

**Refers to Item No. 5  
Public Hearing of September 18, 2018**

## **MEMORANDUM**

September 7, 2018

**TO:** Mayor and Council

**CC:** Sadhu Johnston, City Manager  
Paul Mochrie, Deputy City Manager  
Katrina Leckovic, City Clerk  
Lynda Graves, Administration Services Manager, City Manager's Office  
Rena Kendall-Craden, Communications Director  
Kevin Quinlan, Chief of Staff, Mayor's Office  
Naveen Girn, Community Relations Director, Mayor's Office

**FROM:** Gil Kelley  
General Manager, 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- RTS 12677

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This yellow memo summarizes the changes made to the proposed by-law and related guidelines since referral.

On July 24, 2018 Council referred the proposed amendments, referenced above, to a Public Hearing that is now scheduled for September 18, 2018. The amendments are intended to increase housing choices in RS areas. Since referral, staff have refined the proposed amendments to provide more clarity and consistency, resulting in some changes from the draft version that Council referred to public hearing.

Specifically, changes were made to the proposed regulations since referral to:

- clarify permitted uses by replacing 'Principal Dwelling Unit with a Lock-off Unit in a Two-Family Dwelling' with 'Lock-off Unit in conjunction with a Two-Family Dwelling, provided that there is no more than one Lock-off Unit for each dwelling unit';
- clarify that the maximum site area for two-family dwellings includes two-family dwellings with lock-off units; and
- decrease the maximum building depth regulation for two-family dwellings and two-family dwellings with secondary suites from 45% to 40%, so as to better match the maximum allowable floor space ratio for these uses and to promote consistency with other permitted uses, including one-family dwellings.

No changes to permitted density or use result from these clarifications and refinements to the proposed by-law.

The posted by-law and Summary and Recommendation for this item have been prepared to reflect the changes outlined in this memorandum.

In addition, amendments were made to the Principal Dwelling Unit Combined with a Lock-off Unit Guidelines (Appendix B of the report) to clarify that the guidelines apply to both Lock-off Units and Principal Dwelling Units with a Lock-off Unit. A related change is made to the Strata Title Policies for RS, RT and RM Zones, (Appendix C of the report). Consequential amendments are required to correct references to the Principal Dwelling Unit Combined with a Lock-off Unit Guidelines in other Council approved policies and guidelines. These amendments are described in the Appendix to this memorandum.

For more information, please contact Susan Haid at 604.871-6431 or [susan.haid@vancouver.ca](mailto:susan.haid@vancouver.ca).

A handwritten signature in black ink, appearing to read 'Gil Kelley', with a long horizontal line extending to the right.

Gil Kelley, FAICP  
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## DRAFT AMENDMENTS TO VARIOUS POLICIES AND 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.

## 1. Amendments to the Principal Dwelling Unit Combined with a Lock-off Unit Guidelines

## ~~PRINCIPAL DWELLING UNIT COMBINED WITH A LOCK-OFF UNIT GUIDELINES~~

## EXPLANATORY NOTE

As a condition of Development Permit approval for a *Lock-off Unit or Principal Dwelling Unit combined with a Lock-off Unit*, 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).

## 1 Application and Intent

These guidelines are to be used in conjunction with a district schedule of the Zoning and Development By-law, the Downtown District Official Development Plan or a CD-1 By-law, which permit a *Lock-off Unit or Principal Dwelling Unit combined with a Lock-off Unit*. These guidelines should be consulted in seeking approval for these conditional uses.

Lock-off units are self-contained units which are smaller than the principal dwelling unit. Each unit must have direct access to a hallway, corridor or the outside, and a shared internal door which can be locked enabling both units to be independent.

The intent of these guidelines is to encourage functional and livable lock-off units which are designed in combination with a principal dwelling unit. These Guidelines are only applicable for development permit applications, and applicants should also refer to the Vancouver Building By-law.

## 2 General Design Considerations

An application for the conditional use of a *Lock-off Unit or 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 suite.*

## 2. Amendments to the Strata Title Policies for RS, RT and RM Zones

### 4 Lock-off Unit or Principal Dwelling Unit with Lock-off Unit

In certain R zones, a *lock-off unit* or 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).

## 3. Amendments to the RM-7 and RM-7N Guidelines, RM-7AN Guidelines, RM-8 and RM-8N Guidelines and RM-9, RM-9A, RM-9N, RM-9AN AND RM-9BN Guidelines

### 3 Uses

#### 3.1 Lock-off Units

- (a) The District Schedule permits a “Principal Dwelling with a Lock-off Unit” in multiple dwellings. A lock-off unit is a portion of the main dwelling unit that can be locked off to be used separately or rented out. The intent of allowing lock-off units in a stacked townhouse or rowhouses is to increase the rental stock in the neighbourhood and to provide the option of having a mortgage helper for the owner of the stacked townhouse or rowhouse (similar to the option of having a secondary suite in one- and two-family dwellings).
- (b) A lock-off unit is an optional and flexible use, and therefore the lock-off unit has to be equipped with an internal access to the main unit.
- (c) A lock-off unit cannot be strata-titled (secured by covenant).
- (d) While lock-off units do not require additional vehicle parking, they do need separate bicycle parking (see Section 4.9).
- (e) In order to ensure safety and acceptable standards of liveability, lock-off units have to comply with the **Principal Dwelling Unit with a Lock-off Unit Guidelines**.
- (f) The maximum number of lock-off units in stacked townhouse developments is one lock-off for every three stacked townhouse units.
- (g) The maximum number of lock-off units in rowhouse developments is one lock-off unit for every rowhouse unit.

#### 4.10 Horizontal Angle of Daylight

The Horizontal Angle of Daylight regulation helps to ensure the liveability within a dwelling unit by requiring a window for each room (except bathrooms and small kitchens). Priority is placed on the major living spaces in which longer periods of time are spent, such as living rooms.

- (a) The relaxation of horizontal angle of daylight requirements provided for in the RM-7 and RM-7N Districts Schedule should be used to achieve a minimum standard of natural light access for rooms that are not primary living spaces, such as bedrooms, dens and dining rooms.
- (b) With the exception of lock-off units, the main living space for each dwelling unit should face either a street or a rear yard. Relaxation of the horizontal angle of daylight cannot be considered for primary living spaces (i.e., living rooms).

- (c) To ensure the liveability of rooms at the basement level, the basement floor should not be placed more than 0.9 m (3 ft.) lower than the adjacent exterior grade. A minimum ceiling height of 2.4 m (8 ft.) should be provided.
- (d) In the case of lock-off units, the required distance for an unobstructed view is delineated by the **Principal Dwelling Unit with Lock-Off Unit Guidelines**.

#### 4. Amendments to the RT-11 and RT-11 N Guidelines

##### 1 Application and Intent

These guidelines are to be used in conjunction with the RT-11 and RT-11N District Schedules of the **Zoning and Development By-law** throughout the City. These guidelines should be consulted in seeking conditional approval. As well as assisting the applicant, the guidelines will also be used by City staff in the evaluation of projects.

The intent of these guidelines is to:

- (a) Encourage the development, on sites of sufficient size, of multiple small houses and duplexes in order to introduce a wider variety of housing choice into previously single-family zoned areas;
- (b) Accommodate livable secondary suites, and lock-off units, within limits, in order to provide flexible rental housing choice;
- (c) Ensure neighbourliness while recognizing that the new development's siting is not intended to be the same as earlier development under RS zoning;
- (d) Encourage high quality design, but allowing architectural diversity rather than prescribing any particular architectural character; and
- (e) Require or encourage the retention and renovation of character buildings (refer to 2.1.3 below for a definition of character buildings).

Note: Heritage restoration or rehabilitation to more stringent standards is a voluntary option for any older building, but is not required under these guidelines.

In the RT-11 zones, these guidelines do not apply to:

- (i) a one-family dwelling or a two-family dwelling as the only principal building on a site, which are outright uses with no discretionary floor space, and;
- (ii) a one-family or two-family dwelling with secondary suite, which are conditional uses, as a covenant is required, but have no discretionary elements for which these guidelines need to be applied.

Applicants are advised to consult the **Principal Dwelling Unit with a Lock-off Unit Guidelines** and **Laneway House (LWH) Guidelines** where these dwelling uses are proposed.

##### 3.1 Secondary Suites and Lock-Off Units

- (a) The RT-11 and RT-11N zones permit secondary suites on all sites. Secondary suites are particularly encouraged on non-SH/D lots where the permitted floor space is intended to accommodate secondary suites at the basement level. Secondary suites may be permitted on other levels of a building, assuming that all circulation is maintained inside the building; and
- (b) Lock-off units may be permitted on SH/D sites with a frontage of 18.3 m (60ft.) or greater, and more than two principal buildings. A Lock-off unit is a separate dwelling unit that can be locked off from the principal unit which may be rented out. Lock-off units have to meet minimum size and design standards, as specified in the **Principal Dwelling Unit combined with a Lock-off Unit Guidelines** and Section 10 of the Zoning and Development Bylaw. In order to allow for flexible use of the space, they must have a separate entrance from the exterior or a common foyer, as well as be interconnected with

the principal dwelling unit through an interior door that can be locked off from both sides.

## 5. Amendments to the RM-10 AND RM-10N GUIDELINES

### 3.2 Lock-off Units

- (a) The Districts Schedule permits a “Principal Dwelling with a Lock-off Unit” in multiple dwellings. A lock-off unit is a portion of the main dwelling unit that can be locked off to be used separately or rented out. The intent of allowing lock-off units in multiple dwellings is to increase the rental stock in the neighbourhood and to provide the option of having a mortgage helper for the owner of the unit (similar to the option of having a secondary suite in one- and two-family dwellings).
- (b) Principle dwelling units that provide a lock-off unit may include the lock-off in the bedroom count. That is to say that a 2-bedroom unit with a studio lock-off can be considered a 3-bedroom unit in this district.
- (c) A lock-off unit is an optional and flexible use, and therefore the lock-off unit has to be equipped with an internal access to the main unit.
- (d) A lock-off unit cannot be strata-titled. This is secured by covenant.
- (e) While lock-off units do not require additional vehicle parking, they do need separate bicycle parking.
- (f) In order to ensure safety and acceptable standards of liveability, lock-off units must comply with the **Principal Dwelling Unit with a Lock-off Unit Guidelines**.
- (g) The maximum number of lock-off units in developments is one lock-off for every three units. This may be increased modestly if there is no negative impacts to the livability of the building or the area.

### 4.10 Horizontal Angle of Daylight

The Horizontal Angle of Daylight regulation helps to ensure the liveability within a dwelling unit by requiring a window for each room (except bathrooms and small kitchens). Priority is placed on the major living spaces in which longer periods of time are spent, such as living rooms.

- (a) The relaxation of horizontal angle of daylight requirements provided for in the RM-10 and RM-10N Districts Schedule should be used to achieve a minimum standard of natural light access for rooms that are not primary living spaces, such as bedrooms, dens and dining rooms.
- (b) The main living space for each dwelling unit should face a street, rear yard, or courtyard. Relaxation of the horizontal angle of daylight for primary living spaces (i.e. living rooms) should not reduce the requirement to less than 15.2 m (50 ft.) of uninterrupted sightlines, or 7.3 m (24 ft.) in courtyard developments;
- (c) To ensure the liveability of rooms at the ground level, the floor should not be more than 0.9 m (3 ft.) below the adjacent exterior grade. A minimum ceiling height of 2.7 m (9 ft.) should be provided.
- (d) In the case of lock-off units, the required distance for an unobstructed view is detailed in the **Principal Dwelling Unit with Lock-Off Unit Guidelines**.