purposes of section 4.8.4 of this Schedule:
- (a) the following are considered impermeable: the projected area of the outside of the outermost walls of all buildings including carports, covered porches and entries, asphalt, concrete, brick, stone, and wood; and
  - (b) the following are considered permeable: gravel, river rock less than 5 cm in size, wood chips, bark mulch, wood decking with spaced boards and other materials which, in the opinion of the Director of Planning, have fully permeable characteristics when placed or installed on grade with no associated layer of impermeable material (such as plastic sheeting) that would impede the movement of water directly to the soil below.

#### **4.9 (Reserved)**

#### **4.10 Horizontal Angle of Daylight**

- 4.10.1 Each habitable room must have at least one window on an exterior wall of the building.
- 4.10.2 Each exterior window must be located so that a plane or planes extending from the window and formed by an angle of 50 degrees, or two angles with a sum of 70 degrees, will encounter no obstruction over a distance of 24.0 m.
- 4.10.3 The plane or planes referred to in section 4.10.2 must be measured horizontally from the centre of the bottom of each window.
- 4.10.4 The Director of Planning may relax the horizontal angle of daylight requirement, if:
- (a) the Director of Planning first considers all the applicable policies and guidelines adopted by Council; and
  - (b) the minimum distance of unobstructed view in multiple dwellings consisting of three units is not less than 3.7 m; or
  - (c) the minimum distance of unobstructed view in multiple dwellings consisting of four or more units is not less than 6.1 m.
- 4.10.5 An obstruction referred to in section 4.10.2 means:
- (a) any part of the same building including permitted projections; or
  - (b) the largest building permitted under the zoning on any adjoining site.
- 4.10.6 A habitable room referred to in section 4.10.1 does not mean:
- (a) a bathroom; or

- (b) a kitchen whose floor area is the lesser of:
  - (i) 10 % or less of the total floor area of the dwelling unit, or
  - (ii) 9.3 m<sup>2</sup>.

**4.11 Dedication of Land for Lane Purposes**

- 4.11.1 Where a site does not abut a lane, or abuts a lane which is less than 6.1 m in width, a portion of the site, as determined by the City Engineer, to a maximum of 3.1 m, must be dedicated for lane purposes.
- 4.11.2 Where dedication is made, it shall be deemed not to reduce the site area for the purpose of calculating floor space ratio.

**4.12 (Reserved)**

**4.13 (Reserved)**

**4.14 Dedication of Land for Sidewalk and Boulevard Purposes**

- 4.14.1 For development sites which adjoin the streets set forth below, a portion of the site must be dedicated to the City for sidewalk and boulevard improvements to achieve a distance from the centerline of the street to the property line of the development site, measured at right angles:
  - (i) East 1st Avenue, from Commercial Drive to Salisbury Drive 12.7 m;
  - (ii) East 1<sup>st</sup> Avenue, from Salisbury Drive to Semlin Drive 12.2 m; or
  - (iii) East 12<sup>th</sup> Avenue 12.2 m.

- 4.14.2 Where dedication is made, it shall be deemed not to reduce the site area for the purpose of calculating floor space ratio.

**4.15 Acoustics**

- 4.15.1 A development permit application for a dwelling use in the RM-11N District requires evidence in the form of a report and recommendations prepared by a registered professional acoustical engineer, demonstrating that the noise levels in those portions of the dwelling units listed below, do not exceed the noise levels expressed in decibels set opposite such portions of the dwelling units. For the purposes of this section the noise level is the A-weighted 24-hour equivalent (Leq) sound level and will be defined simply as the noise level in decibels.

Portions of dwelling units	Leq24 (dBA)
Bedrooms	35
Living, dining, recreation rooms	40
Kitchen, bathrooms, hallways	45

**4.16 (Reserved)**

**4.17 External Design**

- 4.17.1 Where a site has more than one multiple dwelling building, the exterior side wall of each multiple dwelling building must be a minimum of 3.0 m from the closest portion of the exterior side wall of any other multiple dwelling building on the site.

#### **4.18 (Reserved)**

#### **4.19 Number of Buildings on Site**

4.19.1 Notwithstanding section 10.1 of this By-law, the Director of Planning may permit more than one building on a site, in combination with a multiple dwelling consisting of four or more dwelling units, not including lock-off units, if the Director of Planning first considers the intent of this Schedule and all applicable Council policies and guidelines.

### **5 Relaxation of Regulations**

5.1 Where the Director of Planning considers the development site to consist of locked in lots, and if the Director of Planning first considers the intent of this Schedule, all applicable Council policies and guidelines, and the submissions of any advisory groups, property owners or tenants, the Director of Planning may relax the floor area and density requirements of section 4.7 of this Schedule as follows:

(a) For multiple dwellings consisting of no more than three dwelling units, not including lock-off units, and which are on sites with:

- (i) a minimum site area of 303 m<sup>2</sup>,
- (ii) a frontage less than 12.8 m,
- (iii) a maximum height of 10.7 m,
- (iv) a minimum side yard width of 1.2 m, and
- (v) a minimum rear yard depth of 10.7 m,

the permitted floor area may be increased by one m<sup>2</sup> per amenity share or affordable housing share provided to the city at no cost to the city, to a maximum allowable density of 0.9 FSR;

(b) For multiple dwellings consisting of no more than three dwelling units, not including lock-off units, where 100% of the residential floor area is developed as secured market rental housing secured by a housing agreement that restricts the rates at which rents may be increased, and which are on sites with:

- (i) a minimum site area of 303 m<sup>2</sup>,
- (ii) a frontage less than 12.8 m,
- (iii) a maximum height of 10.7 m,
- (iv) a minimum side yard width of 1.2 m, and
- (v) a minimum rear yard depth of 10.7 m,

the permitted floor area may be increased to a maximum allowable density of 0.9 FSR;

(c) For multiple dwellings consisting of four or more dwelling units, not including lock-off units, or for seniors supported or assisted housing, and which are on sites with:

- (i) a minimum site area of 566 m<sup>2</sup>,
- (ii) a frontage greater than 12.8 m and less than 36.6 m,
- (iii) a maximum height of 11.5 m,
- (iv) a maximum height of 10.1 m for buildings adjacent to the lane, and
- (v) a minimum rear yard depth of 1.8 m;

the permitted floor area may be increased by one m<sup>2</sup> per amenity share or affordable housing share provided to the city at no cost to the city, to a maximum allowable density of 1.2 FSR; and

- (d) For multiple dwellings consisting of four or more dwelling units, not including lock-off units, where 100% of the residential floor area is developed as either secured market rental housing secured by a housing agreement that restricts the rates at which rents may be increased, social housing exempt from development costs charges in accordance with 523D (10)(d) of the Vancouver Charter, or seniors supportive or assisted housing that is secured market rental housing subject to an agreed upon rental increase limit, and which are on sites with:
- (i) a minimum site area of 566 m<sup>2</sup>,
  - (ii) a frontage greater than 12.8 m and less than 36.6 m,
  - (iii) a maximum height of 11.5 m,
  - (iv) a maximum height of 10.1 m for buildings adjacent to the lane, and
  - (v) a minimum rear yard depth of 1.8 m;

the permitted floor area may be increased to a maximum allowable density of 1.2 FSR.

# RM-12N District Schedule

## 1 Intent

The intent of this Schedule is to encourage development of ground-oriented stacked townhouses or rowhouses, including courtyard stacked townhouses and rowhouses, while continuing to permit lower intensity development. Siting and massing of new development are intended to be compatible with, but not the same as, pre-existing single-family development. Secondary suites and lock-off units are permitted, within limits, to provide flexible housing choices. High quality design and liveability standards are encouraged for new development. New one-family dwellings and laneway houses are not permitted. The RM-12N District requires noise mitigation for dwelling units in close proximity to arterial streets.

## 2 Outright Approval Uses

2.1 Subject to all other provisions of this By-law and to compliance with the regulations of this Schedule, the uses listed in section 2.2 are permitted in these districts and will be issued a permit.

### 2.2 Uses

- 2.2.A
- Accessory Buildings customarily ancillary to any of the uses listed in this Schedule, except for accessory buildings ancillary to multiple dwelling and freehold rowhouse use, if:
    - (a) no accessory building exceeds 3.7 m in height, measured to the highest point of the roof if a flat roof, to the deck line of a mansard roof, or to the mean height of the level between the eaves and the ridge of a gable, hip or gambrel roof, except that no portion of an accessory building may exceed 4.6 m in height;
    - (b) all accessory buildings are located:
      - (i) within 7.9 m of the ultimate rear property line, and
      - (ii) no less than 3.6 m from the ultimate centre line of any rear or flanking lane and 1.5 m from a flanking street;
    - (c) the total floor area of all accessory buildings, measured to the extreme outer limits of the building, is not greater than 48 m<sup>2</sup>;
    - (d) not more than 80% of the width of the site at the rear property line is occupied by accessory buildings;
    - (e) no accessory building is closer than 3.7 m to any residential dwelling; and
    - (f) roof decks and sun decks are not located on an accessory building.
  - Accessory Uses customarily ancillary to any of the uses listed in this section, provided that accessory parking spaces must comply with the provisions of section 2.2.A (b) of this Schedule.

### 2.2.DW [Dwelling]

- Laneway house, lawfully existing as of [date of enactment], subject to section 11.24 of this By-law.
- Multiple Conversion Dwelling, if:
  - (a) no additions are permitted;
  - (b) no housekeeping or sleeping units are created; and
  - (c) there are no more than two dwelling units.

- One-Family Dwelling, lawfully existing as of [date of enactment].
- One-Family Dwelling with Secondary Suite, lawfully existing as of [date of enactment].
- Two-Family Dwelling.

#### 2.2.I [Institutional]

- Community Care Facility – Class A, subject to the regulations and relaxations that apply to a one-family dwelling.

### 3 Conditional Approval Uses

3.1 Subject to all other provisions of this By-law, the Director of Planning may approve any of the uses listed in section 3.2 of this Schedule, with or without conditions, if the Director of Planning first considers:

- the intent of this Schedule and all applicable Council policies and guidelines; and
- the submission of any advisory group, property owner or tenant.

#### 3.2 Uses

3.2.A • Accessory Buildings not provided for in section 2.2.A of this Schedule and customarily ancillary to any of the uses listed in this Schedule, provided that for multiple dwellings:

- no accessory building exceeds 3.7 m in height, measured to the highest point of the roof if a flat roof, to the deck line of a mansard roof, or to the mean height of the level between the eaves and the ridge of a gable, hip or gambrel roof, except that no portion of an accessory building may exceed 4.6 m in height;
- all accessory buildings are located:
  - within 7.9 m of the ultimate rear property line, and
  - no less than 3.6 m from the ultimate centre line of any rear or flanking lane, and 1.5 m from a flanking street;
- the total floor area of all accessory buildings, measured to the extreme outer limits of the building, is not greater than 48 m<sup>2</sup>, except that:
  - the Director of Planning may increase the total floor area of all accessory buildings to a maximum of 24 m<sup>2</sup> for each dwelling unit, not including lock-off units, if the Director of Planning first considers the intent of this Schedule and all applicable Council policies and guidelines;
- not more than 30% of the width of the site at the rear property line is occupied by accessory buildings, except that the Director of Planning may increase the amount of the width of the site at the rear property line that may be occupied by accessory buildings to a maximum of 80%, if the Director of Planning first considers the intent of this Schedule and all applicable Council policies and guidelines;
- no accessory building is closer than 3.7 m to any residential dwelling; and
- roof decks and sun decks are not located on an accessory building.

- Accessory Uses customarily ancillary to any of the uses listed in this section.

#### 3.2.AG [Agricultural]

- Urban Farm - Class A, subject to the provisions of section 11.29 of this By-law.

### 3.2.C [Cultural and Recreational]

- Artist Studio – Class A, in conjunction with a Multiple Dwelling, and subject to the provisions of Section 11.18 and 11.19 of this By-law.
- Club.
- Community Centre or Neighbourhood House.
- Library in conjunction with a Community Centre.
- Park or Playground.

### 3.2.D • Deposition or extraction of material, which alters the configuration of the land.

### 3.2.DW [Dwelling]

- Infill in conjunction with retention of a character house existing as of [date of enactment].
- Multiple Conversion Dwelling (other than as provided for in section 2.2 DW of this Schedule) in conjunction with the retention of a character house existing on the site as of [date of enactment], that contains no housekeeping or sleeping units.
- Multiple Dwelling.
- Principal Dwelling Unit with Lock-off Unit, provided that in Multiple Dwellings there may be one lock-off unit for every three principal dwelling units, except that the Director of Planning may permit a higher ratio after first considering the intent of this Schedule and all applicable Council policies and guidelines.
- Residential Unit associated with and forming an integral part of an Artist Studio, subject to section 11.19 of this By-law.
- Secondary Suite, in a One-Family Dwelling lawfully existing as of [date of enactment].
- Seniors Supportive or Assisted Housing, subject to section 11.17 of this By-law.
- Two-Family Dwelling with Secondary Suite.

### 3.2.I [Institutional]

- Ambulance Station.
- Child Day Care Facility.
- Church, subject to section 11.7 of this By-law.
- Community Care Facility – Class B, subject to section 11.17 of this By-law.
- Group Residence, subject to section 11.17 of this By-law.
- Hospital, subject to section 11.9 of this By-law.
- Public Authority Use essential in this district.
- School - Elementary or Secondary, subject to section 11.8 of this By-law.
- Social Service Centre.

### 3.2.J [Live-Work]

- Live-Work Use, in conjunction with a Multiple Dwelling, and subject to the provisions of Section 11.23 of this By-law.

### 3.2.R [Retail]

- Farmers' Market, subject to section 11.21 of this By-law, and to compatibility with nearby sites, parking, traffic, noise, hours of operation, size of facility, and pedestrian amenity.
- Grocery or Drug Store, in conjunction with a Multiple Dwelling.
- Public Bike Share.
- Retail Store, in conjunction with a Multiple Dwelling.

### 3.2.S [Service]

- Bed and Breakfast Accommodation, subject to section 11.4 of this By-law.
- Barber Shop or Beauty Salon.
- Beauty and Wellness Centre.
- Restaurant – Class 1.
- Short Term Rental Accommodation, subject to the provisions of section 11.32 of this By-law.

### 3.2.U [Utilities and Communication]

- Public Utility.

## 3.3 Conditions of Use

3.3.1 In multiple dwellings with a floor space ratio less than or equal to 1.45, a minimum of 25% of the total dwelling units must be three-bedroom units.

3.3.2 In multiple dwellings with a floor space ratio greater than 1.45:

- a minimum of 25% of the total dwelling units must be two-bedroom units;
- a minimum of 10% of the total dwelling units must be three-bedroom units;

3.3.3 Notwithstanding section 3.3.2 of this Schedule, the Director of Planning may vary the distribution of units, provided there are no less than 35% of the total dwelling units with two- or three-bedrooms, and provided the Director of Planning first considers the intent of this Schedule and all applicable policies and guidelines adopted by Council.

## 4 Regulations

All approved uses are subject to the following regulations, except for the following dwelling uses that are regulated by the RT-5 District Schedule: Infill in conjunction with retention of a character house, Multiple Conversion Dwelling in conjunction with retention of a character house, Multiple Conversion Dwelling, One-Family Dwelling, One-Family Dwelling with Secondary Suite, Two-Family Dwelling, and Two-Family Dwelling with Secondary Suite.

### 4.1 Site Area

4.1.1 The minimum site area for multiple dwellings consisting of no more than three dwelling units, not including lock-off units, is 306 m<sup>2</sup>.

4.1.2 The minimum site area for multiple dwellings consisting of four or more dwelling units, not including lock-off units, or for seniors supportive or assisted housing is 910 m<sup>2</sup>.



- 4.1.3 If the Director of Planning first considers the intent of this Schedule and all applicable Council policies and guidelines, the Director of Planning may permit multiple dwellings consisting of four or more dwelling units, not including lock-off units, on a site smaller than 910 m<sup>2</sup>.

## **4.2 Frontage**

- 4.2.1 The minimum site frontage for multiple dwellings consisting of no more than three dwelling units, not including lock-off units, is 12.8 m.
- 4.2.2 The minimum site frontage for multiple dwellings consisting of four or more dwelling units, not including lock-off units, is 27.4 m.
- 4.2.3 The maximum frontage for any commercial use is 15.3 m.
- 4.2.4 The Director of Planning may increase the maximum frontage regulation in section 4.2.3 of this Schedule provided consideration is first given to the intent of this Schedule and all applicable policies and guidelines adopted by Council.

## **4.3 Height**

- 4.3.1 A multiple dwelling must not exceed 10.7 m and 2.5 storeys in height.
- 4.3.2 Notwithstanding section 4.3.1 of this Schedule, the Director of Planning may permit a height increase in multiple dwellings consisting of four or more dwelling units, not including lock-off units, to 12.2 m and a partial fourth storey, if:
- (a) the fourth storey, meaning the uppermost level of a building where the floor area, existing, proposed or as may be extended over open-to-below space, and having a minimum ceiling height of 1.2 m, does not exceed 60% of the storey immediately below; and
  - (b) the Director of Planning first considers the intent of this Schedule and all applicable Council policies and guidelines.
- 4.3.3 Notwithstanding section 4.3.2 of this Schedule, for Retail, Service, Cultural and Recreational, or Live-Work Use, in conjunction with a multiple dwelling, the Director of Planning may increase the maximum height to 13.7 m and four storeys, if the Director of Planning first considers the intent of this Schedule and all applicable Council policies and guidelines.
- 4.3.4 Notwithstanding sections 4.3.1, 4.3.2, and 4.3.3 of this Schedule, the maximum building height for multiple dwellings consisting of four or more dwelling units, not including lock-off units, situated adjacent to the lane at the rear of a site is the lesser of 9.5 m and a partial third storey, if:
- (a) the third storey, meaning the uppermost level of a building where the floor area, existing, proposed or as may be extended over open-to-below space, and having a minimum ceiling height of 1.2 m, does not exceed 60% of the storey immediately below; and
  - (b) the Director of Planning first considers the intent of this Schedule and all applicable Council policies and guidelines.
- 4.3.5 Notwithstanding section 4.3.4 of this Schedule, the Director of Planning may increase the maximum height for multiple dwellings consisting of four or more dwelling units, not including lock-off units, situated adjacent to the lane at the rear of a site to 10.7 m and a partial third storey if the Director of Planning first considers the intent of this Schedule and all applicable Council policies and guidelines.

#### **4.4 Front Yard**

- 4.4.1 Front yards must have a minimum depth of 3.7 m.
- 4.4.2 Notwithstanding section 4.4.1 of this Schedule, the Director of Planning may decrease the front yard requirement for multiple dwellings, if the Director of Planning first considers the intent of this Schedule and all applicable Council policies and guidelines.
- 4.4.3 Covered porches complying with section 4.7.11 (h) of this Schedule, may project up to 1.5 m into the required front yard.
- 4.4.4 Notwithstanding section 10.7.1 (b) of this By-law, eaves and gutters or other projections, which in the opinion of the Director of Planning are similar, may project into the minimum front yard to a maximum of 1.0 m measured horizontally.

#### **4.5 Side Yards**

- 4.5.1 Side yards must have a minimum width of 1.2 m.
- 4.5.2 Notwithstanding section 10.7.1(b) of this By-law, eaves and gutters or other projections, which, in the opinion of the Director of Planning are similar, may project into the minimum side yard up to a maximum of 1.0 m measured horizontally, except that they must not be closer than 0.7 m to a side property line.

#### **4.6 Rear Yard**

- 4.6.1 A rear yard with a minimum depth of 1.8 m must be provided. Where the rear property line abuts a lane that is only partially dedicated, or where a lane dedication is required, the rear yard must be measured from the ultimate rear property line.
- 4.6.2 Notwithstanding the provisions of section 10.7.1 (b) of this By-law, eaves and gutters or other similar projections as determined by the Director of Planning may project into a minimum rear yard to a maximum of 1.0 m measured horizontally.

#### **4.7 Floor Area and Density**

- 4.7.1 Except as provided in sections 4.7.2, 4.7.3, 4.7.4, and 4.7.5 of this Schedule, floor space ratio must not exceed 0.75 for all uses.
- 4.7.2 For multiple dwellings consisting of no more than three dwelling units, where 100% of the residential floor area is developed as secured market rental housing secured by a housing agreement that restricts the rates at which rents may be increased, if the Director of Planning first considers the intent of this Schedule, all applicable Council policies and guidelines, and the submissions of any advisory groups, property owners or tenants, on sites with a minimum frontage of 12.8 m and a minimum site area of 306 m<sup>2</sup> the Director of Planning may permit an increase in floor area to a maximum floor space ratio of 0.9 FSR.
- 4.7.3 For multiple dwellings consisting of no more than three dwelling units, if the Director of Planning first considers the intent of this Schedule, all applicable Council policies and guidelines, and the submissions of any advisory groups, property owners or tenants, on sites with a minimum frontage of 12.8 m and a minimum site area of 306 m<sup>2</sup> the Director of Planning may permit an

increase in floor area by one m<sup>2</sup> per amenity share or affordable housing share provided to the city at no cost to the city, to a maximum floor space ratio of 0.9 FSR.

4.7.4 For multiple dwellings consisting of four or more dwelling units, where 100% of the residential floor area is either developed as:

- (i) secured market rental housing, secured by a housing agreement that restricts the rates at which rents may be increased,
- (ii) social housing exempt from development cost charges in accordance with section 523D (10) (d) of the Vancouver Charter, or
- (iii) seniors supportive or assisted housing that is secured market rental housing subject to an agreed upon rental increase limit;

if the Director of Planning first considers the intent of this Schedule, all applicable Council policies and guidelines, and the submissions of any advisory groups, property owners or tenants, on sites with a minimum frontage of 27.4 m and a minimum site area of 910 m<sup>2</sup> the Director of Planning may permit an increase in floor area to a maximum floor space ratio of 1.45 FSR.

4.7.5 For multiple dwellings consisting of four or more dwelling units, or seniors supportive or assisted housing, if the Director of Planning first considers the intent of this Schedule, all applicable Council policies and guidelines, and the submissions of any advisory groups, property owners or tenants, on sites with a minimum frontage of 27.4 m and a minimum site area of 910 m<sup>2</sup> the Director of Planning may permit an increase in floor area by one m<sup>2</sup> per amenity share or affordable housing share provided to the city at no cost to the city, to a maximum floor space ratio of 1.45 FSR.

4.7.6 For the purposes of sections 4.7.3 and 4.7.5, the cost of an affordable housing share in the RM-12N Zoning District is the amount specified per m<sup>2</sup> in Schedule F of this By-law, for any increase in floor space ratio above 0.75.

4.7.7 For the purposes of sections 4.7.3 and 4.7.5, the cost of an amenity share in the RM-12N Zoning District is the amount specified per m<sup>2</sup> in Schedule F of this By-law, for any increase in floor space ratio above 0.75.

4.7.8 Notwithstanding sections 4.7.3, 4.7.5 and 4.7.9, the maximum floor space ratio achievable as a result of the provision of amenity shares or affordable housing shares must otherwise comply in all respects with this District Schedule and this By-law.

4.7.9 For the purposes of this Schedule and sections 4.7.3, 4.7.5, and 4.7.7, amenity means one or more of the following:

- (a) Community Centre or Neighbourhood House;
- (b) Library;
- (c) Museum or Archives;
- (d) Park or Playground;
- (e) Rink;
- (f) Swimming Pool;
- (g) Child Day Care Facility;
- (h) Public Authority Use; and
- (i) Social Service Centre.

4.7.10 Computation of floor area must include:

- (a) all floors, including earthen floor, to be measured to the extreme outer limits of the building;
- (b) stairways, fire escapes, elevator shafts, and other features which the Director of Planning considers similar, measured by their gross cross-sectional areas and included in the measurements for each floor at which they are located;
- (c) where the distance from a floor located no more than 2.0 m above finished grade to the floor above, or where there is no floor above, to the top of the roof joists, exceeds 3.7 m, an amount equal to the area of the floor below the excess height, except that the Director of Planning may exclude an area designed with venting skylights, opening clerestory windows or other similar features if:
  - (i) in the opinion of the Director of Planning, the area is designed to reduce energy consumption or improve natural light and ventilation, and
  - (ii) the area excluded does not exceed 1% of the permitted floor area; and
- (d) the floor area of bay windows, regardless of seat height, location in building or relationship to yard setbacks, which is greater than the product of the total floor area permitted above the basement multiplied by 0.01.

#### 4.7.11 Computation of floor area must exclude:

- (a) open residential balconies or sundecks, and any other appurtenances which, in the opinion of the Director of Planning, are similar to the foregoing, if the total area of these exclusions does not exceed 12% of the permitted floor area for multiple dwellings;
- (b) patios and roof gardens, provided the Director of Planning first approves the design of sunroofs and walls;
- (c) for multiple dwellings, where floors are used for:
  - (i) off-street parking and loading, those floors or portions thereof which are located at or below base surface, provided that the maximum exclusion for a parking space must not exceed 7.3 m in length, and
  - (ii) bicycle storage located at or below base surface, or, if located at or above base surface are contained in an accessory building which complies with section 3.2.A of this Schedule;
  - (iii) heating and mechanical equipment, or uses which in the opinion of the Director of Planning, are similar to the foregoing, which are located at or below base surface;
- (d) for multiple dwellings consisting of three units, and for dwelling uses other than multiple dwellings, where floors are used for off-street parking and loading, or bicycle storage in multiple conversion dwellings containing three or more dwelling units, or uses which, in the opinion of the Director of Planning, are similar to the foregoing:
  - (i) those floors or portions thereof not exceeding 7.3 m in length, which are located in an accessory building which complies with section 2.2.A of this Schedule, or in an infill one family dwelling or principal building located within 7.9 m of the ultimate rear property line, up to a maximum of 48 m<sup>2</sup>, and
  - (ii) on sites with no developed secondary access, those floors or portions thereof not exceeding 7.3 m in length and minimum required maneuvering aisle, which are located either in a principal building, an accessory building, or an infill one-family dwelling up to a maximum area that the Director of Planning may determine, provided the Director of Planning first considers all applicable Council policies and guidelines;
- (e) for non-dwelling uses, where floors are used for off-street parking and loading, heating and mechanical equipment, or uses which, in the opinion of the Director of Planning, are similar to the foregoing, those floors or portions thereof not exceeding 7.3 m in length so used, which are located in an accessory building located within 7.9 m of the ultimate rear property line, or below base surface;

- (f) areas of undeveloped floors which are located:
  - (i) above the highest storey or half-storey and to which there is no permanent means of access other than a hatch, or
  - (ii) adjacent to a storey or half-storey with a ceiling height of less than 1.2 m;
- (g) floors located at or below finished grade with a ceiling height of less than 1.2 m;
- (h) covered verandas or porches, if:
  - (i) the portion facing the street, rear property line, common open space, park or school, is open or protected by partial walls or guard rails, which conform to the height minimum specified in the Building By-law,
  - (ii) the total excluded area, combined with the balcony and sundeck exclusions permitted in section 4.7.11 (a) of this Schedule, does not exceed 16% of the permitted floor area for multiple dwellings and 13% of the permitted floor area for all other uses, and
  - (iii) the ceiling height, excluding roof structures, of the total area being excluded does not exceed 3.1 m measured from the porch floor;
- (i) for multiple dwellings, all residential storage area above or below base surface, except that if residential storage area above base surface exceeds 3.7 m<sup>2</sup> per dwelling unit, there will be no exclusion for any of the residential storage area above base surface for that unit; and
- (j) above grade floor area built as open to below, designed in combination with venting skylights, opening clerestory windows or other similar features which, in the opinion of the Director of Planning, reduce energy consumption or improve natural light and ventilation to a maximum exclusion of one percent of permitted floor area.

#### **4.8 Site Coverage and Impermeability**

4.8.1 The maximum site coverage for buildings is 45% of the site area, except that, for multiple dwellings, the maximum site coverage for all buildings is 55% of the site area, and the Director of Planning may increase the maximum site coverage for multiple dwellings if the Director of Planning first considers the intent of this Schedule and all applicable Council policies and guidelines.

4.8.2 Site coverage for buildings must be based on the projected area of the outside of the outermost walls of all buildings and includes carports, but excludes steps, eaves, balconies and sundecks.

4.8.3 The area of impermeable materials, including site coverage for buildings, must not exceed 70% of the total site area, except that for multiple dwellings, the Director of Planning may increase the area of impermeable materials, if the Director of Planning first considers the intent of this Schedule and all applicable Council policies and guidelines.

4.8.4 For the purposes of section 4.8.3 of this Schedule:

- (a) the following are considered impermeable: the projected area of the outside of the outermost walls of all buildings including carports, covered porches and entries, asphalt, concrete, brick, stone, and wood; and
- (b) the following are considered permeable: gravel, river rock less than 5 cm in size, wood chips, bark mulch, wood decking with spaced boards and other materials which, in the opinion of the Director of Planning, have fully permeable characteristics when placed or installed on grade with no associated layer of impermeable material (such as plastic sheeting) that would impede the movement of water directly to the soil below.

#### **4.9 [Deleted – see Parking By-law.]**

#### **4.10 Horizontal Angle of Daylight**

- 4.10.1 Each habitable room must have at least one window on an exterior wall of a building.
- 4.10.2 Each exterior window must be located so that a plane or planes extending from the window and formed by an angle of 50 degrees, or two angles with a sum of 70 degrees, will encounter no obstruction over a distance of 24.0 m.
- 4.10.3 The plane or planes referred to in section 4.10.2 must be measured horizontally from the centre of the bottom of each window.
- 4.10.4 The Director of Planning or Development Permit Board may relax the horizontal angle of daylight requirement, if:
- (a) the Director of Planning or Development Permit Board first considers all the applicable policies and guidelines adopted by Council; and
  - (b) the minimum distance of unobstructed view is not less than 2.4 m.
- 4.10.5 An obstruction referred to in section 4.10.2 means:
- (a) any part of the same building including permitted projections; or
  - (b) the largest building permitted under the zoning on any adjoining site.
- 4.10.6 A habitable room referred to in section 4.10.1 does not mean:
- (a) a bathroom; or
  - (b) a kitchen whose floor area is the lesser of:
    - (i) 10% or less of the total floor area of the dwelling unit, or
    - (ii) 9.3 m<sup>2</sup>.

#### **4.11 Dedication of Land for Lane Purposes**

- 4.11.1 Where a site does not abut a lane, or abuts a lane which is less than 6.1 m in width, a portion of the site, as determined by the City Engineer, to a maximum of 3.1 m, must be dedicated for lane purposes.
- 4.11.2 Where dedication is made, it shall be deemed not to reduce the site area for the purpose of calculating floor space ratio.

#### **4.12 (Reserved)**

#### **4.13 (Reserved)**

#### **4.14 Dedication of Land for Sidewalk and Boulevard Purposes**

- 4.14.1 For development sites which adjoin the streets set forth below, a portion of the site must be dedicated to the City for sidewalk and boulevard improvements to achieve a distance from the centerline of the street to the property line of the development site, measured at right angles:
- (i) East 1<sup>st</sup> Avenue 12.2 m;
  - (ii) East 1<sup>st</sup> Avenue, from Garden Drive to Nanaimo Street 13.4 m;
  - (iii) Nanaimo Street, from East Pender Street to William Street 15.1 m; or
  - (iv) Nanaimo Street, from East 2<sup>nd</sup> Avenue to Grandview Highway North 16.1m.

4.14.2 Where dedication is made, it shall be deemed not to reduce the site area for the purpose of calculating floor space ratio.

#### **4.15 Acoustics**

4.15.1 A development permit application for a dwelling use in the RM-12N District requires evidence in the form of a report and recommendations prepared by a registered professional acoustical engineer, demonstrating that the noise levels in those portions of the dwelling units listed below, do not exceed the noise levels expressed in decibels set opposite such portions of the dwelling units. For the purposes of this section the noise level is the A-weighted 24-hour equivalent (Leq) sound level and will be defined simply as the noise level in decibels.

<b>Portions of dwelling units</b>	<b>Noise levels (Decibels)</b>
Bedrooms	35
Living, dining, recreation rooms	40
Kitchen, bathrooms, hallways	45

#### **4.16 Building Depth and Width**

4.16.1 The maximum building width for a multiple dwelling is 26.0 m, except that the Director of Planning may increase the maximum building width, provided the Director of Planning first considers the intent of this Schedule and all applicable Council policies and guidelines.

4.16.2 Projections permitted in front yards pursuant to section 4.4.4 of this Schedule must not be included in the calculation of building depth.

#### **4.17 External Design**

4.17.1 Where a site has more than one multiple dwelling building, the exterior side wall of each multiple dwelling building must be a minimum of 3.0 m from the closest portion of the exterior side wall of any other multiple dwelling building on the site.

#### **4.18 (Reserved)**

#### **4.19 Number of Buildings on Site**

4.19.1 Notwithstanding section 10.1 of this By-law, the Director of Planning may permit more than one building on a site, in combination with a multiple dwelling consisting of four or more dwelling units, not including lock-off units, if the Director of Planning first considers the intent of this Schedule and all applicable Council policies and guidelines.

### **5 Relaxation of Regulations**

5.1 If the Director of Planning first considers the intent of this Schedule, all applicable Council policies and guidelines, and the submissions of any advisory groups, property owners or tenants, the Director of Planning may relax the maximum height requirements of section 4.3 and the floor area and density requirements of section 4.7 as follows:

- (e) For multiple dwellings consisting of four or more dwelling units, or for seniors supported or assisted housing, which are on sites with:

- (i) a 36.6 m minimum site frontage;
- (ii) a minimum site area of 1000 m<sup>2</sup>;
- (iii) side yards with a minimum width of 2.1 m; and
- (iv) a rear yard with a minimum depth of 6.1 m;

the maximum height may be increased to 13.7 m and the permitted floor area may be increased by one m<sup>2</sup> per amenity share or affordable housing share provided to the city at no cost to the city, to a maximum allowable density of 1.7 FSR; and

- (f) For multiple dwellings consisting of four or more dwelling units, where 100% of the residential floor area is developed as either secured market rental housing secured by a housing agreement that restricts the rates at which rents may be increased, social housing exempt from development costs charges in accordance with 523D (10)(d) of the Vancouver Charter, or seniors supportive or assisted housing that is secured market rental housing subject to an agreed upon rental increase limit, and which are on sites with:

- (i) a 36.6 m minimum site frontage;
- (ii) a minimum site area of 1000 m<sup>2</sup>;
- (iii) side yards with a minimum width of 2.1 m; and
- (iv) a rear yard with a minimum depth of 6.1 m;

the maximum height may be increased to 13.7 m and the permitted floor area may be increased to a maximum allowable density of 1.7 FSR.