



## POLICY REPORT

Report Date: June 27, 2018  
Contact: Dan Garrison  
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RTS No.: 12677  
VanRIMS No.: 08-2000-20  
Meeting Date: July 24, 2018

TO: Vancouver City Council

FROM: General Manager of Planning, Urban Design and Sustainability

SUBJECT: Amendments to the Zoning and Development By-law for Most RS Zones to Allow Two-Family Dwellings (Duplexes) to Increase Housing Choice

### **RECOMMENDATION**

- A. THAT the General Manager of Planning, Urban Design and Sustainability be instructed to make application to amend the Zoning and Development By-law, generally as set out in Appendix A, to amend:
- (i) the RS-1, RS-1A, RS-1B, RS-5 and RS-6 District Schedules to provide more housing choice by introducing Two-Family Dwelling, Two-Family Dwelling with Secondary Suite, and Principal Dwelling Unit with Lock-off Unit in a Two-Family Dwelling as permitted dwelling uses;
  - (ii) the RS-2 and RS-7 District Schedules to provide more flexibility in the regulations for Two-Family Dwelling use and to introduce Two-Family Dwelling with Secondary Suite, and Principal Dwelling Unit with Lock-off Unit in a Two-Family Dwelling as permitted dwelling uses;
  - (iii) Section 10.21 to introduce a maximum dwelling unit size for lock-off units to more clearly differentiate these small units from secondary suites; and

FURTHER THAT the application be referred to a public hearing;

AND FURTHER THAT the Director of Legal Services be instructed to prepare the necessary by-laws, generally in accordance with Appendix A, for consideration at the public hearing.

- B. THAT, subject to enactment of the amending by-laws described in Recommendation A, the General Manager of Planning, Urban Design and Sustainability be instructed to bring forward, at the time of enactment of such

amending by-laws, related amendments to the Principal Dwelling Unit Combined with a Lock-off Unit Guidelines, generally in accordance with Appendix B, for Council adoption.

- C. THAT, subject to enactment of the amending by-laws described in Recommendation A, the Strata Title Policies for RS, RT and RM Zones be repealed and replaced with the policies generally in accordance with Appendix C;

FURTHER THAT the General Manager of Planning, Urban Design and Sustainability be instructed to bring forward the amendment at the time of enactment of the amending by-laws for Council adoption.

- D. THAT, subject to enactment of the amending bylaws described in Recommendation A, the General Manager of Planning, Urban Design and Sustainability be instructed to bring forward, at the time of enactment of such amending by-laws, related amendments to the RS-7 Guidelines, generally in accordance with Appendix D, for Council adoption.
- E. THAT if the application to amend the Zoning and Development By-law as described in Recommendation A is referred to Public Hearing, then Recommendations B through D also be referred to the same Public Hearing.
- F. THAT Recommendations A through E be adopted on the following conditions:
- (i) THAT passage of the above resolutions creates no legal rights for any person, or obligation on the part of the City and any expenditure of funds or incurring of costs is at the risk of the person making the expenditure or incurring the cost;
  - (ii) THAT any approval that may be granted following the public hearing shall not obligate the City to enact any rezoning by-laws; and
  - (iii) THAT the City and all its officials, including the Approving Officer, shall not in any way be limited or directed in the exercise of their authority or discretion, regardless of when they are called upon to exercise such authority or discretion.

### **REPORT SUMMARY**

This report recommends amendments to most RS District Schedules to increase housing choice in those areas by introducing Two-Family Dwelling (duplex) with a secondary suite or lock-off unit as permitted dwelling uses. These are initial actions to allow a greater diversity of housing options in low-density neighbourhoods. The Making Room Housing Program, endorsed by Council on June 20, 2018, will identify further opportunities to provide more housing choice within these neighbourhoods.

This report also recommends introducing a maximum unit size for lock-off units. Lock-off units are small, self-contained units that enable households to expand or contract their space needs over time. The maximum unit size will help to distinguish lock-off units from secondary suites, which are intended to be larger and provide longer term rental housing.

As part of the Making Room Housing Program to enhance housing choices in low-density areas, this report is a companion to the policy report titled “Amendments to the Zoning and Development By-law for RT-7 and RT-8 Zones (Kitsilano) and RT-10 and RT-10N Zones (Kensington–Cedar Cottage) to Increase Housing Choice”.

### **COUNCIL AUTHORITY/PREVIOUS DECISIONS**

- Secondary suites as a permitted use in all RS zones (approved 2004)
- FSR and basement height increased in most RS zones to facilitate functional livable basements (2009)
- Laneway house as a permitted use in the RS-1 and RS-5 zones (approved 2009) and later in all RS zones (approved 2013)
- Principal Dwelling Unit Combined with a Lock-off Unit Guidelines (adopted 2009, amended 2013)
- *Housing Vancouver Strategy* (2018-2027) and Three-Year Action Plan (2018-2020) (approved 2017)
- Making Room Housing Program (program launch endorsed June 2018)

### **CITY MANAGER'S/GENERAL MANAGER'S COMMENTS**

The City Manager recommends approval of the foregoing. These amendments represent an initial step to create new housing opportunities in low-density neighbourhoods across the city and will work toward achieving the targets of the *Housing Vancouver Strategy*.

### **REPORT**

#### ***Background/Context***

The Making Room Housing Program was endorsed by Council in June 2018 (RTS 12644) to expand housing choice in neighbourhoods across Vancouver. The goal of the program is to deliver on the housing priorities identified in the *Housing Vancouver Strategy* and *Three-Year Action Plan* with a focus on providing more housing choice within neighbourhoods for families, downsizing seniors, and other households seeking housing options that are described as the “missing middle”—housing forms that fall between single-family homes and higher-density homes.

As an early action of the Making Room Housing Program, Council directed staff to advance work on amendments to the Zoning and Development By-law to add two-family dwelling (duplex) use to the menu of housing choices in some or all RS zones. Council also directed staff to report back on amendments to the lock-off unit regulations to regulate the maximum size of the units, in order to more clearly differentiate them from secondary suites.

#### ***Strategic Analysis***

##### **1. Change in RS Neighbourhoods and Regulatory Context Over Time**

Over the past 100 years, Vancouver’s single-family (RS zoned) areas have seen significant change influenced both by local economic and societal trends and by larger global influences

such as two world wars, global economic events (i.e. the 2008 global financial crisis) and most recently the impact of global capital on the housing market.

Housing style, size and construction costs have changed considerably from a time when an average worker could afford to own a house in Vancouver. Today homeownership is out of reach for many Vancouverites as median household income over the past decade has increased at an average rate of 3.3%<sup>1</sup> while the benchmark<sup>2</sup> price for a detached home in Vancouver's east side has increased at an average rate of 10.5%<sup>3</sup>. The opportunity to live within such a neighbourhood is generally now limited to those who can afford \$2 million or more to purchase a house or those who are willing to rent (typically a basement suite or laneway home).

Secondary suites have a long history in Vancouver as a way of providing affordable housing for renters, while facilitating home ownership by providing additional revenue to help pay for mortgages. Suites also increase density in neighbourhoods without major changes to the built form or character of neighbourhoods. Although encouraged during World War II to ease housing shortages, for the next 30 years, secondary suites were seen by many single-family owners as a nuisance that should be removed from their neighbourhoods. Despite City actions to close suites in the early 1980s, the number of unauthorized secondary suites continued to increase. In the following years, opinion shifted in favour of suites.<sup>4</sup> In 2004, zoning in all the single-family areas was changed to allow secondary suites. In the following years, policy focused on encouraging the creation and legalization of more suites, through changes in codes, relaxations and a simplified approval process. Then in 2009, the outright density in RS zones citywide was increased from 0.60 to 0.70 FSR to incentivize the development of basements and enable more basement suites.

Also in 2009, Council approved laneway housing in the RS-1 and RS-5 single-family zones to provide a detached rental housing option to encourage “gentle” density in RS neighbourhoods. In 2013, the Laneway House Program was expanded to include all RS zones citywide with a density incentive of 0.16 FSR. With the increase in house size to encourage secondary suites combined with the incentive for laneway homes the development potential on a standard lot in an RS zone<sup>5</sup> at 0.86 FSR came to exceed that of most RT zones (0.75 FSR and two dwelling units/duplex) which were the areas identified originally in the 1956 Zoning and Development By-law to provide more density and housing choice.

Most recently, in 2018, Council approved amendments to incorporate optional incentives for the retention of character homes in all RS zones, using the RT zones from neighbourhoods with a high concentration of character homes (pre-1950s) as a model. The character home incentives encourage retention in RS zones citywide and provide additional housing choice with density incentives (up to 0.85 FSR) and the introduction of multiple conversion dwelling and infill development (both strata) previously unavailable in most RS neighbourhoods.<sup>6</sup>

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<sup>1</sup> Statistics Canada – Canadian Taxfilers data for the City of Vancouver and University Endowment Lands combined, 2006-2015.

<sup>2</sup> Benchmark price is a composite value that represents a “benchmark home,” which is a home with typical attributes and characteristics of the area it resides within. Benchmark prices are different from average or median prices.

<sup>3</sup> Real Estate Board of Greater Vancouver – MLS® Home Price Index, Vancouver East benchmark detached prices for the month of October, 2006-2017.

<sup>4</sup> The Role of Secondary Suites – Rental Housing Strategy, Study 4, City of Vancouver, 2009

<sup>5</sup> (0.70 + 0.16 FSR = 0.86 FSR) 3 dwelling units: a house with secondary suite and laneway house

<sup>6</sup> MCD and infill dwellings can be strata titled subject to building code upgrades.

## 2. Allowing Duplexes in Most RS Zones

As described above, the RS zones currently allow three units on a single lot (a house with a secondary suite and a laneway). Strata titling is generally not allowed, except under the character incentives program which allows infill and multiple conversion dwellings in conjunction with the retention of a character house. Two RS zones (RS-2 and RS-7) allow duplexes but only allow strata-titling of larger lots.

Recent updates to the intent statements of the RS zones removed reference to the “single family character” of the neighbourhoods to better reflect the range of housing types that now exist and are permitted in those areas. This report recommends further amendments to RS zoning, as described in Appendix A, to:

- add duplex as a permitted dwelling use to the RS-1, RS-1A, RS-1B, RS-5 and RS-6 zones;
- provide more flexible regulations for duplexes in the RS-2 and RS-7 zones (e.g. by removing the minimum site area requirements to strata title); and
- allow a secondary suite or lock-off unit in a duplex.

Lots in these seven RS zones account for 99% of the 68,000 RS zoned lots across the city. Allowing duplexes in these areas at 0.7 FSR (equal to density for a single-family house) is an interim measure that would add a new item to the “menu” of choices now allowed in RS zoning. Adding duplexes will enable modest change in neighbourhoods across the city while additional housing opportunities are pursued over the coming year through the Making Room Housing Program. The proposed duplex option would allow those who are already considering demolishing and replacing their existing house with a new large house to consider duplex as an alternative that would provide two ownership opportunities and secondary suites or lock-off units. This option may also appeal to those downsizing who wish to stay in their own neighbourhoods or those looking for inter-generational housing options.

Adding duplex to the RS-3 and RS-3A zones (generally located between West 37th and West 49th Avenues, between Granville and Cypress Streets) is not proposed at this time. These zones are generally comprised of large, irregular lots with a significant stock of character homes and floor area is regulated through an ‘above grade’ allowance which is inconsistent with the typical floor area measurement in RS zones and in duplex zones citywide, where basements are included in floor area.

These excluded areas represent under 1% of the RS zoned lots in the city and the complexity and extent of by-law changes required to implement duplex in these areas would delay the implementation of changes to allow duplex in the rest of the city. Further, staff anticipate that the Making Room Housing Program will identify new housing opportunities beyond duplex for large lots in these area and generally across the city.

A map identifying the RS zones where duplex is proposed and the location of each RS zone are included in Appendix E.

### Proposed Duplex Regulations

The proposed zoning by-law amendments are an interim measure to allow duplexes at 0.7 FSR (equal to FSR in most RS zones), and each duplex unit may include a secondary suite or lock-off unit. The floor area on a standard 10 m (33 ft.) lot is not sufficient to include secondary

suites in a duplex development, so allowing smaller lock-off units provides an alternative secondary rental opportunity. Duplexes on lots greater than 511 sq. m. (5,500 sq. ft.) in area would be required to include a secondary suite for each unit as sufficient floor area (approximately 3,850 sq. ft.) is permitted on these sites to accommodate two duplex units of a reasonable size for a family and a secondary suite within each duplex. Staff are recommending this approach for larger lots as a performance measure to ensure larger lots provide four dwellings units<sup>7</sup> if new duplex is built under these interim provisions.

The new regulations would continue to allow for the construction of a one-family dwelling, one-family dwelling with a secondary suite (both of which are allowed to have a laneway house) or a duplex. As in other zones where the options of duplex use and one-family dwelling with a laneway house are permitted, (e.g. the recently updated RT-5 zone), a laneway house would not be permitted in conjunction with a duplex. Combining a duplex with laneway would provide a similar opportunity to the character incentives program, without the public interest benefit or the cost premium associated with character home retention.

The proposed regulations for new duplexes, which include external design regulations using similar language included in the updated RT-5 zone,<sup>8</sup> are generally as noted in the table below:

**Table 1. Proposed Regulations for Duplexes in RS Zones**

Density	FSR 0.7
Height	10.7 m
Site Coverage	45%
Building Depth	45% of depth of site
External Design Regulations	<ul style="list-style-type: none"> <li>• Main entrances</li> <li>• Covered porches or verandahs</li> <li>• Roof pitch</li> <li>• Dormer roof pitch and width</li> <li>• Exterior windows</li> </ul>
Parking	<ul style="list-style-type: none"> <li>• Duplex –one space per dwelling unit</li> <li>• Duplex with secondary suite – minimum 3 spaces</li> <li>• No parking required for lock-off units</li> </ul>

An example of the proposed changes to the RS-1 District Schedule, shown in italics and strike-out, is attached as Appendix F.

In the future as work progresses on Making Room, we anticipate that the RS regulations, including the duplex provisions, could change to be more intentional about the types of housing that staff want to see built in neighbourhoods across Vancouver. Following the approach used in RT-5 (duplex), floor area allowances combined with parking relaxations could be increased to incentivize duplex/triplex/fourplex development while floor area reduced to discourage new single-family homes (especially houses built without secondary suites).

<sup>7</sup> 4 dwelling units: 2 duplexes each with a secondary suite

<sup>8</sup> RT-5 updates enacted in January 2018 included new external design regulations for duplex to replace the earlier design guidelines and conditional approval process

### **3. Lock-off Units – Maximum Unit Size**

Lock-off units are small, self-contained units with an external door and a shared internal door which can be locked, enabling both the principal dwelling unit and suite to be independent (e.g. used periodically for long-term rental), or unlocked and used as part of the principal dwelling. This allows households to expand or contract their space needs over time. Lock-off units are permitted in a range of principal dwelling types, including townhouses and apartments.

Section 10.21.2 of the Zoning and Development By-law restricts the minimum size of a lock-off unit to 26 sq. m (280 sq. ft.), which can be relaxed to 19 sq. m (205 sq. ft.). The small size enables a unit to be located in apartments or smaller townhouses which cannot accommodate a larger secondary suite [minimum size 29.7 sq. m (320 sq. ft.)]. Unlike secondary suites, lock-off units do not trigger parking space requirements and are not separately addressed. Work is also underway to ensure that lock-off units and secondary suites are treated equitably in terms of utility charges (garbage, water, sewer fees).

The maximum size of a lock-off suite is not currently regulated. However, some units are being built larger than was intended and are similar in size to secondary suites. To ensure these units are serving as flexible additions to a larger principal dwelling and are distinct from secondary suites, which are intended for long-term occupancy, staff propose that a maximum unit size of 29.7 sq. m (320 sq. ft.) be added to Section 10.21 (see Appendix A) and the Lock-off Unit Guidelines (see Appendix B). This would clarify that a unit less than or equal to 29.7 sq. m (320 sq. ft.) in size is a lock-off unit and a unit greater than 29.7 sq. m (320 sq. ft.) is a secondary suite.

The proposed change to regulate the size of lock-off units will mean that lock-off units larger than 29.7 sq. m (320 sq. ft.) built prior to the enactment of the amendment will become non-conforming with respect to size. This is a common outcome of changes to zoning regulations and can be managed.

#### ***Public Engagement***

The Making Room Housing Program was created to address several key objectives set out in the *Housing Vancouver Strategy* and *Three-Year Action Plan*, including driving a shift towards the “right supply” of housing that meets the needs of people who live and work in Vancouver. The ideas, objectives, and actions in the *Housing Vancouver Strategy* and Action Plan are the product of over a year of intensive community and partner engagement and public consultation. This process involved a wide variety of public events, open houses and workshops, as well as online surveys that drew over 10,000 responses. The engagements ranged from small scale, embedded conversations as part of concurrent planning programs to the Re:Address Conference Week that drew local citizens, experts and housing leaders from around the world.

Through the Housing Vancouver conversations, we learned about the housing challenges facing Vancouver residents and about their priorities and vision for the future of housing in the city. We know that affordability is a top value for residents when it comes to housing, and many households are making significant trade-offs in order to stay in the city. Residents also identified equity as an important guiding value and the need to prioritize housing that promotes greater equity between generations and across tenures, income brackets and backgrounds. We also learned that residents want to see more of the “right supply” of housing, and a greater diversity in the types of housing choices available to them. Residents indicated they are open to

considering a diverse range of options for their next home, including more ground oriented forms such as townhouses, low- and mid-rise apartments and laneway homes.

On June 20, 2018, Council endorsed the launch of a new Making Room Housing Program to respond to the Housing Vancouver findings and strategy and focus on opportunities to add a greater diversity of more affordable housing options in our low-density neighbourhoods. Also on June 20, 2018 Council directed staff to advance work on zoning amendments to enable duplex use in some or all RS areas of the city as an interim measure as a way to reset the baseline in RS to allow two principal ownership units on most RS zoned lots. Additional housing opportunities including triplex, four-plex, townhouses and apartments will also be explored and advanced over the coming year. Given the extensive engagement opportunities provided during 2017 on the Vancouver Housing Strategy, and the modest change proposed to enable duplex in RS zones, staff are recommending referral of this option to public hearing.

Staff intend to hold information sessions in September in advance of a future public hearing (locations and dates to be determined). The Making Room Program web page ([vancouver.ca/makingroom](http://vancouver.ca/makingroom)) also provides information about these initial actions.

### ***Implications/Related Issues/Risk***

#### **1. Processing**

The new regulations allow duplex as an outright use with external design regulations. The introduction of duplex as a new building type in most RS zones will mean that more duplex permits will be processed by the Housing Review Branch, which generally reviews less complex forms of development (e.g. single family houses and laneway houses). Successful implementation of the changes will require a coordinated and supportive approach.

Staff anticipate that only modest take-up of the duplex option in RS zones is likely to happen over the coming year and these new duplex permits would replace permits for new one-family dwellings (and laneway homes). Planning staff will work with staff in the Housing Review Branch to prepare for a modest increase in duplex applications in RS zones across the city. Staff have already committed to report back on early monitoring and evaluation of permit processing in the updated RT-5 and RT-6 zones as a result of recent changes and new opportunities in those zones. Higher work volumes of more complex permits could result in the need for additional staff or more staff with specific technical expertise to provide timely service to customers. Staff will monitor the volume of applications closely. Any additional staffing requirements will be considered as part of annual resource and fee reviews .

#### **2. Utilities**

##### **Sewers**

Engineering Services staff have reviewed the proposed Zoning and Development By-law amendments and the expected sewer load contributions from the changes in the applicable RS zoned areas of the city. It is not expected that a change of the RS zones that currently allow three units on a single lot (a house with a secondary suite and a laneway house) to duplex zoning, with each duplex unit possibly including a secondary suite or lock-off unit, will have a material change on the existing allowable load to the sewer system under current zoning.



### Stormwater

All redevelopment in the areas proposed for change will require onsite stormwater management that at the minimum meets the requirements of the City's Integrated Rainwater Management Plan. The extent of the requirements to manage stormwater will depend on available system capacity in the area to handle the proposed development's stormwater load. If the receiving pipe network in the area is unable to accommodate the stormwater loading, then development may be prohibited unless stormwater management issues are adequately addressed onsite. Staff is in the process of developing additional information and education materials to support the implementation of adequate stormwater management. Work is also underway to develop a process for reviewing stormwater management plans and to ensure adequate resourcing.

### **3. Trade-offs**

The addition of duplex as a choice in RS areas and broader changes to come as a result of the Making Room Housing Program will place more pressure on street parking. If larger new buildings are approved as part of future work, there will be tree loss and reduced green space. There may be concerns regarding loss of privacy and overlook and we can anticipate the loss of some character homes as change to neighbourhoods occurs. These considerations and objectives will be balanced with broader community objectives to achieve the best outcomes. It is noted that some objectives may conflict and various trade-offs are required to accommodate more housing choice in neighbourhoods across Vancouver.

### **4. Impact on Future Housing Options and Land Values**

As noted in the section above, staff are recommending the introduction of duplex in a way that is designed to limit land value escalation. No extra floor area is proposed for duplex at this time; only the ability to have two principal dwelling units that can be strata titled. Based on earlier financial testing done in RS zones as part of recent community plan work, staff anticipate that land value escalation will be modest in some areas of the city, and in other areas, single-family (with secondary suites and laneway homes) will continue to be the most financially attractive option (highest and best use). In Grandview-Woodland, about 950 lots were rezoned in January 2018, from RS-1 and RS-7 to RT-5 (duplex) and only four new duplex applications have been submitted in that area.

Staff are recommending introducing duplex with an FSR equal to that allowed for a house so that it does not financially out-compete other incentive programs, (e.g. the recently approved character incentives program) and is unlikely to preclude opportunities for more substantial housing options resulting from the Making Room program. The duplex option may be attractive to downsizing homeowners that want to stay in their immediate neighbourhood and to homeowners seeking inter-generational housing options. On average 800 houses are demolished and replaced with a new house or a house with a secondary suite annually. If patterns continue and half of the homeowners who are planning to replace a house in the coming year chose to rebuild using the new duplex option, we could see about 400 duplexes built over the course of a year.

### ***Financial***

New development brings new residents into an area, increasing demand on city infrastructure and amenities. City-wide Development Cost Levis (DCLs) collected from development help pay

for public amenities and infrastructure required to support growth, including parks, childcare facilities, replacement (social/non-profit) housing and various engineering infrastructure.

The City has recently developed a substantial City-wide Utilities DCL program to begin to address the tremendous growth pressures on the utility infrastructure in the city. The utilities DCL program identifies specific neighbourhood-serving water, sewer and drainage/green infrastructure projects to support growth associated with approved policy plans. The program will be updated annually to reflect development patterns and integrate new land use plans, as and when they are approved by Council. For utility upgrades not included in the program, upgrades will continue to be achieved through development/rezoning conditions on a site-by-site basis. Further, there may also be other supportive engineering infrastructure, such as transportation improvements, that would be secured through development/rezoning conditions. All DCLs are subject to in-stream rate protection and annual adjustments.

The DCL waiver will continue to be offered on for-profit affordable rental housing units that meet the requirements of the DCL By-law and will be reviewed over the next year.

The City's Financing Growth policies are based upon the principle that development contributions should not deter growth or harm housing affordability. Independent review of the market impacts of development contributions found the primary impact of these in Vancouver is to put downward pressure on the value of land for redevelopment<sup>9</sup>. Affordability should not be negatively affected as long as rates are set so they do not impede the steady supply of development sites.

Staff will monitor the volume of applications closely. Any additional staffing requirements will be considered as part of annual resource and fee reviews.

## **CONCLUSION**

As part of the implementation of the *Housing Vancouver Strategy* and the new Making Room Housing Program, the proposed changes to most RS zones to allow duplex will provide an additional housing option in low-density areas across Vancouver. This interim measure will allow for modest change in neighbourhoods while additional housing opportunities are explored and advanced over the coming year. The recommended changes to lock-off units will better differentiate these smaller flexible units from secondary suites intended for longer term rental housing.

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<sup>9</sup> CAC Policy and Housing Affordability: Review for the City of Vancouver, Coriolis Consulting, 2014

Note: A By-law will be prepared generally in accordance with the provisions listed below, subject to change and refinement prior to posting

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

**A By-law to amend the Zoning and Development By-law No. 3575  
Regarding the Addition of Two-Family Dwellings to RS Zones**

1. This By-law amends the indicated provisions of the Zoning and Development By-law No. 3575.

2. In section 10.21, Council:

(a) adds a new section 10.21.3 as follows:

“10.21.3 The maximum floor area of a lock-off unit is 29.7 m<sup>2</sup>.”; and

(b) renumbers the remaining sections of 10.21 accordingly.

3. Council strikes out section 1 of the RS-1 District Schedule and substitutes:

**“1 Intent**

The intent of this Schedule is generally to maintain the residential character of the RS-1 District in the form of one-family dwellings, secondary suites, laneway houses, two-family dwellings with secondary suites on larger lots and with lock-off units on smaller lots, and infill and multiple conversion dwellings in conjunction with retention of character houses. Emphasis is placed on encouraging neighbourly development by preserving outdoor space and views. Neighbourhood amenity is enhanced through the maintenance of healthy trees and planting which reflects the established streetscape.”.

4. Council strikes out section 1 of the RS-1A District Schedule and substitutes:

**“1 Intent**

The intent of this Schedule is to maintain the residential character of the District in the form of one-family dwellings, secondary suites, laneway houses, two-family dwellings with secondary suites on larger lots and with lock-off units on smaller lots, multiple conversion dwellings, and infill and multiple conversion dwellings in conjunction with retention of character houses.”.

5. Council strikes out section 1 of the RS-1B District Schedule and substitutes:

**“1 Intent**

The intent of the Schedule is to maintain the residential character of the District in the form of one-family dwellings, secondary suites, laneway houses, two-family dwellings with secondary suites on larger lots and with lock-off units on smaller lots, infill or two principal dwelling units on some sites, and infill and multiple conversion dwellings in conjunction with retention of character houses.”.

6. Council strikes out section 1 of the RS-2 District Schedule and substitutes:

**“1 Intent**

The intent of this Schedule is primarily to maintain the residential character of the District in the form of one-family dwellings, secondary suites, laneway houses, infill, multiple

conversion dwellings, two-family dwellings with secondary suites on larger lots and with lock-off units on smaller lots, multiple dwellings on large lots, and infill and multiple conversion dwellings in conjunction with retention of character houses.”.

7. Council strikes out section 1 of the RS-5 District Schedule and substitutes:

**“1 Intent**

The intent of this Schedule is generally to maintain the existing residential character of the RS-5 District in the form of one-family dwellings, secondary suites, and laneway houses, by encouraging new development that is compatible with the form and design of existing development, and by encouraging the retention and renovation of existing development. Two-family dwellings with secondary suites on larger lots and with lock-off units on smaller lots, and infill and multiple conversion dwellings in conjunction with retention of character houses may also be permitted. Emphasis is placed on design compatibility with the established streetscape. Neighbourhood amenity is intended to be enhanced through the maintenance and addition of healthy trees and plants.”.

8. Council strikes out section 1 of the RS-6 District Schedule and substitutes:

**“1 Intent**

The intent of this Schedule is to maintain the residential character of the District in the form of one-family dwellings, secondary suites, laneway houses and two-family dwellings with secondary suites on larger lots and with lock-off units on smaller lots, and to encourage a high standard of building design, materials, and landscape development while allowing design diversity in new development. Infill and multiple conversion dwellings in conjunction with retention of character houses may also be permitted. Neighbourhood amenity is enhanced through the maintenance of healthy trees and planting which reflects the established landscape.”.

9. Council strikes out section 1 of the RS-7 District Schedule and substitutes:

**“1 Intent**

The intent of this Schedule is to maintain the residential character of the RS-7 District in the form of one-family dwellings, secondary suites, laneway houses, infill, two-family dwellings with secondary suites on larger lots and with lock-off units on smaller lots, multiple conversion dwellings, and infill and multiple conversion dwellings in conjunction with retention of character houses. On larger lots, multiple dwellings may also be permitted. Neighbourhood amenity is enhanced through external design regulations.”.

10. In section 2.2.DW [Dwelling] of the RS-1, RS-1A, RS-1B, RS-2, RS-5, RS-6, and RS-7 District Schedules, Council adds the following after the bullet for One-Family Dwelling:

“

- Two-Family Dwelling, on lots less than 511 m<sup>2</sup> in area.”.

11. In section 3.2.1.DW [Dwelling] of the RS-1 and RS-5 District Schedules, Council adds the following after the bullet for Multiple Conversion Dwelling:

“

- Principal Dwelling Unit with a Lock-off Unit in Two-Family Dwelling.
- Two-Family Dwelling with Secondary Suite, provided that there is no more than one secondary suite for each dwelling unit.”.

12. In section 3.2.DW [Dwelling] of the RS-1A, RS-1B and RS-6 District Schedules, Council adds the following after the bullet for Multiple Conversion Dwelling:

“

- Principal Dwelling Unit with a Lock-off Unit in Two-Family Dwelling.
- Two-Family Dwelling with Secondary Suite, provided that there is no more than one secondary suite for each dwelling unit.”

13. In section 3.2.DW [Dwelling] of the RS-2 District Schedule, Council strikes out:

“

- Two-Family Dwelling.”

and substitutes:

“

- Principal Dwelling Unit with a Lock-off Unit in Two-Family Dwelling.
- Two-Family Dwelling with Secondary Suite, provided that there is no more than one secondary suite for each dwelling unit.”

14. In section 3.2.1.DW [Dwelling] of the RS-7 District Schedule, Council strikes out:

“

- Two-Family Dwelling, provided that access is provided from one dwelling unit to the other dwelling unit within the building except that this clause does not apply to:
  - (i) a building existing prior to January 9, 2001; or
  - (ii) a building on a site 668 m<sup>2</sup> or larger in area.”

and substitutes:

“

- Principal Dwelling Unit with a Lock-off Unit in Two-Family Dwelling.
- Two-Family Dwelling with Secondary Suite, provided that there is no more than one secondary suite for each dwelling unit.”

15. Council strikes out section 4.1.1 of the RS-1 and RS-5 District Schedules and substitutes:

“4.1.1 The minimum site area for a one-family dwelling, one-family dwelling with secondary suite, two-family dwelling, or two-family dwelling with secondary suite, is 334 m<sup>2</sup>, and the minimum site width for a one-family dwelling, one-family dwelling with secondary suite, two-family dwelling, or two-family dwelling with secondary suite, is 7.3 m.”

16. In section 4.1.1 of the RS-1A District Schedule, Council strikes out the words “or one-family dwelling with secondary suite” and substitutes “, one-family dwelling with secondary suite, two-family dwelling, or two-family dwelling with secondary suite”.

17. In section 4.1.1 of the RS-1B District Schedule, Council adds the words “two-family dwelling, two-family dwelling with secondary suite,” after “one-family dwelling with secondary suite,”.

18. Council strikes out section 4.1.1 of the RS-2 District Schedule and substitutes:

“4.1.1 The minimum site area shall be:

- (a) 334 m<sup>2</sup> for a one-family dwelling, one family dwelling with secondary suite, two-family dwelling, or two-family dwelling with secondary suite; and

(b) 929 m<sup>2</sup> for a multiple dwelling or infill.”

19. Council strikes out section 4.1.1 of the RS-6 District Schedule and substitutes:  
“4.1.1 The minimum site area for a one-family dwelling, one-family dwelling with secondary suite, two-family dwelling, two-family dwelling with secondary suite, or multiple conversion dwelling, is 334 m<sup>2</sup>, and the minimum site width for a one-family dwelling, one-family dwelling with secondary suite, two-family dwelling, or two-family dwelling with secondary suite, is 7.3 m.”.

20. In section 4.1.1 of the RS-7 District Schedule, Council strikes out the words “or two-family dwelling” and substitutes “two-family dwelling, or two-family dwelling with secondary suite”.

21. In section 4.1 of the RS-1A, RS-1B, RS-2 and RS-7 District Schedules, Council adds a new section 4.1.3 as follows:

“4.1.3 The maximum site area for a two-family dwelling is 511 m<sup>2</sup>.”.

22. In section 4.1 of the RS-1, RS-5, and RS-6 District Schedules, Council adds a new section 4.1.4 as follows:

“4.1.4 The maximum site area for a two-family dwelling is 511 m<sup>2</sup>.”.

23. Council strikes out section 4.3.1 of the RS-1 District Schedule, and substitutes the following:

“4.3.1 Height shall not exceed:

(a) for all uses other than two-family dwelling or two-family dwelling with secondary suite, 9.5 m in height and 2½ storeys, nor exceed the maximum dimensions created by the combination of:

(i) a primary envelope located in compliance with the side yard regulation and formed by planes vertically extended 4.9 m in height and then extending inward and upward at an angle of 30 degrees from the horizontal to the point where the planes intersect; and

(ii) a secondary envelope located between the required side yards and equal to 60 percent of the site width (except as provided for by section 4.3.2) and formed by planes vertically extended 7.6 m in height and then extending inward and upward at an angle of 45 degrees from the horizontal to the point where the planes intersect.

(b) for two-family dwelling or two-family dwelling with secondary suite, 10.7 m and 2 ½ storeys.”.

24. In section 4.3.1 of the RS-1B District Schedule, Council adds the words “, two-family dwelling, or two-family dwelling with secondary suite” after the words “a principal one-family dwelling”.

25. In section 4.3 of the RS-5 District Schedule, Council:

(a) strikes out section 4.3.1 and substitutes the following:

“4.3.1 Height shall not exceed:

(a) for all uses other than two-family dwelling or two-family dwelling with secondary suite, 9.2 m in height and 2½ storeys,

(b) for two-family dwelling or two-family dwelling with secondary suite, 10.7 m and 2 ½ storeys.”; and

(b) in section 4.3.2, strikes out the words “The height of the building” and substitutes “For all uses other than two-family dwelling or two-family dwelling with secondary suite, the height of the building”.

26. In section 4.3.1 of the RS-1B District Schedule, Council adds the words “, two-family dwelling, or two-family dwelling with secondary suite” after the words “a principal one-family dwelling”.

27. In section 4.5.1 of the RS-7 District Schedule, Council strikes out the words “For a single-family house, multiple conversion dwelling,” and substitutes “For a one-family dwelling, one-family dwelling with secondary suite, two-family dwelling, two-family dwelling with secondary suite, multiple conversion dwelling,”.

28. In section 4.6 of the RS-1 District Schedule, Council:

(a) in section 4.6.1, adds the words “for all uses except for two-family dwelling or two-family dwelling with secondary suite” after “A rear yard with a minimum depth of 45 percent of the site shall be provided”; and

(b) adds a new section 4.6.1A as follows:

“4.6.1AA rear yard with a minimum depth of 35 percent of the depth of the site shall be provided for two-family dwellings or two-family dwellings with secondary suite.”.

29. In section 4.6 of the RS-6 District Schedule, Council:

(a) in section 4.6.1, adds the words “for all uses except for two-family dwelling or two-family dwelling with secondary suite” after “A rear yard with a minimum depth of 40 percent of the depth of the site shall be provided”; and

(b) adds a new section 4.6.1A as follows:

“4.6.1A A rear yard with a minimum depth of 35 percent of the depth of the site shall be provided for two-family dwellings or two-family dwellings with secondary suite.”.

30. In section 4.7 of the RS-1, RS-1A, RS-2, RS-5, RS-6, and RS-7 District Schedules, Council:

(a) in section 4.7.1, adds the words “for all uses except for two-family dwelling or two-family dwelling with secondary suite” after “The floor space ratio”; and

(b) adds a new section 4.7.1A as follows:

“4.7.1A The floor space ratio for two-family dwellings or two-family dwellings with secondary suite must not exceed 0.70.”.

31. In section 4.7 of the RS-1B District Schedule, Council:

(a) in section 4.7.1, adds the words “for all uses except for two-family dwelling or two-family dwelling with secondary suite,” after “The floor space ratio shall not exceed 0.60”; and

(b) adds a new section 4.7.1A as follows:

“4.7.1A The floor space ratio for two-family dwellings or two-family dwellings with secondary suite must not exceed 0.70.”.

32. Council strikes out section 4.8.1 in the RS-1, RS-5, RS-6, and RS-7 District Schedules and substitutes the following:

“4.8.1 The maximum site coverage for buildings shall be:

- (a) 40 percent of the site area for all uses except for two-family dwellings and two-family dwellings with secondary suite; and
- (b) 45 percent of the site area for two-family dwellings and two-family dwellings with secondary suite.”.

33. Council strikes out section 4.16.1 of the RS-1 District Schedule and substitutes the following:

“4.16.1 The distance between the front yard and the rear yard of a site shall not exceed:

- (a) 35 percent of the depth of the site for all uses except for two-family dwelling or two-family dwelling with secondary suite, unless otherwise determined pursuant to the provisions of section 4.6.1; and
- (b) 45 percent of the depth of the site for two-family dwelling or two-family dwelling with secondary suite.”.

34. Council adds a new section 4.16 to the RS-1A, RS-1B and RS-2 District Schedules as follows:

**“4.16 Building Depth**

4.16.1 For two-family dwelling or two-family dwelling with secondary suite, the distance between the front yard and the rear yard of a site shall not exceed 45 percent of the depth of the site.”.

35. Council strikes out section 4.16.2 of the RS-5 and RS-7 District Schedules and substitutes the following:

“4.16.2 The maximum building depth shall not exceed:

- (a) 40 percent of the depth of the site for all uses except for two-family dwelling or two-family dwelling with secondary suite; and
- (b) 45 percent of the depth of the site for two-family dwelling or two-family dwelling with secondary suite.”.

36. In the RS-6 District Schedule, Council:

(a) strikes out section 4.16.1 and substitutes the following:

“4.16.1 The maximum permitted building depth for all uses other than two-family dwelling or two-family dwelling with secondary suite shall not exceed the percentages indicated in the following table:

Portion of building width and location	Maximum building depth as percent of site depth
Centre 60% of the maximum allowable building	40 percent



width	
20% of maximum allowable building width as measured from both side yard setback lines	35 percent

”; and

(b) adds a new section 4.16.1A as follows:

“4.16.1A The maximum permitted building depth for two-family dwelling or two-family dwelling with secondary suite shall not exceed 45 percent of the depth of the site depth.”.

37. In section 4.17 of the RS-1 and RS-5 District Schedules, Council adds new sections 4.17.6 through 4.17.9 as follows:

4.17.6 In two-family dwellings and two-family dwellings with secondary suite, there must be two main entrances, one to each principal dwelling unit.

4.17.7 In two-family dwellings and two-family dwellings with secondary suite, there must be a covered verandah or porch at each main entrance, with a minimum width or depth of 1.6 m.

4.17.8 In two-family dwellings and two-family dwellings with secondary suite, roof design must comply with the following provisions:

(a) all roofs except for dormer roofs must be hip, gable or a combination of both forms, and must have a minimum slope of 7:12;

(b) dormer roofs must be gable, hip or shed in form and have a minimum slope of 4:12; and

(c) the maximum total width of dormer roofs provided on a half storey above the second storey must comply with the following table:

<b>Dormer Orientation</b>	<b>Maximum Total Dormer Width</b>
Rear yard	40% of width of elevation of storey below
Interior side yard	25% of width of elevation of storey below
Street or flanking lane	30% of width of elevation of storey below

4.17.9 Exterior windows in a secondary suite must have:

(a) a minimum total glazing area of 10% of the total floor area of the room, in each of the kitchen, living room and dining room; and

(b) a minimum total glazing area of 5% of the total floor area of the room, in all other rooms, except bathrooms and laundry rooms.”.

38. In the RS-1A, RS-1B and RS-2 District Schedules, Council adds a new section 4.17 as follows:

**4.17 External Design**

4.17.1 For the purpose of this section 4.17, a main entrance means a door facing a street not being a lane, which is visible from the street and is located at or within 1.8 m of grade, or connected to grade by stairs or a ramp.

4.17.2 In two-family dwellings and two-family dwellings with secondary suite, there must be two main entrances, one to each principal dwelling unit.

4.17.3 In two-family dwellings and two-family dwellings with secondary suite, there must be a covered verandah or porch at each main entrance, with a minimum width or depth of 1.6 m.

4.17.4 In two-family dwellings and two-family dwellings with secondary suite, roof design must comply with the following provisions:

- (a) all roofs except for dormer roofs must be hip, gable or a combination of both forms, and must have a minimum slope of 7:12;
- (b) dormer roofs must be gable, hip or shed in form and have a minimum slope of 4:12; and
- (c) the maximum total width of dormer roofs provided on a half storey above the second storey must comply with the following table:

<b>Dormer Orientation</b>	<b>Maximum Total Dormer Width</b>
Rear yard	40% of width of elevation of storey below
Interior side yard	25% of width of elevation of storey below
Street or flanking lane	30% of width of elevation of storey below

4.17.5 Exterior windows in a secondary suite must have:

- (a) a minimum total glazing area of 10% of the total floor area of the room, in each of the kitchen, living room and dining room; and
- (b) a minimum total glazing area of 5% of the total floor area of the room, in all other rooms, except bathrooms and laundry rooms.”.

39. In section 4.17 of the RS-6 and RS-7 District Schedules, Council adds new sections 4.17.39 through 4.17.41 as follows:

“4.17.39 In two-family dwellings and two-family dwellings with secondary suite, there must be two main entrances, one to each principal dwelling unit.

4.17.40 In two-family dwellings and two-family dwellings with secondary suite, there must be a covered verandah or porch at each main entrance, with a minimum width or depth of 1.6 m.

4.17.41 Exterior windows in a secondary suite must have:

- (a) a minimum total glazing area of 10% of the total floor area of the room, in each of the kitchen, living room and dining room; and
- (b) a minimum total glazing area of 5% of the total floor area of the room, in all other rooms, except bathrooms and laundry rooms.”.

40. In section 5.1 of the RS-1, RS-1A, RS-2 and RS-5 District Schedules, Council:

(a) strikes out the word “and” after “laneway house;” in subsection (d);

(b) adds two new subsections as subsections (e) and (f) as follows:

“(e) two-family dwelling;

(f) two-family dwelling with secondary suite; and”;

(c) renumbers the existing subsection (e) as subsection (g).

41. In section 5.1 of the RS-7 District Schedule, Council:

- (a) adds a new subsection (f) as follows:  
“(f) two-family dwelling with secondary suite;” and
- (b) rennumbers the existing subsections (f) and (g) as subsections (g) and (h) respectively.

DRAFT AMENDMENTS TO THE PRINCIPAL DWELLING UNIT COMBINED WITH A LOCK-OFF  
GUIDELINES

Note: Amendments to Council-adopted guidelines will be prepared generally in accordance with the provisions listed below, subject to change and refinement prior to posting. Italics and strikeout denote changes to the guidelines.

2 General Design Considerations

An application for the conditional use of a **Principal Dwelling Unit combined with a Lock-off Unit** will require approval by the Development Permit Board or the Director of Planning. In the consideration to allow this use, livability will be a primary goal. These guidelines delineate a set of principles for livability which include light and ventilation, privacy, sound insulation, security and outdoor space.

The minimum unit size for the lock-off unit is 26 m<sup>2</sup> which may be further reduced to 19 m<sup>2</sup>. Since livability is directly related to the size of a dwelling unit, units that are smaller than 26 m<sup>2</sup> should compensate for the reduced size and attain the same standard of livability through increased enhancements of the other livability features listed below.

*The maximum unit size for a lock-off unit is 29.7 m<sup>2</sup>. Units greater in size are considered secondary suites and must comply with the regulations for secondary suites.*

## STRATA TITLE POLICIES FOR RS, RT AND RM ZONES

### 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 R zones, where 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 R zones where 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 R zones where 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 certain R zones, a principal dwelling unit with lock-off unit may be conditionally permitted.

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 and RT Zones

In certain R 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).

## 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.

### 6.1 Conversions

Council, or the Approving Officer, will not entertain any applications to convert a previously occupied building to strata title ownership for One-Family Dwelling with Secondary Suite, One-Family Dwelling with Laneway House, or One-Family Dwelling with Secondary Suite and Laneway House as defined in the Zoning and Development By-law.

An exception may be made for existing developments containing two or more principal dwelling units (One-Family Dwelling with Infill Dwelling, Two One-family dwellings, 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. 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

### 6.2 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 One-Family Dwellings, 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).

## DRAFT AMENDMENTS TO THE RS-7 GUIDELINES

Note: Amendments to Council-adopted guidelines will be prepared generally in accordance with the provisions listed below, subject to change and refinement prior to posting. Italics and strikeout denote changes to the guidelines.

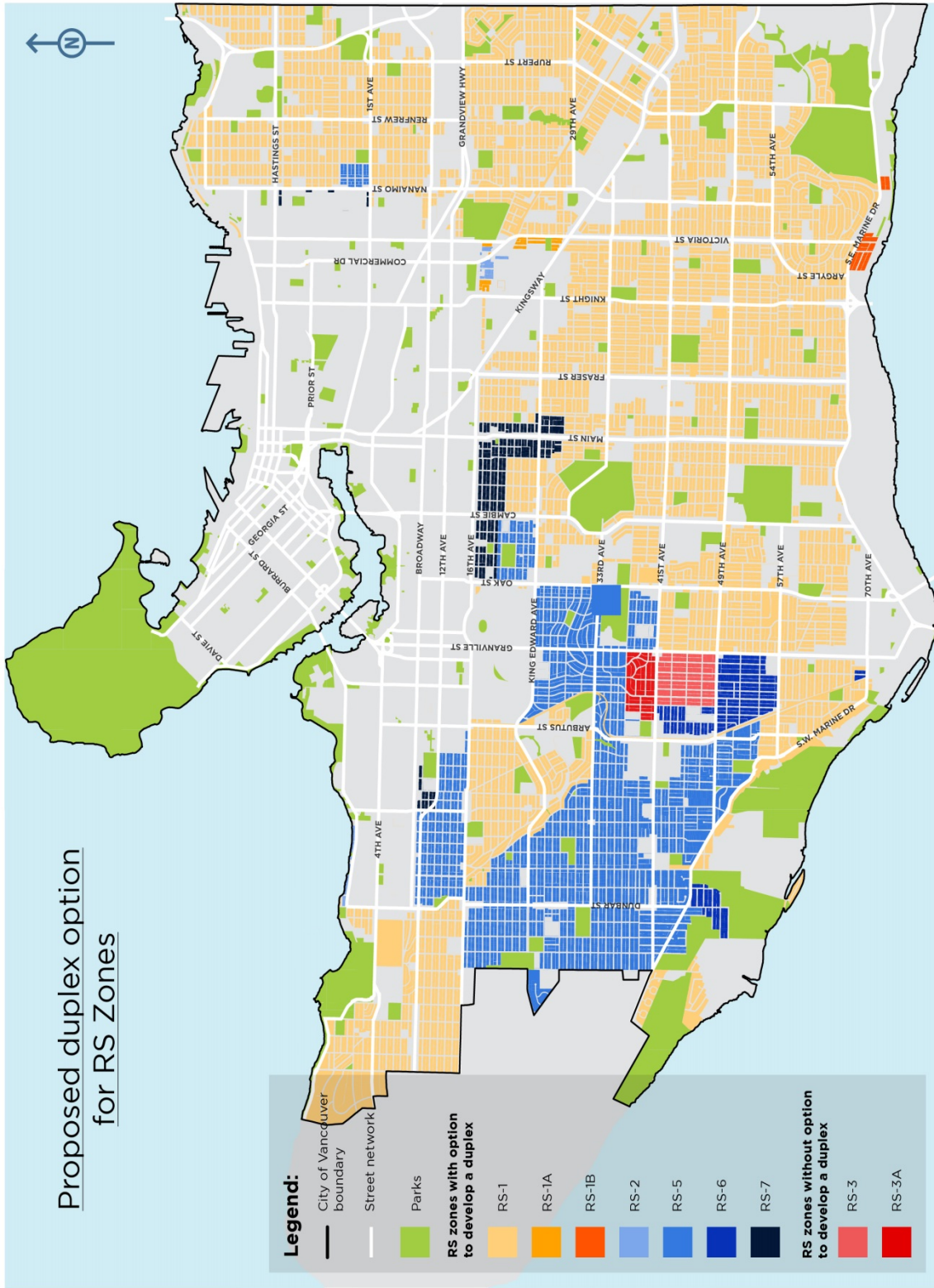
### 3.2 **Single-Family and Two-Family Dwellings**

For single-Family and Two-Family Dwellings:

- (a) the District Schedule Sections 4.17 External Design Regulations apply;
- (b) the District Schedule offers a floor area increase where an applicant complies with the RS-7 Guidelines Section 8 Landscaping requirements; *and*
- (c) compliance with other sections of the Guidelines is not mandatory but applicants may wish to consult the Guidelines for general design interest. ~~and~~
- ~~(d) Dwelling Units may not be strata titled on sites less than 668 m<sup>2</sup> in area.~~



Proposed duplex option  
for RS Zones



## EXAMPLE OF PROPOSED CHANGES TO RS-1 DISTRICT SCHEDULE

Note: Amendments will be prepared generally in accordance with the provisions listed below, subject to change and refinement prior to posting. Bold italics and strikethrough denote changes to the district schedule.

### RS-1 District Schedule

#### 1 Intent

The intent of this Schedule is generally to maintain the residential character of the RS-1 District in the form of one-family dwellings with or without a secondary suite and with or without a laneway house, *two-family dwellings with or without secondary suites and lock-off units*, and infill and multiple conversion dwellings in conjunction with retention of character houses. Emphasis is placed on encouraging neighbourly development by preserving outdoor space and views. Neighbourhood amenity is enhanced through the maintenance of healthy trees and planting which reflects the established streetscape.

#### 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 shall be permitted in the RS-1 District and shall 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 level between the eaves and the ridge of a gable, hip or gambrel roof, provided that no portion of an accessory building may exceed 4.6 m in height;
    - (b) all accessory buildings are:
      - (i) located within 7.9 m of the ultimate rear property line or located within the permitted building depth as regulated by section 4.16.1 of this Schedule; and
      - (ii) in no case less than 3.1 m from the ultimate centre line of any rear or flanking lane and less than 1.5 m from a flanking street, subject also to the provisions of section 11.1 of this By-law;
    - (c) the total floor area, measured to the extreme outer limits of the building, of all accessory buildings is not greater than 30% of the minimum rear yard prescribed in this Schedule, or 48 m<sup>2</sup>, whichever is the greater, except that:
      - (i) floor area previously excluded from existing development pursuant to section 4.7.3(c), and
      - (ii) the floor area of a laneway house, shall be deducted from the total allowable accessory building floor area;
    - (d) not more than 80 percent of the width of the rear yard of any lot is occupied by accessory buildings;
    - (e) roof gardens and sun decks are not located on an accessory building located beyond the permitted building depth as regulated by section 4.16.1 of this Schedule.

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

2.2.DW [Dwelling]

- One-Family Dwelling.
- *Two-Family Dwelling, on lots less than 511 m<sup>2</sup> in area.*

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, provided that the Director of Planning first considers:

- (a) the intent of this Schedule and all applicable policies and guidelines adopted by Council; and
- (b) the submission of any advisory group, property owner or tenant.

**3.2 Uses**

3.2.1 The uses listed in section 3.2.1 may be permitted in the RS-1 District.

1. 3.2.1.A
  - Accessory Buildings customarily ancillary to any of the uses listed in this Schedule, other than as provided for in section 2.2.A of this Schedule.
  - Accessory Uses customarily ancillary to any of the uses listed in this section.

3.2.1.AG [Agricultural]

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

• 3.2.1.C [Cultural and Recreational]

- Community Centre or Neighbourhood House.
- Golf Course or Driving Range.
- Library in conjunction with a Community Centre.
- Marina.
- Park or Playground.
- Stadium or Arena.
- Zoo or Botanical Garden.

2. 3.2.1.D
  - Deposition or extraction of material so as to alter the configuration of the land.

• 3.2.1.DW [Dwelling]

- Dwelling Unit in conjunction with a neighbourhood grocery store existing as of July 29, 1980, subject to the provisions of section 11.16 of this By-law.
- Infill in conjunction with retention of a character house existing on the site as of January 16, 2018

- Infill One-Family Dwelling, provided that:
  - (a) it shall be for a caretaker;
  - (b) it shall be subject to the provisions of section 2.2.A regulating Accessory Buildings except that:
    - (i) clause (a) thereof shall not apply to any portion not located within 7.9 m of the ultimate rear property line;
    - (ii) clause (c) thereof shall not apply; and
    - (iii) clause (b) of section 11.1 of this By-law shall not apply; and
  - (c) its floor area shall not exceed 75 m<sup>2</sup> and shall be also counted in the accessory building area.
  
- One-Family Dwelling with Secondary Suite.
- Laneway House, subject to the provisions of section 11.24 of this By-law.
- Multiple Conversion Dwelling, in conjunction with retention of a character house existing on the site as of January 16, 2018, that contains no housekeeping or sleeping units.
- ***Principal Dwelling Unit with a Lock-off Unit in a Two-Family Dwelling.***
- ***Two-Family Dwelling with Secondary Suite provided that there is no more than one secondary suite for each dwelling unit.***
- Seniors Supportive or Assisted Housing, subject to section 11.17 of this By-law.
  
- 3.2.1.I [Institutional]
  - Ambulance Station.
  - Child Day Care Facility.
  - Church, subject to the provisions of section 11.7 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.
  - 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.
  
- 3.2.1.O [Office]
  - Temporary Sales Office, subject to the provisions of section 11.26 of this By-law.
  
- 3.2.1.P [Parking]
  - Parking Area ancillary to a principal use on an adjacent site.
  
- 3.2.1.R [Retail]
  - Farmers' Market, subject to the provisions of Section 11.21 of this By-law. *Compatibility with nearby sites, parking, traffic, noise, hours of operation, size of facility, pedestrian amenity.*
  - Neighbourhood Grocery Store existing as of July 29, 1980, subject to the provisions of section 11.16 of this By-law.
  - Public Bike Share.
  
- 3.2.1.S [Service]

- Bed and Breakfast Accommodation, subject to the provisions of section 11.4 of this By-law.
- Short Term Rental Accommodation, subject to the provisions of section 11.32 of this By-law.
- 3.2.1.U [Utility and Communication]
  - Public Utility.

#### 4 Regulations

All uses approved under sections 2 and 3 of this District Schedule shall be subject to the following regulations:

##### 4.1 Site Area

4.1.1 The minimum site area for a one-family dwelling , one-family dwelling with secondary suite, *two-family dwelling, and two-family dwelling with secondary suite*, is 334 m<sup>2</sup>, and the minimum site width for a one-family dwelling or one-family dwelling with secondary suite is 7.3 m.

4.1.2 Where the site is less than 9.8 m in width or less than 334 m<sup>2</sup> in area, the design of any new dwelling shall first require the approval of the Director of Planning.

4.1.3 The minimum site area for a dwelling unit for a caretaker shall be 3 000 m<sup>2</sup>.

**4.1.4 *The maximum site area for a two-family dwelling is 511 m<sup>2</sup>.***

##### 4.2 Frontage -- Not Applicable

##### 4.3 Height

###### 4.3.1 *Height shall not exceed:*

- (a) *For all uses other than two-family dwelling or two-family dwelling with secondary suite, 9.5 m in height and 2½ storeys, nor exceed the maximum dimensions created by the combination of:*
  - (i) *a primary envelope located in compliance with the side yard regulation and formed by planes vertically extended 4.9 m in height and then extending inward and upward at an angle of 30 degrees from the horizontal to the point where the planes intersect; and*
  - ((ii) *a secondary envelope located between the required side yards and equal to 60 percent of the site width (except as provided for by section 4.3.2) and formed by planes vertically extended 7.6 m in height and then extending inward and upward at an angle of 45 degrees from the horizontal to the point where the planes intersect.*
- (b) *For two-family dwelling or two-family dwelling with secondary suite, 10.7 m and 2 ½ storeys, except that the Director of Planning may permit a building up to 3 storeys provided that consideration is first given to all applicable policies and guidelines adopted by Council.*

- 4.3.2 The secondary envelope need not be less than 9.8 m in width except as limited by the required side yard.
- 4.3.3 Height shall be measured from a hypothetical surface determined by joining the existing grades at the intersections of the hypothetical lines defining the front and rear yards and the side property lines, except that if the Director of Planning is of the opinion that the hypothetical surface determined by joining the existing grades is not compatible with the existing grades of adjoining sites or general topography of the area, he may instead require that height be measured from base surface.
- 4.3.4 Notwithstanding the height limitation in section 4.3.1, the Director of Planning may permit a building to exceed a height of 9.5 m but not to exceed a height of 10.7 m provided that he considers:
- (a) the impact of the increased height on views from surrounding development;
  - (b) the extent to which the increased height improves the roof lines of the building; and
  - (c) the effect of the increased height on adjacent properties and the character of the area.
- 4.3.5 Where the Director of Planning is prepared to approve an increase in floor space ratio pursuant to section 4.7.1(c), he may permit a building to exceed any of the maximum dimensions of section 4.3.1 provided that in no case shall the height be increased to more than 10.7 m.
- 4.3.6 Notwithstanding any other provisions in this By-law, the Director of Planning may relax the height requirement to accommodate building features designed to reduce energy consumption in a Passive House, if the Director of Planning first considers:
- (a) the intent of the relevant schedule;
  - (b) all applicable Council policies and guidelines;
  - (c) the relationship of the development to nearby residential development;
  - (d) the submission of any advisory group, property owner or tenant; and
  - (e) the relaxation does not exceed .5 m,

except that this relaxation shall not apply to laneway houses.

#### **4.4 Front Yard**

- 4.4.1 A front yard with a minimum depth of 20 percent of the depth of the site shall be provided, except that:
- (a) on a site where the average front yard depth of the two adjacent sites on each side of the site is more than the 20 percent depth by at least 1.5 m or is less than the 20 percent depth, the minimum depth of the front yard to be provided shall be that average, subject to the following:
    - (i) where an adjacent site is vacant, it shall be deemed to have a front yard depth of 20 percent of the depth of the site;
    - (ii) if one or more of the adjacent sites front on a street other than that of the development site or the adjacent sites are separated by a street or lane, then such adjacent sites shall not be used in computing the average;
    - (iii) where the site is adjacent to a flanking street or lane, the average depth shall be computed using the remainder of the adjacent sites;

- (b) the Director of Planning may vary the front yard requirement on a double fronting site or a site where a building line has been established pursuant to section 14.1 of this By-law;
- (c) if the provisions of section 4.4.1(a) and section 4.6.1 of this Schedule result in a distance between the front yard and the rear yard which is less than 35 percent of the depth of the site, and provided that the principal building is sited so that it abuts the required rear yard, the depth of the required front yard can be reduced so that the distance between the front yard and the rear yard is equal to 35 percent of the depth of the site; and
- (d) Covered porches complying with the conditions of section 4.7.3(g) shall be permitted to project into the required front yard a maximum of 1.8 m provided that such a projection is limited to 30 percent of the width of the building.

4.4.2 Where the Director of Planning is prepared to approve an increase in floor space ratio pursuant to section 4.7.1(c), he may permit a building having a lesser front yard than required in section 4.4.1.

#### 4.5 Side Yard

4.5.1 A side yard shall be provided on each side of the building with a minimum width of not less than the site width multiplied by the percent of site width given by the following formula, except that this percent shall never be less than 10 percent and need never be more than 20 percent:

$$\% \text{ of site width} = \frac{\text{site width in metres}}{1.219} - 5$$

4.5.2 In the case of a corner site which has located at its rear, with or without the intervention of a lane, a site which fronts on the street flanking the corner site, the exterior side yard shall be regulated by the provisions of section 11.1 of this By-law.

4.5.3 Where the Director of Planning is prepared to approve an increase in floor space ratio pursuant to section 4.7.1(c), he may permit a building having a lesser side yard than required in section 4.5.1.

#### 4.6 Rear Yard

4.6.1.1 A rear yard with a minimum depth of 45 percent of the depth of the site shall be provided *for all uses other than two-family dwelling or two-family dwelling with secondary suite*, except that the rear yard to be provided can be reduced to a depth of not less than the greater of the depths of the rear yards of the sites on either side, subject to the following:

- (a) where an abutting site is vacant, it shall be deemed to have a rear yard depth of 45 percent of its site depth;
- (b) where an adjacent site abuts the site by way of its rear property line or is separated by a street or lane, it shall not be used in computing the reduction in the depth of the rear yard to be provided;
- (c) where the site has an exterior side yard, the rear yard to be provided can be reduced to that of the abutting site; and
- (d) any portion of the principal building to be located within that part of the rear yard decreased as provided for in this section 4.6.1 must comply with the provisions of section 2.2.A(a) of this Schedule.

**4.6.1.2** *A rear yard with a minimum depth of 35 percent of the depth of the site shall be provided for two-family dwelling or two-family dwelling with secondary suite.*

4.6.2 For the purposes of calculating the rear yard to be provided, where the rear property line does not abut a lane or abuts a lane that is only partially dedicated, the rear yard to be provided shall be calculated and measured from the ultimate rear property line.

4.6.3 Where a building line has been established pursuant to the provisions of section 14.2, such building line shall be deemed to be the southerly boundary of any required rear yard on lands described in “Plan A” of Part III of Schedule E to this By-law, notwithstanding any dimension contained herein.

4.6.4 For buildings existing prior to April 12, 1988 the depth of the required rear yard can be reduced by up to 3.1 m, provided that the resulting depth of the principal building does not exceed 35 percent of the depth of the site. The floor of a roof garden or sundeck located within that part of the rear yard decreased as provided for in this section shall not be any higher than the floor of the first storey of the principal building.

4.6.5 Where the Director of Planning is prepared to approve an increase in floor space ratio pursuant to section 4.7.1(c), he may permit a building having a lesser rear yard than required in section 4.6.1.

4.6.6 Notwithstanding section 4.6.1 of this schedule, the Director of Planning may decrease the rear yard requirement to accommodate building features designed to reduce energy consumption in a Certified Passive House to a minimum of 40 percent of the depth of the site, if the Director of Planning first considers the intent of this schedule and all applicable Council policies and guidelines.

**4.7 Floor Space Ratio**

4.7.1.1 The floor space *ratio for all uses other than two-family dwelling or two-family dwelling with secondary suite on a site with one principal building* shall not exceed 0.60, subject to the following:

- (a) for buildings existing prior to April 12, 1988 the area of all floors at or above finished grade and of the floors of any storey, basement or cellar located below a storey which has a floor surface located 2.0 m or more above finished grade, all of which floors are located within the building depth as defined by section 4.16.1 of this Schedule shall not exceed a floor space ratio of 0.20 plus 130 m<sup>2</sup>;
- (b) in all other cases, the area of all floors at or above finished grade and of the floors of any storey, basement, or cellar located below a storey which has a floor surface located 1.8 m or more above finished grade, all of which floors are located within the building depth as defined by section 4.16.1 of this Schedule, shall not exceed a floor space ratio of 0.20 plus 130 m<sup>2</sup>;
- (c) notwithstanding clauses (a) and (b), where a site is 18.2 m or more in width and 500 m<sup>2</sup> or more in area the Director of Planning may permit an increase in the area of all floors as described in clause (a) or (b) as the case may be, to a floor space ratio not exceeding 0.3 plus 93 m<sup>2</sup> provided that:
  - (i) he considers the effect of the increase in floor area on adjacent properties and the character of the area, and
  - (ii) he first approves a plan showing existing and proposed trees and landscape;



- (d) if:
  - (i) the area of all floors at or above finished grade does not exceed the lesser of a floor space ratio of 0.45, and the floor space ratio determined under subsection (a), (b), or (c) of section 4.7.1,
  - (ii) the area of any floor, including the basement or cellar, does not exceed a floor space ratio of 0.25, and
  - (iii) no portion of the basement or cellar projects horizontally beyond the perimeter of the first storey, including covered porches,  
an increase in the floor space ratio to 0.70 is permissible;
- (e) for buildings existing prior to July 7, 2009, if:
  - (i) the area of all floors at or above finished grade does not exceed the lesser of a floor space ratio of 0.50 and the existing floor space ratio,
  - (ii) the area of all floors at, above or below finished grade, after the addition of a basement or cellar, does not exceed a floor space ratio of 0.75,
  - (iii) the area of any floor, including the basement or cellar, does not exceed a floor space ratio of 0.25, and
  - (iv) no portion of the basement or cellar projects horizontally beyond the perimeter of the first storey, including covered porches, a basement or cellar is permissible;
- (f) the Director of Planning may increase the maximum permitted floor space ratio to 0.75 to facilitate an addition to a character house, if the Director of Planning first considers the intent of this Schedule and all applicable policies and guidelines adopted by Council; and
- (g) the Director of Planning may increase the maximum permitted floor space ratio to 0.85 for infill in conjunction with retention of a character house, if the Director of Planning first considers the intent of this Schedule and all applicable policies and guidelines

**4.7.1.2 *The floor space ratio for two-family dwelling or two-family dwelling with secondary suite on a site with one principal building must not exceed 0.70.***

4.7.2 The following shall be included in the computation of floor space ratio:

- (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, to be 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 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 one percent of the permitted floor area; and
- (d) the floor area of bay windows, regardless of seat height, location on building or relationship to yard setbacks, in excess of the product of the total floor area permitted above the basement times 0.01.

4.7.3 The following shall be excluded in the computation of floor space ratio:

- (a) open residential balconies or sundecks, and any other appurtenances which, in the opinion of the Director of Planning, are similar to the foregoing, provided that the total area of all exclusions does not exceed eight percent of the permitted residential floor area;
- (b) patios and roof gardens, provided that the Director of Planning first approves the design of sunroofs and walls;

- (c) where floors are used for off-street parking and loading, the taking on or discharging of passengers, bicycle storage in multiple conversion dwellings containing 3 or more units or in multiple dwellings 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:
  - (i) are located in an accessory building located within 7.9 m of the ultimate rear property line, or
  - (ii) where a site has no developed secondary access, are located in a principal building, or in an accessory building located within the building depth regulated by the provisions of section 4.16, up to a maximum of 42 m<sup>2</sup>.
- (d) child day care facilities to a maximum floor area of 10 percent of the permitted floor area, provided the Director of Planning, on the advice of the Director of Social Planning, is satisfied that there is a need for a day care facility in the immediate neighbourhood;
- (e) 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.
- (f) floors located at or below finished grade with a ceiling height of less than 1.2 m;
- (g) covered porches, provided that:
  - (i) they face a street or a rear property line and are located at the basement or first storey;
  - (ii) that portion facing the street or rear property line shall be open or protected by guard rails the height of which shall not exceed the minimum specified in the Building By-law;
  - (iii) the total area being excluded does not exceed 5 percent of the permitted floor area; and
  - (iv) the ceiling height, excluding roof structures, of the total area being excluded does not exceed 3.1 m measured from the porch floor;
- (h) the floor area of a laneway house; and
- (i) above grade floor area:
  - (i) built as open to below,
  - (ii) to which subsection 4.7.2(c) does not apply,
  - (iii) 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, and
  - (iv) to a maximum exclusion of one percent of permitted floor area.

#### 4.8 Site Coverage

- 4.8.1 The maximum site coverage for buildings shall be:
  - (a) 40 percent of the site area *for all uses other than two-family dwelling or two-family on a site with one principal building; and,*
  - (b) *45 per cent of the site area for two-family dwelling or two-family dwelling with secondary suite on a site with one principal building.*
- 4.8.2 For the purpose of this section, site coverage for buildings shall 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 Except where the principal use of the site is a parking area, the maximum site coverage for any portion of the site used as parking area shall be 30 percent.

- 4.8.4 Where the Director of Planning is prepared to approve an increase in floor space ratio pursuant to section 4.7.1(c), he may permit a greater site coverage than specified in section 4.8.1.
- 4.8.5 The area of impermeable materials, including building coverage, shall not exceed 60 percent of the total site area except that where developed secondary vehicular access to a site is not available, the Director of Planning may exclude from the area of impermeable materials an amount not exceeding:
- (a) for the first parking space, the product of the distance, in metres as measured along the driveway centre line, from the point where the driveway crosses the property boundary to the point where it meets the nearest side of the approvable parking space times 3.1 m; and
  - (b) for each additional parking space, 67 m<sup>2</sup> to accommodate vehicular access and manoeuvring.
- 4.8.6 For the purposes of section 4.8.5, the following materials shall be 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.
- 4.8.7 Notwithstanding section 4.8.6, gravel, river rock less than 5 cm in size, wood chips, bark mulch, and other materials which, in the opinion of the Director of Planning, have fully permeable characteristics when in place installed on grade with no associated layer of impermeable material (such as plastic sheeting) that would impede the movement of water directly into the soil below, are excluded from the area of impermeable materials.
- 4.9 [Deleted -- see Parking By-law.]**
- 4.10 to 4.15 (Reserved.)**
- 4.16 Building Depth**
- 4.16.1 The distance between the front yard and the rear yard of a site shall not exceed:
- (a) 35 percent of the depth of the site *for all uses other than two-family dwelling or two-family dwelling with secondary suite on a site with one principal building; and*
  - (b) *45 percent of the depth of the site for two-family dwelling or two-family dwelling with secondary suite on a site with one principal building,*
- unless otherwise determined pursuant to the provisions of section 4.6.1.
- 4.16.2 Projections into front yards permitted under section 4.4.1(d) shall not be included in the calculation of building depth.
- 4.16.3 Where the Director of Planning is prepared to approve an increase in floor space ratio pursuant to section 4.7.1(c), he may permit a greater distance between the front yard and the rear yard of a site than specified in section 4.16.1.
- 4.16.4 Notwithstanding section 4.16.1 of this schedule, the Director of Planning may increase the permitted building depth to accommodate building features designed to reduce energy consumption in a Certified Passive House to a maximum of 40 percent of the depth of the site, if the Director of Planning first considers the intent of this schedule and all applicable Council policies and guidelines.

4.16.5 Where the permitted building depth is increased in accordance with section 4.16.4, sections 4.6.1 (a), (b), (c) and (d) of this schedule do not apply.

**4.17 External Design**

*Sections 4.17.6 to 4.17.10 of this schedule apply to a two-family dwelling or a two-family dwelling with secondary suite on a site with one principal building.*

4.17.1 For the purpose of section 4.17, a front entrance means a door facing the front yard and located at or within 1.8 m of grade or connected to grade by stairs, a ramp or other means and a side entrance means a door located on that part of a building facing a side yard and at or within 1.8 m of grade or connected to grade by stairs, a ramp or other means.

4.17.2 There shall be no more than one separate and distinct front entrance to a one-family dwelling or one-family dwelling with secondary suite.

4.17.3 A side entrance to a one-family dwelling or one-family dwelling with secondary suite shall face a street or lane, or be located no less than 5.0 m from the side property line, except that there shall be no more than one side entrance facing each side property line.

4.17.4 For the purpose of providing light or access to a basement or cellar, the surface of the ground adjoining a building can be lowered without affecting the calculation of average elevation, provided that:

- (a) the lowered surface does not extend more than 3.1 m into the required front or rear yard; and
- (b) that portion of the building abutting the lowered surface:
  - (i) faces either the front street or the rear property line; and
  - (ii) is not greater than half the width of the building, or 4.6 m, whichever is the lesser.

4.17.5 Notwithstanding section 4.17.2 or section 4.17.3, the Director of Planning may

- (a) on the advice of the Chief Building Official, permit one additional entrance facing a front yard or a side yard if it provides access to a building existing prior to March 14, 1989 in the RS-1 District; or
- (b) permit one additional entrance facing a front yard for a one-family dwelling with a secondary suite if both entrances facing the front yard are located at or above grade.

*4.17.6 For the purpose of this section 4.17, a main entrance means a door facing a street not being a lane, which is visible from the street and is located at or within 1.8 m of grade, or connected to grade by stairs or a ramp.*

*4.17.7 There must be two main entrances, one to each principal dwelling unit.*

*4.17.8 There must be a covered verandah or porch at each main entrance, with a minimum width or depth of 1.6 m.*

*4.17.9 Roof design must comply with the following provisions:*

- (a) *all roofs except for dormer roofs must be hip, gable or a combination of both forms, and must have a minimum slope of 7:12;*

- (b) *dormer roofs must be gable, hip or shed in form and have a minimum slope of 4:12; and*
- (c) *the maximum total width of dormer roofs provided on a half storey above the second storey must comply with the following table:*

<i>Dormer Orientation</i>	<i>Maximum Total Dormer Width</i>
<i>Rear yard</i>	<i>40% of width of elevation of storey below</i>
<i>Interior side yard</i>	<i>25% of width of elevation of storey below</i>
<i>Street or flanking lane</i>	<i>30% of width of elevation of storey below</i>

**4.17.10** *Exterior windows in a secondary suite must have:*

- (a) *a minimum total glazing area of 10% of the total floor area of the room, in each of the kitchen, living room and dining room; and*
- (b) *a minimum total glazing area of 5% of the total floor area of the room, in all other rooms, except bathrooms and laundry rooms.*

**5** Relaxation of Regulations

**5.1** The Director of Planning may relax the minimum site area requirements (but not the minimum site width) of section 4.1 with respect to any of the following developments on an existing lot of lesser site area on record in the Land Title Office for Vancouver:

- (a) one-family dwelling;
- (b) one-family dwelling with secondary suite;
- (c) one-family dwelling with laneway house;
- (d) one-family dwelling with secondary suite and laneway house;
- (e) *two-family dwelling;*
- (f) *two-family dwelling with secondary suite;* and
- (g) infill or multiple conversion dwelling in conjunction with retention of a character house.

**5.2** The Director of Planning may relax the height and yard provisions of sections 4.3, 4.4, 4.5, 4.6 and 4.16, and the floor space ratio exclusions for parking in accessory buildings of section 4.7.3(c)(i) of this Schedule where, due to conditions peculiar either to the site or to the proposed development, literal enforcement would result in unnecessary hardship, provided that:

- (a) he first considers the submission of any advisory group, property owner or tenant; and
- (b) in no case shall the height be increased to more than 10.7 m or the yard requirements be reduced to less than 60 percent of the amount specified in this Schedule.

**5.3** In the case of a corner site, where the rear property line of a site adjoins, without the intervention of a lane, the side yard of a site in an R District, the Director of Planning may relax the provisions of section 4.7 of this Schedule to permit the exclusion of floor space used for off-street parking in the principal building up to a maximum of 42 m<sup>2</sup>.

**5.4** The Director of Planning may relax section 4.8.5 for buildings existing prior to May 30, 2000 to a maximum of 70 percent impermeable materials site coverage provided that:

- (a) the percentage of the site covered by existing impermeable materials is not increased by the proposed development;
- (b) he considers the advice of the City Engineer; and
- (c) he considers all applicable policies and guidelines adopted by Council.

- 5.5** The Director of Planning may relax the requirements of section 4.8.5 where, due to the peculiarities of the site or special circumstances related to the use of the site, literal enforcement would result in unnecessary hardship, provided that:
- (a) he considers all applicable guidelines and policies adopted by Council; and
  - (b) he considers the advice of the City Engineer.
- 5.6** The Director of Planning may relax the provisions of this District Schedule regarding height, required yards, maximum site coverage, building depth and external design when a character house is retained, if the Director of Planning first considers the intent of this Schedule and all applicable Council policies and guidelines.