REGULATION REDESIGN
PROPOSED AMENDMENTS
TO THE
ZONING & DEVELOPMENT BY-LAW,
VARIOUS OFFICIAL DEVELOPMENT PLANS,
AND THE PARKING BY-LAW

REDLINE VERSION

JUNE 2020

NOTE: This document is being provided for information only as a reference tool to highlight the proposed amendments. The draft amending by-laws attached to the Council report RTS No. 13686 entitled "Regulation Redesign –Amendments to Zoning & Development and Parking By-laws" represent the amendments being proposed to Council for approval. Should there be any discrepancy between this redline version and the draft amending by-laws, the draft amending by-laws prevail.

Summary of Proposed Amendments to the
Zoning and Development By-law, Official Development Plans, and Parking By-law

The following are the key amendments proposed to simplify regulations and improve clarity and consistency in the Zoning and Development By-law (By-law) and various Official Development Plans (ODPs). These amendments are incremental changes toward a more simplified, user-friendly By-law. Minor housekeeping amendments are proposed for the Parking By-law. The amendments are explained in more detail in Council report RTS No. 13686 entitled "Regulation Redesign – Amendments to Zoning & Development and Parking By-laws".

Note: The volume of amendments is a reflection of the repetition of the regulations between district schedules (similar amendments are being proposed in each of 60+ district schedules to create more consistency).

1. Authorities, Administration of Development Permits, Relaxation and Discretion

- Consolidate regulations by topic in sections 3, 4, and 5 of the By-law (authorities, administration of development permits and relaxation and discretion) so they are easier to find (Schedules A, B and C in Appendix A of the Council report include the previous section numbers of each clause for quick reference).
- Clearly spell out the administration of relaxations and variances and when they apply.
- Clarify criteria for when the Director of Planning will refer a development permit application to the Development Permit Board for review.
- To streamline permit processing, amend regulations to enable the Director of Planning, as well as the Development Permit Board, to relax any regulation of the by-law where application would result in unnecessary hardship. A definition for unnecessary hardship is also introduced in section 2 to provide greater clarity and understanding.
- Correct terms related to the application of relaxations ('relax' or 'relaxation') and discretion ('vary' or 'variation') throughout the By-law and ODPs and move regulations to the appropriate section of each district schedule, i.e.:
    - move discretionary clauses currently located in section 5 Relaxations to the appropriate section of by-law (e.g. if they apply to height, move to the section on height)
    - move relaxation clauses to section 5 Relaxations
- Consolidate clauses in RS and RT district schedules which allow variances to regulations to enable the retention of a character house into section 10, general regulations (in existing section on Character Houses) so they are located in one section and easier to find.

2. Balconies, Porches, Decks, Patios, Canopies, and Awnings

- Introduce definitions with illustrations for awning, balcony, enclosed balcony, deck, roof deck, canopy, entry, porch and verandah, and patio in section 2 of the By-law to provide greater clarity and consistency.
- Make balconies more functional by increasing the permitted projection into yards in section 10 of the By-law (allowable proximity to an internal side yard remains unchanged).
- Update terms throughout the By-law and ODPs to align with new definitions and to improve consistency.

- Simplify and clarify regulations for balconies, decks, and entries, porches, and verandas and make them consistent in similar districts:
    - More consistent regulations for the projection of an entry, porch or verandah into the front yard
    - More consistent floor area exclusions which includes increasing floor area exclusions for balconies and decks in some districts to align with the exclusions in newer district schedules
    - Update terms in older district schedules to align with newer/more recently updated schedules and to be more clear
- Combine floor area exclusions for balconies, decks, and entries, porches, and verandahs to provide more flexibility to allocate these spaces.
- Introduce a floor area exclusion for the space below an entry, porch or verandah, which can be used for storage
- Broaden balcony and deck exclusions to apply to non-residential uses to allow outdoor amenity space for employees.

3. Zoning and Development By-law Housekeeping Amendments

- Remove outdated terms and correct references and errors in numbering and spelling.

4. Parking By-law Housekeeping Amendments

- Correct section references, terms and column headings.

Section 2

Definitions

In this By-law, unless the context otherwise requires, the term in the left column of the table below has the meaning provided in the adjacent right column of the table below.

[Note: Individual land uses that fall within one of the twelve defined general land use categories, which are in bold below, are indicated with the corresponding letter and colour as follows: ***(NOTE; for the purposes of identifying changes in the redline document the letter and colour are not shown)***

- **A** Agricultural Uses
- **C** Cultural and Recreational Uses
- **D** Dwelling Uses
- **I** Institutional Uses
- **M** Manufacturing Uses
- **O** Office Uses
- **P** Parking Uses
- **R** Retail Uses
- **S** Service Uses
- **T** Transportation and Storage Uses
- **U** Utility and Communication Uses
- **W** Wholesale Uses

The letter and colour markers are for information purposes only and do not form part of this By-law. Any individual land use that is included in a general land use category and not separately defined will have the ordinary dictionary definition.]

[Note: The content in the right margin is for information purposes only and does not form part of this By-law.]

Term	Definition	
A		
Accessory Building	A building: (a) the use or intended use of which is ancillary to that of the principal building situated on the same site, but does not include an additional dwelling unit to a dwelling unit already existing; or (b) which is ancillary to the principal use being made of the site on which such accessory use is located.	
Accessory Use	A use which is: (a) ancillary to the principal building, or use of the principal building, situated on the same site; or (b) ancillary to the principal use being made of the site upon which such accessory use is located.	
Adult Magazine	Any pamphlet or magazine which: (a) contains a visual image or representation of the pubic, perineal or perianal areas, the buttocks, or the female breast; (b) depicts sexual conduct or sadomasochistic behaviour.	
Adult Retail Store	The use of premises to display or retail either or both of the following: (a) a sex object; (b) adult magazines using more than 3.0 linear metres of shelving, being a maximum of 0.6 m in depth.	
Affordable Housing Share	A financial contribution in an amount per share as specified in the Affordable Housing and Amenity Share Schedule to this By-law, that is paid in exchange for a specified increase in the permitted floor area of a development and that is to be used for the provision of social housing.	
Agricultural Uses	Any or all of the following land uses: Greenhouse; Nursery, Field Crop or Fruit Farm; Stable; Urban Farm – Class A; Urban Farm – Class B.	

Aircraft Landing Place	The use of premises or an open area of water for the taking off or landing of aircraft where any license or permit issued pursuant to the provisions of the *Aeronautics Act* is conditional upon obtaining the approval of the City, or where the consent of the City is required prior to the issuance of the license or permit.	
Amenity Share	A financial contribution in an amount per share as specified in the Affordable Housing and Amenity Share Schedule to this By-law, that is paid in exchange for a specified increase in the permitted floor area of a development, and that is to be used towards the conservation or provision of an amenity as specified in the applicable district schedule regulations.	
Animal Clinic	The use of premises for the care of birds, fish, or animals except horses, including veterinary treatment, grooming, training, breeding or boarding.	
Animal Products Processing	The use of premises for the processing of hides, skins, tankage, feathers, bristles, human hair, or other crude, inedible animal products, or for the tanning, curing, or dressing of furs, hides or skins.	
Arcade	The use of premises for four or more machines on which games are played for amusement or entertainment and for which a coin or token must be inserted or a fee is charged for use.	
Artist Studio	Where used without a qualifier, both an artist studio – class A and an artist studio – class B.	
Artist Studio – Class A	The use of premises for the production of dance, live music, creative writing, painting, drawings, pottery or sculpture, video, moving or still photography, none of which involves amplified sound or one or more of the materials or processes specified under artist studio – class B.	
Artist Studio – Class B	The use of premises for the production of: (a) dance or live music involving electronically amplified sound; (b) moving or still photography (excluding video) involving on-site film processing; or (c) paintings, drawings, pottery or sculpture involving the use of fibreglass, epoxy and other toxic or hazardous materials or one or more of the following processes: welding, woodworking, spray painting, silk screening or fired ceramics.	
Arts and Culture Indoor Event	An event of an artistic or cultural nature, including but not limited to visual, performing, media, literary, craft or interdisciplinary arts, for a maximum of 250 persons, which occurs not more than three days per month in a building.	

Auction Hall	The use of premises for the sale of goods where the purchasers are invited to make competitive bids for the goods offered for sale.	
Awning	A semi-rigid or retractable framed structure that: (a) projects from a building face; (b) generally provides weather and shade protection; (c) is covered in a flexible material; and ~~(b)~~(d) is entirely supported by a building.	
B		
Balcony	A platform providing useable outdoor space that: (a) projects from a building or is recessed into a building; (b) is only accessed from within the building; (c) may be covered by a roof or floor above; and ~~(a)~~(d) is not enclosed, except for a required guard, or where it is recessed between adjacent walls;	
Balcony, Enclosed	A platform that is enclosed on all sides to provide protection from weather or noise that: (a) projects from a building or is recessed into a building; (b) is only accessed from within the building; and, ~~(a)~~(c) is not conditioned by heat or air conditioning.	
Barber Shop or Beauty Salon	The use of premises for the styling, cutting, or chemical treatment of hair.	
Base Surface	That hypothetical surface determined by joining the official established building grades at all corners of the site, provided however that where official established building grades cannot be obtained through application to the City Engineer, existing grades shall be used. For the purpose of measuring the height of a building at any point, the elevation at that point on the base surface shall be determined by interpolating from the official established building grades or, where official established building grades cannot be obtained, from existing grades.	
Basement	A space between two floors, with the lower floor located less than 1.5 m below finished grade and the floor surface of the storey above located not more than 2.0 m above finished grade.	
Beauty and Wellness Centre	The use of premises to improve beauty and wellness through styling, cutting, or chemical treatment of hair and through skin and body treatments, including pedicures, manicures, facials, microdermabrasion, electrolysis, waxing, laser, hydrotherapy, anti-aging, skin rejuvenation therapy, aromatherapy, stone therapy massage, and relaxation massage, but which excludes fitness centre.	

Bed and Breakfast Accommodation	The use of one or two bedrooms in a dwelling unit as temporary accommodation where the room rate includes breakfast provided on the premises, but does not include short term rental accommodation.	
Bingo Hall	The use of premises for the purpose of playing bingo and where the operation is conducted and managed by, and the proceeds are distributed to, one or more charitable organizations, but does not include bingo where the player is not playing the same game and responding to the same caller as and with other players in the hall or the use of player-oriented video lottery terminals or slot machines.	
Board of Variance	The Board of Variance appointed pursuant to the provisions of section 572 of the *Vancouver Charter* (British Columbia).	
Body-rub Parlour	The use of premises for the practice of manipulating, touching or stimulating by any means of a person's body or part thereof but does not include: (a) medical, therapeutic or cosmetic massage treatment given by a person duly licensed or registered under any statute of the Province of British Columbia governing such activities other than the *Vancouver Charter* (British Columbia); or (b) a health enhancement centre.	
Booming Ground	The use of premises or an open area of water for the collection, sorting, booming, rafting or storage of logs.	
Brewing or Distilling	The use of premises for the brewing or distilling of alcoholic beverages or beverage products with alcoholic content exceeding 1% by volume, where the use may involve the milling of grain, rice or malt.	
Building Envelope Professional	A member of the Architectural Institute of British Columbia or the Association of Professional Engineers and Geoscientists of British Columbia.	
Bulk Data Storage	The use of a wholly enclosed building, for the storage of information on operating data servers.	
Bulk Fuel Depot	The use of premises to wholesale gasoline, fuel oil, heating oil, petroleum, propane, kerosene, coal, coke, fuel wood, natural gas or similar fuels.	
C		
Cabaret	The use of premises for dancing by customers and where entertainment may be provided.	
Cannabis Store	The use of premises for the sale of cannabis, including any products containing cannabis, for consumption off premises, and includes a compassion club as defined in the License By-law.	

Canopy	A rigid, roof-like structure that: (a) projects from a building face (b) generally provides weather and shade protection; and ~~(a)~~(c) is entirely supported by the building.	
Cardlock Fuel Station	The use of premises for the sale of motor fuels for vehicles registered as commercial vehicles, where motor fuel is dispensed by the customer who has been supplied with a card, key or other device for the operation of the fuel dispensing equipment.	
Casino – Class 1	The use of premises for the purpose of playing or operating games of chance or mixed chance and skill on which money may be wagered and for which authority has been given under the authority of the *Gaming Control Act* (British Columbia) but does not include player-operated video lottery terminals, slot machines, bingo halls, pari-mutuel betting, non-player-operated video lottery terminals, or casino – class 2.	
Casino – Class 2	The use of premises for the purpose of playing or operating games of chance or mixed chance and skill on which money may be wagered and for which authority has been given under the authority of the *Gaming Control Act* (British Columbia), and may include player-operated video lottery terminals or slot machines, but does not include bingo halls, pari-mutuel betting, and non-player-operated video lottery terminals.	
Catering Establishment	The use of premises for the preparation of food for consumption off premises but does not include a retail store or restaurant selling food directly to the public.	
Cellar	A space between two floors, with the lower floor located 1.5 m or more below finished grade.	
Character House	An existing building that, in the opinion of the Director of Planning, has sufficient heritage character to justify its conservation.	
Chemicals or Chemical Products Manufacturing – Class A	The use of premises for the manufacturing of chemicals, plastics, paints, fertilizers, synthetic rubber, synthetic resins or related chemical products, but does not include linoleum or coated fabrics manufacturing or plastic products manufacturing.	
Chemicals or Chemical Products Manufacturing – Class B	The use of premises for the manufacturing of cosmetics, toilet preparations, pharmaceuticals, medicines, disinfectants, deodorants, soaps, cleaning compounds, polishes, inks, adhesives, household tints or dyes, or similar products, but does not include chemicals or chemical products manufacturing – class A.	
Child Day Care Facility	The use of premises to provide care, supervision, social or educational training to children as defined by the	

	Community Care and Assisted Living Act (British Columbia) and the Child Care Licensing Regulation made pursuant to that Act. It includes but is not limited to group day care, preschool, special needs day care, out of school care, emergency care, child minding or overnight care but does not include the provision of licensed care in premises where up to eight children are cared for.	
Church	The use of premises for religious worship, including, but not limited to a mosque, synagogue, temple, chapel or religious meeting room.	
City Building Inspector	The city official appointed as such by Council or the Chief Building Official appointed as such by Council and includes the authorized representatives of the City Building Inspector.	
Clothing Manufacturing	The use of premises for the manufacturing of clothing or garments, including leather clothing, but does not include plastic products manufacturing, rubber products manufacturing, or shoes or boots manufacturing.	
Club	The use of premises by a non-profit society, association or corporation organized solely for the promotion of some common object and which is operated for club members and their guests only, but does not include church, hospital, social service centre, community care facility and group residence or premises used for residential or administrative purposes.	
Community Care Facility	Where used without a qualifier, both a community care facility – class A and a community care facility – class B.	
Community Care Facility – Class A	The use of premises operated as a community care facility by a licensee under the *Community Care and Assisted Living Act* (British Columbia) to provide residential care to six or fewer persons not related by blood or marriage to the licensee or, if the licensee is a corporation, to any director, officer or member of the corporation.	
Community Care Facility – Class B	The use of premises operated as a community care facility by a licensee under the *Community Care and Assisted Living Act* (British Columbia) to provide residential care to seven or more persons not related by blood or marriage to the licensee or, if the licensee is a corporation, to any director, officer or member of the corporation.	
Comprehensive Development	A development containing any number of buildings or uses or a combination of sites planned or developed in an integrated fashion and requiring special regulations with the approval of Council.	
Creative Products Manufacturing	The use of premises for the creation, development, prototyping and ancillary marketing of products produced in a physical or digital form that are the result of a customised design process, including but not limited to: clothing design, furniture design, industrial	

	product design, technological equipment design, and similar uses.	
Cultural and Recreational Uses	Any or all of the following land uses: Arcade; Artist Studio; Artist Studio – Class A; Artist Studio – Class B; Arts and Culture Indoor Event; Billiard Hall; Bingo Hall; Bowling Alley; Casino – Class 1; Casino – Class 2; Club; Community Centre or Neighbourhood House; Fitness Centre; Fitness Centre – Class 1; Fitness Centre – Class 2; Golf Course or Driving Range; Hall; Library; Marina; Museum or Archives; Park or Playground; Plaza; Riding Ring; Rink [Curling, Ice, Roller]; Stadium or Arena; Swimming Pool; Theatre; Zoo or Botanical Garden.	
D		
Deck	A platform providing useable outdoor space that: (a) projects from a building and is generally supported on posts; (b) is accessed from within the building , and may also be accessed from grade; (c) generally has a surface height, at any point, greater than 600mm above grade; and ~~(a)~~(d) is not enclosed, except for a required guard.	
Detoxification Centre	The use of premises for drug or alcohol detoxification or rehabilitation.	
Development Permit Board	The Development Permit Board of the City established under the provisions of the Development Permit Board and Advisory Panel By-law.	
Digital	The use, design or development of technology to	

Entertainment and Information Communication Technology	process digital information and/or deliver a broad range of digital products and services, including but not limited to business applications, data security, data storage, management and processing, entertainment and gaming, interactive educational, communications, e-commerce, social media, software and mobile applications, and may include the use of information technology and telecommunications infrastructure, for hosting, storing and processing digital media, information and applications.	
Director of Planning	The city official appointed as such by Council and includes the authorized representatives of the Director of Planning.	
Director of Licenses and Inspections	The city official appointed as such by Council and includes the authorized representatives of the Director of Licenses and Inspections.	
Drive-through Service	The use of premises where customers order and receive services, food or other goods in their motor vehicles via one or more designated drive-through lanes, but does not include uses which involve the fuelling, service, repair or washing of vehicles.	
Dwelling Unit	A self-contained housekeeping unit.	
Dwelling Uses	Any or all of the following land uses: Dwelling Unit; Freehold Rowhouse; Infill; Infill Multiple Dwelling; Infill One-Family Dwelling; Infill Two-Family Dwelling; Laneway House; Lock-off Unit; Micro Dwelling; Multiple Conversion Dwelling; Multiple Dwelling; One-Family Dwelling; One-Family Dwelling with Secondary Suite; ~~Principle~~ Principal Dwelling Unit with Lock-off Unit; Rooming House; Secondary Suite; Seniors Supportive or Assisted Housing; Temporary Modular Housing; Two-Family Dwelling; Two-Family Dwelling with Secondary Suite.	
E		
Electrical Products	The use of premises for the manufacturing or	

or Appliances Manufacturing	remanufacturing of small electrical appliances, both electrical and non-electrical major household appliances, lighting fixtures, table or floor lamps, radios, televisions, small component electrical or electronic equipment, electric wire or cable, or transmission cable, but does not include batteries manufacturing or motor vehicle parts manufacturing.	
Entry, Porch and Verandah	A platform that is located at an entrance to a building that: (a) projects from the building or is recessed into the building; (b) is covered by a roof or floor above to provide weather protection; (c) may be supported on posts: (d) is at grade or has stairs from grade; and ~~(a)~~(e) is open, other than with a required guard, on at least one side.	
F		
Family	Either: (a) one or more individuals all related to one another by blood, marriage, or adoption; or (b) a maximum of three unrelated individuals living together as a household. For the purposes of this definition, two people living together in a common-law relationship shall be deemed to be in a marriage relationship and each of the blood relatives of the parties to a common-law relationship shall be considered to be related to the partners and to the other blood relatives thereof.	
Farmers' Market	An open air or fully or partly covered market, for the sale directly by producers or by their representatives who are involved in production, of: local fresh, dried or frozen fruit and vegetables; local dried or frozen meat and seafood; local eggs; local dairy products; local plants; local prepared foods; local ready-to-eat foods; local artisan crafts; or local wine, cider, beer or spirits.	
Financial Institution	The use of premises by banks, credit unions and trust companies.	
Fitness Centre	Where used without a qualifier, both a fitness centre – class 1 and a fitness centre – class 2.	
Fitness Centre – Class 1	The use of premises, which do not exceed 200 m^2 of gross floor area, for the development, on a one-to- one basis or in a group session, of physical fitness including health centres, gymnasia, racket and ball courts, reducing salons, yoga, pilates, weight loss, dance, self-defence, and sports.	
Fitness Centre – Class 2	The use of premises, which exceed 200 m^2 of gross floor area, for the development, on a one-to- one basis or in a group session, of physical fitness including health	

	centres, gymnasia, racket and ball courts, reducing salons, yoga, pilates, weight loss, dance, self-defence, and sports.	
Floor Space Ratio	The figure obtained when the area of the floors of the buildings on a site is divided by the area of the site.	
Food or Beverage Products Manufacturing – Class A	The use of premises for the manufacturing of animal feed or the manufacturing of food or beverage products, but does not include bakery products manufacturing, brewing or distilling, or dairy products manufacturing.	
Food or Beverage Products Manufacturing – Class B	The use of premises for the manufacturing of animal feed or the manufacturing of food or beverage products, where the use does not involve the milling of grain, rice or malt, the refining of sugar, the canning of meat, fish or poultry, the pickling of fruits or vegetables, the refining of vegetable oil, the processing of fats, bones, hides, skins, offal or animal products of a like nature, the use of fish, or the use of live animals or live poultry, but does not include bakery products manufacturing, brewing or distilling, or dairy products manufacturing.	
Freehold Rowhouse	A dwelling unit, in a row of at least three side by side dwelling units, which shares a party wall with an adjoining dwelling unit, and is located on its own lot which abuts a street and a lane.	
Furniture or Appliance Store	The use of premises with a floor area greater than 500 m^2 to retail household furniture, major household appliances, or household furnishings such as carpets and draperies.	
Furniture or Fixtures Manufacturing	The use of premises for the manufacturing of furniture, mattresses or related non-electrical fixtures such as mirrors, curtain rods, cabinets, counters or lampshades, but not stone, concrete or marble furniture.	
G		
Gasoline Station Full Serve	The use of premises for the retail sale of motor fuels and lubricants that are dispensed by an attendant for the customer and where staff are available to provide other services such as checking tire pressure and fluid levels, cleaning windows and doing minor repairs.	
Gasoline Station – Split Island	The use of premises for the retail sale of motor fuels and lubricants that are dispensed by the customer, and which includes at least one pump island at which all types of gasoline and diesel fuels sold by the station are dispensed by an attendant for the customer at all times the station is open for business, and where staff are available to provide other services such as checking tire pressure and fluid levels, cleaning windows and doing minor repairs.	
General Office	The use of premises for any office use, including digital	

	entertainment and information communication technology but does not include financial institution, health care office, health enhancement centre, or temporary sales office.	
Grade	The elevation of the surface of the ground at any point on a site.	
Grade, Existing	The elevation of the surface of the existing undisturbed ground at any point on a site.	
Grade, Finished	The elevation of the surface of the ground at any point on the site of a completed development between the site boundaries and the buildings. For the purpose of determining a basement or cellar, finished grade means the average elevation of the surface of the ground adjoining a building at all exterior walls of a completed development, as determined by the City Building Inspector.	
Grade, Official Established Building	The intended elevations of the street or lane along the property line of the site related to city datum, as established by the City Engineer.	
Grocery or Drug Store	The use of premises to retail food or drugs, including food and drugs manufactured on the premises as an integral part of the retail operation but which excludes neighbourhood grocery store or specialty shops such as bakeries, butchers, delicatessens, candy shops, and ice cream parlours which limit sales to a particular type of food.	
Grocery Store with Liquor Store	A grocery store that has an area of at least 929 m^2, with a liquor store located within it.	
Groundwater	Water occurring below the surface of the ground within voids in a rock or soil matrix.	
Groundwater Management Plan	A written plan that sets out a comprehensive approach to the planning, design, implementation and operation of on-site groundwater management techniques to meet the requirements imposed on the development.	
Groundwater Management System	A system or technique for preventing the discharge of groundwater from a site into the city collection system.	
Group Residence	The use of premises operated as a facility to provide accommodation to six or more persons not related by blood or marriage to the operator of the facility or, if the operator is a corporation, to any director, officer or member of the corporation, where: (a) legislation other than the *Community Care and Assisted Living Act* (British Columbia) requires such persons to reside in the facility, but does not include a facility in a hospital; or (b) the facility provides a rehabilitation program in which all such persons, as a condition of	

	residence, must participate; or (c) the facility provides accommodation for fewer than 30 days, and may provide personal services, but does not include a hotel, rooming house, or boarding house.	
H		
Health Care Office	The use of premises by professions in which persons exercise skill or judgement or provide service related to the preservation or improvement of the physical, mental, or emotional health of individuals, or the treatment or care of individuals who are injured, sick, disabled or infirm, including chiropractors, dentists, optometrists, physicians, surgeons, dental hygienists,	
	dental technicians, denturists, dietitians, licensed practical nurses, massage therapists, midwives, naturopathic physicians, nurses (registered), nurse practitioners, occupational therapists, opticians, physical therapists, psychologists, registered psychiatric nurses, traditional Chinese medicine practitioners, and acupuncturists, and other health care and social service practitioners including counsellors and herbalists but which excludes beauty and wellness centre, detoxification centre, health enhancement centre, hospital, laboratory, social service centre, and community care facility and group residence.	
Health Enhancement Centre	The use of premises to enhance health through therapeutic touch techniques including shiatsu, reflexology, bio kinesiology, hellework, polarity, reiki, rolfing, and trager but which excludes fitness centre, beauty and wellness centre.	
Hen	A domesticated female chicken that is at least four months old.	
Homecraft	A craft or occupation conducted as an accessory use subordinate to the principal residential use of a dwelling unit.	
Hotel	Premises providing temporary accommodation by way of furnished sleeping, housekeeping or dwelling units, but does not include bed and breakfast accommodation or short term rental accommodation.	
Housekeeping Unit	A sleeping unit containing facilities for cooking.	
Hydrogeological Study	A written review, certified by a professional engineer or geoscientist, of the occurrence, distribution and effect of groundwater on a proposed development site and may include a groundwater management plan.	

I		
Impact Assessment	A written report that sets out any potential or realized environmental impacts which may or will result from infiltration or extraction of groundwater on the development site.	
Infill	When used by itself without reference to any other dwelling term, any one or all of the following uses: infill one-family dwelling, infill two-family dwelling, and infill multiple dwelling.	
Infill Multiple Dwelling	A building containing only three or more dwelling units on a site already containing one or more existing buildings some or all of which are retained, but does not include a community care facility and group residence.	
Infill One-Family Dwelling	A building consisting of only one dwelling unit on a site already containing one or more existing buildings some or all of which are retained.	
Infill Two-Family Dwelling	A building consisting of only two dwelling units on a site already containing one or more existing buildings some or all of which are retained.	
Information Communication Technology Manufacturing	The production of electrical, electronic or communications equipment, including but not limited to computer-enabled devices, computer hardware, infrastructure, semiconductors, fibre cables and telecommunications equipment.	
Institutional Uses	Any or all of the following land uses: Ambulance Station; Child Day Care Facility; Church; Community Care Facility; Community Care Facility – Class A; Community Care Facility – Class B; Detoxification Centre; Group Residence; Hospital; Public Authority Use; School – Elementary or Secondary; School – University or College; Social Service Centre.	
J		
Jewellery Manufacturing	The use of premises for the manufacturing of jewellery, metal badges, silverware, or precious metal alloys or products, the cutting or polishing of industrial diamonds, plating with precious metals, lapidary work, or engraving on metals except for printing purposes.	
Junk Yard or Shop	The use of premises for the sale of scrap or waste	

	materials such as rubber, tires, metal, paper, sacks, wire, ropes, rags, machinery, or motor vehicle parts, including associated wrecking, dismantling, recycling or processing.	
L		
Laboratory	The use of premises not providing service directly to the public for the provision of analytical, research, or testing services, including biotechnologies and energy and environmental technologies, but does not include photofinishing or photography laboratory.	
Lane	A public thoroughfare or way not more than 10.1 m in width which affords only a secondary means of access to a site, at the side or rear.	
Laneway House	A detached one-family dwelling constructed in the rear yard of a site on which is situate a one-family dwelling or one-family dwelling with secondary suite.	
Laundromat or Dry Cleaning Establishment	The use of premises with a maximum floor area of 300 m^2 for the laundering or cleaning of clothing, draperies or related small household goods.	
Laundry or Cleaning Plant	The use of premises for the laundering, cleaning or dying of textiles, knit goods, draperies, clothing, garments, or related goods, but does not include laundromat or dry cleaning establishment.	
Leather Products Manufacturing	The use of premises for the manufacturing of luggage, handbags or small leather goods, but does not include animal products processing, clothing manufacturing, or shoes or boots manufacturing.	
Linoleum or Coated Fabrics Manufacturing	The use of premises for the manufacturing of linoleum, oil cloth, artificial leather, asphalt-felt-base floor covering, pyroxylin or vinyl-coated fabrics or other similar coated fabrics.	
Liquor Store	The use of premises for the sale of beer, wine, spirits, or other products that are intended for human consumption, containing more than 1% alcohol by volume, for consumption off premises.	

Live-Work Use	The use of premises for: (a) a dwelling unit; (b) general office, health care office, barber shop or beauty salon, photofinishing or photography studio, or artist studio – class A; or (c) any use referred to in subsection (b) in conjunction with a dwelling unit use, but does not include: (d) any dating service, entertainment service, exotic dancer business, social escort business, or other similar business, as determined by the Director of Planning in consultation with the Chief License Inspector; or (e) any tattooing, piercing, branding, or other similar service, as determined by the Director of Planning in consultation with the Vancouver Coastal Health Authority.	
Lock-off Unit	A smaller dwelling unit within a larger principal dwelling unit, which must have separate external access and shared internal access, and which can be locked off from the larger dwelling unit, but does not include a secondary suite.	
Locked in Lots	A lot or lots that, as a result of development of any adjoining lots, is or are unlikely to be consolidated with an adjoining lot to increase the site size.	
Low Operational Cost Housing	A building that is designed for certification under the Passive House standard or the International Living Future Institute's Zero Energy standard in order to lower energy use, reduce greenhouse gas emissions and energy costs, and is therefore considered to be a form of affordable housing under section 565.1(2) (b) of the *Vancouver Charter* (British Columbia).	
Lumber and Building Materials Establishment	The use of premises to wholesale and retail merchandise consisting primarily of lumber, plywood, millwork and related building materials.	
M		
Machinery or Equipment Manufacturing	The use of premises for the manufacturing of machinery or equipment primarily intended for industrial or commercial use, including business or office equipment only secondarily intended for household use, but does not include electrical products or appliances manufacturing, motor vehicle parts manufacturing, or transportation equipment manufacturing.	

Manufacturing Uses	Any or all of the following land uses: Animal Products Processing; Bakery Products Manufacturing; Batteries Manufacturing; Brewing or Distilling; Chemicals or Chemical Products Manufacturing – Class A; Chemicals or Chemical Products Manufacturing – Class B; Clothing Manufacturing; Creative Products Manufacturing; Dairy Products Manufacturing; Electrical Products or Appliances Manufacturing; Food or Beverage Products Manufacturing – Class A; Food or Beverage Products Manufacturing – Class B; Furniture or Fixtures Manufacturing; Ice Manufacturing; Information Communication Technology Manufacturing; Jewellery Manufacturing; Leather Products Manufacturing; Linoleum or Coated Fabrics Manufacturing; Machinery or Equipment Manufacturing; Metal Products Manufacturing – Class A; Metal Products Manufacturing – Class B; Miscellaneous Products Manufacturing – Class A; Miscellaneous Products Manufacturing – Class B; Motor Vehicle Parts Manufacturing; Non-metallic Mineral Products Manufacturing – Class A; Non-metallic Mineral Products Manufacturing – Class B; Paper Manufacturing; Paper Products Manufacturing; Petroleum Products or Coal Products Manufacturing; Plastic Products Manufacturing; Printing or Publishing; Pulp Manufacturing; Rubber Manufacturing; Rubber Products Manufacturing; Shoes or Boots Manufacturing; Textiles or Knit Goods Manufacturing; Tobacco Products Manufacturing; Transportation Equipment Manufacturing; Vegetable Oil Manufacturing; Wood Products Manufacturing – Class A; Wood	

	Products Manufacturing – Class B.	
Marina	The use of premises for the mooring of pleasure craft, but does not include repairing or building boats.	
Marine Terminal or Berth	The use of premises for the mooring of boats, ships, float planes, ferries and other water vessels, but not including pleasure craft, for the land or water trans- shipment of goods or transfer of passengers, for the operations of a water taxi service, piloting service, boat rental or charter service, or for related marine services including stevedoring, salvaging, dredging or diving.	
Metal Products Manufacturing – Class A	The use of premises for the manufacturing of metal ingots, shapes, pigs or powders from ore or scrap, for the alloying, extruding, casting or rolling of metals, or for the manufacturing of metal structural shapes or metal castings, but does not include jewellery manufacturing.	
Metal Products Manufacturing – Class B	The use of premises for the manufacturing of boilers, metal tanks, fabricated structural metal products, non-electrical wire or wire products, hardware, tools, cutlery, heating equipment or other fabricated metal products, or for the machining, stamping, pressing, coating, welding or smithing of metal or metal products, but does not include electrical products or appliances manufacturing, machinery or equipment manufacturing, metal products manufacturing – class A, motor vehicle parts manufacturing, or transportation equipment manufacturing.	
Micro Dwelling	A self-contained residential unit which measures no less than 23.2 m^2 and no more than 29.7 m^2.	
Mini-storage Warehouse	The use of a wholly enclosed building for the storage of personal property in self-contained, self-storage units, each of which units has separate and exclusive access from either the exterior or interior of the building.	
Miscellaneous Products Manufacturing – Class A	The use of premises for the manufacturing of any product not included in any other manufacturing uses included in this section 2.	
Miscellaneous Products Manufacturing – Class B	The use of premises for the manufacturing of toys, games, bicycles, novelties, ornaments, decorations, brooms, brushes, scientific or professional equipment, dentures and dental supplies, eyeglasses, contact lenses, orthopaedic and other health care devices, clocks, signs, displays, sporting goods, recreational equipment, musical instruments, office or artists' supplies other than paper products, marking devices, awnings, window shades, blinds, umbrellas, notions, or wax products not involving the manufacturing of wax.	

Motor Vehicle Parts Manufacturing	The use of premises for the manufacturing of parts for motor vehicles, but does not include batteries manufacturing, rubber manufacturing, or rubber products manufacturing.	
Motor Vehicle Repair Shop	The use of premises for the repairing of motor vehicles or motor vehicle parts including tires, or for the painting or repairing of motor vehicle bodies.	
Motor Vehicle Wash	The use of premises for the washing of motor vehicles.	
Multiple Conversion Dwelling	A building converted to contain only two or more residential units, but does not include a community care facility and group residence or a one-family dwelling with secondary suite.	
Multiple Dwelling	A building containing only three or more dwelling units, but does not include a multiple conversion dwelling or a community care facility, and group residence.	
Mural	A use of land constituting a work of art or graphic depiction of any kind which is painted, inscribed, inlaid or otherwise placed on, affixed to, or formed as an element of the design of an exterior wall, roof, fence, or hoarding, but does not include a sign as defined in the Sign By-law.	
N		
Neighbourhood Grocery Store	The use of premises in a residential district for the primary purpose of selling groceries and convenience goods, and may include selling and serving prepared food and beverages for consumption on or off the premises, but does not include the sale of beer, wine, spirits, or other products that are intended for human consumption, containing more than 1% alcohol by volume.	
Non-metallic Mineral Products Manufacturing – Class A	The use of premises for the manufacturing of cement, clay, concrete, gypsum, glass, stone products, clay or concrete bricks, tiles or blocks, or other non-metallic mineral products.	
Non-metallic Mineral Products Manufacturing – Class B	The use of premises for the manufacturing of china, crockery, porcelain products, stone or concrete furniture or monuments, statuary, glass or glass products other than within glassworks, or abrasives, but does not include non-metallic mineral products manufacturing – class A.	
Nursery, Field Crop or Fruit Farm	The use of land for the growing of plants, shrubs, trees, vegetables, field crops, berry or bush crops, or orchard crops.	
O		
Office Uses	Any or all of the following land uses: Financial Institution; General Office; Health	

	Care Office; Health Enhancement Centre; Temporary Sales Office.	
One-Family Dwelling	A building containing only one dwelling unit.	
One-Family Dwelling with Secondary Suite	A building containing only two dwelling units, a larger principal dwelling unit and a smaller secondary suite, but does not include an infill one-family dwelling, infill two-family dwelling, multiple conversion dwelling, principal dwelling unit with lock-off unit, two-family dwelling, or two-family dwelling with secondary suite.	
P		
Packaging Plant	The use of premises for the boxing, crating or related packaging of goods or material brought specifically to the premises for that purpose.	
Paper Manufacturing	The use of premises for the manufacturing of paper.	
Paper Products Manufacturing	The use of premises for the manufacturing of paper products, but does not include paper manufacturing, pulp manufacturing, petroleum products or coal products manufacturing, or printing or publishing.	
Parking Area	An open area of land other than a street or lane, used or intended to be used to provide space for the parking or storage of motor vehicles, and includes parking spaces, loading spaces, manoeuvring aisles and other areas providing access to parking or loading spaces, but does not mean an area providing no more than four spaces accessory to a residential use.	
Parking Garage	A structure or a portion of a structure which is principally used or intended to be used for the parking or storage of motor vehicles, but does not mean a structure providing no more than four spaces accessory to a residential use.	
Parking Uses	Any or all of the following land uses: Parking Area; Parking Garage.	
Passive House	A building that has been designed to meet the Passive House standard and achieve certification by the Passive House Institute of Darmstadt, Germany, as verified by a Passive House building certifier.	
Passive House Building Certifier	A person internationally accredited by the Passive House Institute in Darmstadt, Germany for the purpose of certifying buildings as being designed in accordance with its Passive House standards.	
Patio	A platform providing useable outdoor space that: (a) is not enclosed; and ~~(a)~~(b) generally has a surface height, at any point, no greater than 600 mm above finished grade.	
Pawnshop	The use of premises for the retailing of goods and	

	chattels in pawn.	
Petroleum Products or Coal Products Manufacturing	The use of premises for the manufacturing of petroleum products, coal products, tar products or derivatives, tarpaper or asphalt roofing or siding material, and for the recycling or re-refining of oil.	
Photofinishing or Photography Laboratory	The use of premises for photofinishing or photography but does not include photofinishing or photography studio.	
Photofinishing or Photography Studio	The use of premises with a maximum floor area of 300 m^2 for photofinishing or portrait photography.	
Plastic Products Manufacturing	The use of premises for the manufacturing of plastic products, including plastic clothing and footwear, but does not include chemicals or chemical products manufacturing – class A.	
Plaza	An open space for use by the public, generally provided with amenities such as seating, drinking and ornamental fountains, weather-proofing, art, trees, and landscaping. Plazas may support passive or active uses. Plazas may be publicly owned, or privately owned with a secured right-of-access for the public.	
Porch	See definition for Entry, Porch and Verandah	
Principal Dwelling Unit with Lock-off Unit	A larger principal dwelling unit, containing a smaller dwelling unit which must have separate external access and shared internal access, and which can be locked off from the larger principal dwelling unit.	
Print Shop	The use of premises with a maximum floor area of 300 m^2 for printing or lithographing.	
Printing or Publishing	The use of premises for printing, lithographing, or silkscreen printing; for platemaking or engraving as allied to the printing or publishing industries; for the publishing and printing of newspapers, magazines, periodicals, books, almanacs, maps, guidelines, pamphlets, flyers, or similar matter; or for book binding and associated binding operations as allied to the printing or publishing industries; but does not include print shop.	
Production or Rehearsal Studio	The use of premises for the production of motion pictures, videos, television or radio programs or sound recordings or for the rehearsal of dance, music or drama, but does not involve the presence of an audience and does not include artist studio – class A, artist studio – class B, or theatre.	
Public Bike Share	A use of premises that provides the general public with an opportunity to rent bicycles through an automated system, on a short-term basis for use within the City as part of a network comprised of no fewer than 50 public bike share stations located on separate sites.	

Public Bike Share Station	A bicycle sharing facility where bicycles are stored and from which the general public may rent and return bicycles and other objects or equipment necessary for or appurtenant to the operation of a public bike share service.	
Pulp Manufacturing	The use of premises for the manufacturing of pulp, woodfibre, fibreboard or paperboard.	
R		
Radio-communication Station	The use of premises for the transmitting or receiving of radio, television, satellite, microwave or related communications, but not when used for domestic purposes.	
Railway Station or Rail Yard	The use of premises as a depot or station for passengers awaiting use of rail transport (non- commuter), for the servicing, cleaning or live storage of railroad cars, engines and other rolling stock, for the marshalling of trains, and including related storage of goods pending transport.	
Rainwater	Rainfall and other natural precipitation.	
Rainwater drainage	Runoff resulting from rainwater or from melting snow or ice.	
Rainwater Management Plan	A hydrological and hydraulic study, certified by a professional engineer, that sets out a comprehensive approach to the planning, design, implementation and operation of a rainwater management system in a manner that balances and optimizes environmental impacts and drainage efficiency and sets out the size, location and configuration of the rainwater management system on the site as well as associated methodology, calculations, and plan drawings that demonstrate how the requirements imposed on the development will be met.	
Rainwater Management System	A system for collecting, retaining, detaining, treating or conveying rainwater and rainwater drainage, including catch basins, sewers and pumps and the storm drainage facilities, structures or devices used for storage, management and treatment to buffer the effects of runoff or improve the quality of the rainwater and rainwater drainage, including natural ecosystem based facilities, structures, and devices.	
Recycling Depot	The use of premises for the collection and sorting of garbage, and the packaging of paper, newspapers, clothing, cans, or bottles and similar domestic or commercial garbage, but does not include animal products processing, junk yard or shop, or waste disposal facility.	
Rental Housing Unit	For the purposes of section 3.3.6 of this By-law, and for	

	the purposes of section 3.3.1 of the RM-2, RM-3, RM-3A, RM-4 and RM-4N District Schedules, section 3.3.4 of the RM-5, RM-5A, RM-5B, RM-5C and RM-5D Districts Schedule, and section 3.3.2 of the RM-6, and FM-1 District Schedules, a dwelling unit, housekeeping unit, or sleeping unit on a site that a tenant rents, or has rented, for the purpose of living accommodation but does not include a unit rented by a not for profit housing cooperative to a member of the cooperative, a unit in a community care facility or group residence, a unit in a hotel, or units in a strata- titled building where the majority of the units were within the last three years individually owned and: (a) for which a petition has been filed with the Supreme Court of BC to dissolve the strata corporation; or (b) for which all the strata lots within the corporation are now under single ownership.	
Repair Shop – Class A	The use of premises for the repairing of products or goods not included in motor vehicle repair shop or repair shop – class B.	
Repair Shop – Class B	The use of premises for the repairing of household goods, including, but not limited to, the repairing of jewellery, leather goods, sporting goods, clothing, shoes, toys, bicycles or other household items capable of being carried to the premises by the customer, or for the sharpening of blades, cutting of keys, or re-upholstering or mending of household furniture.	
Residential Rental Accommodation	Any building or part thereof which (a) is being used; or (b) having been used, has ceased to be used, as habitable living accommodation on a landlord and tenant basis; but does not apply to any building which has been lawfully changed to any other use from such use prior to the 26th of October, 1989.	
Residential Storage Space	Floor area within or accessory to a dwelling unit, used to store personal items such as recreation equipment, tires, barbecues, suitcases, miscellaneous household articles, and similar items, but does not include floor area for clothes closets, linen closets, or kitchen or bathroom cupboards.	
Residential Unit	A sleeping unit, housekeeping unit or dwelling unit.	
Restaurant	Where used without a qualifier, both a restaurant – class 1 and a restaurant – class 2.	
Restaurant – Class 1	The use of premises for the primary purpose of selling and serving prepared food to the public during all hours of operation, where the premises include at least 17 indoor or outdoor seats for customers consuming food	

	purchased on the premises, and where live entertainment, including the use of non-amplified or amplified musical instruments and disc jockey mixing turntables, but excluding patron participation such as karaoke, dancing and open microphone performing, may be available.	
Restaurant – Class 2	The use of premises for the primary purpose of selling and serving prepared food to the public during all hours of operation, where the premises include at least 17 indoor or outdoor seats for customers consuming food purchased on the premises, and where live entertainment, including the use of non-amplified or amplified musical instruments and disc jockey mixing turntables and patron participation such as karaoke, dancing and open microphone performing may be available.	
Restaurant – Drive-in	The use of premises for the sale of prepared food to the public where parking is provided and customers are encouraged to eat in their motor vehicles on the site, but does not include drive-through service.	
Retail	To offer to sell or rent, or to sell or rent, merchandise to a consumer who buys or rents the merchandise as the ultimate consumer or end user, being the last person in the chain of distribution, for personal consumption or use and not for further sale or rent.	
Retail Store	The use of premises to retail merchandise, including merchandise manufactured on the premises, if the total floor area used for manufacturing does not exceed 300 m^2, but which excludes any other retail uses listed in this section 2 or included in a lumber and building materials establishment.	
Retail Uses	Any or all of the following land uses: Adult Retail Store; Cannabis Store; Farmers' Market; Furniture or Appliance Store; Gasoline Station – Full Serve; Gasoline Station – Split Island; Grocery or Drug Store; Grocery Store with Liquor Store; Liquor Store; Neighbourhood Grocery Store; Pawnshop; Public Bike Share; Retail Store; Secondhand Store; Small-scale Pharmacy;	

	Vehicle Dealer.	
Riding Ring	The use of a building for practising equestrian skills.	
Roof Deck	A platform providing useable outdoor space that: (a) is located in such a way as to form a roof over an existing or proposed floor below; (b) is primarily accessed from within a building; (c) is not covered; (d) is not enclosed, except for a required guard, or where it is located next to a portion of the same building or an adjacent building; and ~~(e)~~(e) may include a garden or planted area.	
Rooming House	A building containing three or more sleeping units, but does not include a multiple conversion dwelling or a community care facility and group residence.	
Rubber Manufacturing	The use of premises for the manufacturing of rubber from raw material or for the manufacturing of tires.	
Rubber Products Manufacturing	The use of premises for the manufacturing of rubber products, including rubber clothing and footwear, or for the retreading of tires, but does not include rubber manufacturing.	
S		
School – Arts or Self-Improvement	The use of premises for training or instruction other than as included in any other use in this By-law, including, but not limited to, training or instruction in drama, music, art, driving, cooking, sewing, language, or similar forms of self-improvement.	
School – Business	The use of premises for training or instruction in business skills, including, but not limited to, secretarial, teller, bookkeeping, key punching, computer programming, business machine operating or general sales skills, but does not include school – elementary or secondary, or school – university or college.	
School – Vocational or Trade	The use of premises for training or instruction in particular vocations or trades, including, but not limited to, barbering, beauty culture, hairdressing, broadcasting, charm or modelling, salesmanship in a particular vocation, driving (commercial transport), piloting (commercial transport), woodworking, metalworking, construction or other trade or technical occupations or vocations, but does not include school - elementary or secondary, or school - university or college.	
Secondary Suite	A smaller dwelling unit within a larger one-family dwelling or two-family dwelling, which must have separate external access and may have shared internal access, but does not include a lock-off unit.	
Secondhand Store	The use of more than 2.5 m^2 of floor area in premises for the retailing of	

	(a) used electronic equipment, including, but not limited to, audio or video equipment or accessories, computers, printers or fax machines;or (b) two or more of the following types of used merchandise: bicycles, sports equipment, luggage, jewellery, cameras, musical equipment or tools.	
Secured Market Rental Housing	A development or part of a development, used only as market rental housing, which has a covenant or housing agreement registered against title restricting its use to market rental housing, for the longer of 60 years or the life of the building, or for such other term as may be agreed upon by the City and the owner.	
Seniors Supportive or Assisted Housing	The use of a building for residential units designed to accommodate seniors as they age including separate common areas for dining and socializing, and the provision of meals, housekeeping and personal care but does not include a community care facility and group residence.	
~~Service Bay~~	~~An automotive mechanical service and repair facility which is completely enclosed within a building, offers services and repairs such as carburetor and ignition servicing, muffler installing, brake relining, wheel balancing, front-end alignment and similar services, and is maintained in an operable condition.~~	
Service Uses	Any or all of the following land uses: Animal Clinic; Auction Hall; Barber Shop or Beauty Salon; Beauty and Wellness Centre; Bed and Breakfast Accommodation; Body-rub Parlour; Cabaret; Catering Establishment; Drive-through Service; Funeral Home; Hotel; Laboratory; Laundromat or Dry Cleaning Establishment; Laundry or Cleaning Plant; Motor Vehicle Repair Shop; Motor Vehicle Wash; Neighbourhood Public House; Photofinishing or Photography Laboratory; Photofinishing or Photography Studio; Print Shop; Production or Rehearsal Studio;	

	Repair Shop – Class A; Repair Shop – Class B; Restaurant; Restaurant – Class 1; Restaurant – Class 2; Restaurant – Drive-in; School – Arts or Self-Improvement; School – Business; School – Vocational or Trade; Short Term Rental Accommodation; Sign Painting Shop; Wedding Chapel; Work Shop.	
Sex Object	Any of the following: (a) a replica of a penis, vagina, buttocks, anus, or female breast; (b) a device, machine or instrument intended for the stimulation primarily of the penis, the vagina or the anus by vibration or suction;	
	(c) a pill, lotion or other medication intended to prolong or enhance the erection of the penis or the desire for sex, except when dispensed by or under the direction of a pharmacist licensed by the College of Pharmacists of British Columbia; and (d) a whip or implement intended for use in the enactment of human bondage or sadomasochistic activities when displayed in conjunction with or on the same premises as any of the objects referred to in clauses (a), (b) or (c) above.	
Shoes or Boots Manufacturing	The use of premises for the manufacturing of shoes or boots, including leather footwear, but does not include plastic products manufacturing or rubber products manufacturing.	
Short Term Rental Accommodation	The use of a dwelling unit, or one or more bedrooms in a dwelling unit, as temporary accommodation, but does not include bed and breakfast accommodation or hotel.	
Site	An area of land consisting of one or more adjoining parcels or lots abutting on a street not being a lane, but does not include a strata lot or a leasehold parcel created under section 99(1)(k) of the *Land Title Act* (British Columbia).	
Site, Corner	A site located at the intersection or junction of two or more streets.	
Site, Double Fronting	A site abutting two parallel or approximately parallel streets.	

Sleeping Unit	One or more rooms equipped to be used for sleeping and sitting purposes.	
Small-scale Pharmacy	A drug store that has a total gross store area of less than 600 m^2.	

Social Housing	Rental housing: (a) in which at least 30% of the dwelling units are occupied by households with incomes below housing income limits, as set out in the current "Housing Income Limits" table published by the British Columbia Housing Management Commission, or equivalent publication; (b) which is owned by a non-profit corporation, by a non-profit co-operative association, or by or on behalf of the City, the Province of British Columbia, or Canada; and (c) in respect of which the registered owner or ground lessee of the freehold or leasehold title to the land on which the housing is situate has granted to the City a section 219 covenant, housing agreement, or other security for the housing commitments required by the City, registered against the freehold or leasehold title, with such priority of registration as the City may require; except that in the HA-2 District; in the area of the FC-1 District located north of National Avenue; in the area of the M-1, I-2, RT-3 and RM-3A Districts located north of Venables Street, Malkin Avenue and Prior Street, south of Hastings Street, east of Gore Avenue and west of Clark Drive; in the Downtown Eastside Oppenheimer District; and in the area of the Downtown District denoted as C2 on Map 1 of the Downtown Official Development Plan; social housing means rental housing: (d) in which at least one third of the dwelling units are occupied by persons eligible for either Income Assistance or a combination of basic Old Age Security pension and Guaranteed Income Supplement and are rented at rates no higher than the shelter component of Income Assistance; (e) which is owned by a non-profit corporation, by a non-profit co-operative association, or by or on behalf of the City, the Province of British Columbia, or Canada; and in respect of which the registered owner or ground lessee of the freehold or leasehold title to the land on which the housing is situate has granted to the City a section 219 covenant, housing agreement, or other security for the housing commitments required by the City, registered against the freehold or leasehold title, with such priority of registration as the City may require.	
Social Service Centre	The use of premises by a non-profit society: (a) providing information, referral, counselling, advocacy or health care services; or	

	(b) dispensing aid in the nature of food or clothing; or (c) providing drop in or activity space, but does not include premises used for residential purposes or detoxification centre.	
Stable	The use of premises for the keeping, breeding, raising, training or boarding of horses, but does not include a riding ring.	
Storage Warehouse	The use of a wholly enclosed building, or portion thereof, for the storage of goods, material, machinery, or equipment, but not any storage that is ancillary to a principal use of premises, but does not include cold storage plant or grain elevator.	
Storage Yard	The use of a partially enclosed building, or portion thereof, or an open area of land for the storage of goods, material, machinery or equipment, but not any storage that is ancillary to a principal use of the premises.	
Storey	That portion of a building which is situated between the surface of any floor and the surface of the floor next above it and, if there is no floor above it, that portion between the surface of such floor and the ceiling surface above it. A storey shall not include a basement or cellar.	
Storey, Half-	The uppermost level of a building where the floor area, existing, proposed or as may be extended over open-to-below space, and having a minimum ceiling height of 1.2 m, does not exceed 50% of the storey immediately below.	
T		
Taxicab or Limousine Station	The use of premises as a base of operations for a taxicab, limousine, charter bus, or other land-vehicle passenger transport service, or for a pilot car service.	
Temporary Modular Housing	Demountable structures, not permanently affixed to land, containing three or more residential units and accessory uses, but does not include a multiple conversion dwelling, community care facility or group residence.	
Temporary Sales Office	The use of a building in a RS or RT district, for a period not exceeding three years, for the sole purpose of marketing and selling dwelling units associated with a residential development.	
Textiles or Knit Goods Manufacturing	The use of premises for the manufacturing of textiles, textile products or knit goods, including, but not limited to, carpets, mats, rugs, canvas products, cotton bags, jute bags, automobile fabrics, draperies, silk fabrics, linen fabrics, thread, cordage, twine or similar products, but does not include clothing manufacturing, or linoleum or coated fabrics manufacturing.	

Theatre	A facility for performing arts, motion pictures, other media arts or presentations before a live audience, excluding cabaret.	
Transportation and Storage Uses	Any or all of the following land uses: Aircraft Landing Place; Booming Ground; Bulk Data Storage; Cold Storage Plant; Grain Elevator; Marine Terminal or Berth; Mini-storage Warehouse; Packaging Plant; Railway Station or Rail Yard; Stockyard; Storage Warehouse; Storage Yard; Taxicab or Limousine Station; Truck Terminal or Courier Depot; Weighing or Inspection Station; Works Yard.	
Transportation Equipment Manufacturing	The use of premises for the manufacturing of aircraft, railroad rolling stock, ships, boats, truck or bus bodies, truck trailers, snowmobiles or motor vehicles.	
Truck Terminal or Courier Depot	The use of premises for the parking and servicing of trailers, containers, trucks and other motor vehicles involved in commercial transport, cartage, moving, delivery or related goods movement.	
Two-Family Dwelling	A building containing only two dwelling units, but does not include a multiple conversion dwelling or a one-family dwelling with secondary suite.	
Two-Family Dwelling with Secondary Suite	A building containing two larger principal dwelling units, one of which must contain and one of which may contain a smaller secondary suite, but does not include an infill one-family dwelling, infill two-family dwelling, multiple conversion dwelling, multiple dwelling, or principal dwelling unit with lock-off unit.	
U		
Unnecessary Hardship	Hardship that results from unique physical circumstances that are peculiar to the site and does not include mere inconvenience, preference for a more lenient standard or a more profitable use, or self-induced hardship resulting from the actions of the owner or applicant.	
Urban Farm – Class A	The use of land, with or without a principal building, for the cultivation of fruits or vegetables for sale.	
Urban Farm –	The use of land or premises for the cultivation of fruits or	

Class B	vegetables for sale, and of which part or all of the use may take place in a greenhouse or other structure, and may include on-site sales.	
Under-utilized Lots	A lot or lots in RT-5, RT-5N and RT-6 districts under developed to less than 0.45 FSR on January 16, 2018, but excludes lots on the Council approved Vancouver Heritage Register.	
Utility and Communication Uses	Any or all of the following land uses: Public Utility; Radiocommunication Station; Recycling Depot; Waste Disposal Facility.	
V		
Vehicle Dealer	The use of premises to retail motor vehicles, boats, or recreational trailers.	
Verandah	See definition for Entry, Porch and Verandah	
W		
Waste Disposal Facility	The use of premises for the treatment, reduction, recycling, incineration or disposal of refuse, garbage, sewage or other waste material, but does not include animal products processing, junk yard or shop, or recycling depot.	
Water Table	The level below which the ground is saturated with water at a pressure of one atmosphere or greater.	
Wedding Chapel	The use of premises for wedding ceremonies only.	
Weighing or Inspection Station	The use of premises for the weighing or inspection of vehicles.	
Wholesale	To offer to sell or rent, or to sell or rent, merchandise other than at retail.	
Wholesale Uses	Any or all of the following land uses: Bulk Fuel Depot; Cardlock Fuel Station; Junk Yard or Shop; Lumber and Building Materials Establishment; Wholesaling – Class A; Wholesaling – Class B.	
Wholesaling – Class A	The use of premises to wholesale merchandise where the operator of the premises keeps merchandise for sale or rent on the premises and the floor area for storage space exceeds the floor area for showroom or display space, but which excludes any other wholesale uses included in this section 2.	
Wholesaling – Class B	The use of premises to wholesale merchandise where the operator of the premises keeps merchandise for sale or rent on the premises and the floor area for showroom or	

	display space exceeds the floor area for storage space, but which excludes any other wholesale uses listed in this section 2 and an office for an import agent or broker, manufacturer's agent or similar establishment.	
Wood Products Manufacturing – Class A	The use of premises for the manufacturing of wood products which involves the use or milling of logs, including, but not limited to the operations of sawmills, planing mills, shingle mills, veneer mills or plywood mills, but does not include paper manufacturing or pulp manufacturing.	
Wood Products Manufacturing – Class B	The use of premises for the manufacturing of wood products which does not involve the use or milling of logs, but does not include furniture or fixtures manufacturing, paper manufacturing, pulp manufacturing, or wood products manufacturing – class A.	
Work Shop	The use of wholly enclosed premises for the storing, maintenance, and assembly of equipment and material for audio, electrical, plumbing, construction, and related trades.	
Works Yard	The use of a partially enclosed building, or a portion thereof, or an open area of land for the storing, repairing, or cleaning of supplies, materials, equipment, or vehicles of any business which conducts construction, installation, cleaning, repair or other industrial trade services off-site.	
Y		
Yard, Exterior Side	That portion of a corner site extending from the front yard to the rear yard and lying between the side property line adjacent to the flanking street and the closest side of the principal building.	
Yard, Front	That part of the site lying between the front property line and the front of the principal building and extending across the full width of the site.	
Yard, Rear	That part of the site lying between the rear property line and the rear of the principal building and extending across the full width of the site.	
Yard, Side	That part of the site extending from the front yard to the rear yard and lying between the side property line and the closest side of the principal building.	

Section 3

~~Administration~~

Authorities

3.1 Authorities

3.1.1 Except as otherwise provided in this By-law, the Director of Planning, the City Building Inspector and the Director of Licenses and Inspections are authorized to:

(a) administer and enforce the provisions of this ~~by-law~~ By-law; and
(b) ensure that all projects in respect of which a development permit is issued are carried out in conformity with the terms of such development permit.

3.1.2 The Development Permit Board is authorized to carry out those functions delegated to the Development Permit Board in this By-law.

3.1.3 The Director of Planning is authorized to keep copies of all development permit applications, correspondence, permits and orders issued, inspections and documents connected with the administration of this By-law.

3.1.4 The Director of Planning is authorized to provide plans and documents filed pursuant to the provisions of this By-law for inspection, subject to the provisions of the Freedom of Information and Protection of Privacy Act (British Columbia).

3.1.5 The Director of Planning may charge a fee as set out in the ~~Fee Schedule~~ Miscellaneous Fees By-law, payable in advance, for the inspection of records referred to in Section 3.1.4.

3.1.6 The Director of Planning, the City Building Inspector or the Director of Licenses and Inspections may enter any building, land or premises at any reasonable time for the purpose of administering or enforcing this By-law.

~~3.1.7 The Director of Planning, in granting or refusing development permits, granting relaxations or imposing conditions, must give due regard to the spirit and intent of the By-law.~~

~~3.2 Relaxation~~

~~3.2.1 The Director of Planning may relax the provisions of this By-law where, due to conditions peculiar either to the site or to the proposed development, literal enforcement would result in unnecessary hardship in any of the following cases:~~

~~(a) alterations or additions to an existing building which lacks minimum yards required by the appropriate district schedule. Any relaxation in this case shall be with respect to yard requirements only and in no case shall such yard requirements be reduced to less than 60 percent of the amount specified in the district schedule, or if applicable, already relaxed by section 10;~~
~~(b) erection of more than one principal building on one site or structural alterations or additions to two or more principal buildings existing on the same site and located in a C, M, I or CD District;~~
~~(c) erection of more than one principal building on one site or structural alterations or additions to two or more principal buildings existing on the same site where such principal buildings consist of multiple dwellings located within any R district, subject to the arrangement of such principal buildings being satisfactory to the Director of Planning;~~
~~(d) retention of more than one principal building on one site where an application for a development permit has been made but the permit cannot be issued because of a requirement to consolidate or subdivide the site;~~
~~(e) the placement of one or more portable classrooms on an elementary or secondary school site, where the existing or proposed development exceeds permitted floor space ratio or site coverage, or lacks minimum yards or setbacks, as specified in the district schedule or~~

~~section 11;~~

~~(f) erection of a new elementary or secondary school building, or alterations or additions to an existing elementary or secondary school building, where the existing or proposed development exceeds permitted floor space ratio, or site coverage, or lacks minimum yards or setbacks, as specified in the district schedule or section 11;~~

~~(g) despite anything to the contrary in this By-law, if:~~

~~(i) the construction or alteration of, or addition to, a one-family dwelling, two-family dwelling, one-family dwelling with secondary suite, two-family dwelling with secondary suite or laneway house is to include enhanced accessibility to and from the dwelling, by way of ramps, lifts, or other like means, for persons who find conventional accesses impossible or difficult because they have a loss or reduction of functional ability or activity, and~~

~~(ii) the Director of Planning first considers all applicable guidelines and policies adopted by Council,~~

~~the Director of Planning may relax the requirements in the appropriate district schedule, regarding yards, setbacks, site coverage, impermeability, building depth, and side door entrance to the extent necessary to allow such enhanced accessibility; or~~

~~(h) for Low Operational Cost Housing containing 6 or more dwelling units, except that permitted floor area may not be increased or relaxed above the maximum permitted within the district schedule under this By-law, and may be granted by the Director after consideration of all Council adopted policies and guidelines. This subsection (h) does not apply to Comprehensive Development zones, and shall not apply to applications made after December 31, 2025.~~

~~3.2.2 The Director of Planning may relax the provisions of this By-law relating to any of the following:~~

~~(a) required setbacks to off-street parking areas where, in the opinion of the Director of Planning, the landscaping provided or to be provided is adequate to warrant such relaxation, except that in a C-1 or R District, no relaxation shall be granted which has the effect of reducing the front yard to less than the required depth of an adjoining front yard;~~

~~(b) the maximum projection of balconies into required yards, horizontal daylight control angles and limitations on building length.~~

~~3.2.3 The Director of Planning, before granting any relaxation pursuant to subsection 3.2, shall be satisfied that any property owner likely to be adversely affected is notified. Such notification shall be in the form appropriate to the circumstances.~~

~~3.2.4 The Development Permit Board, in the exercise of its jurisdiction, may relax the provisions of this By-law in any case where literal enforcement would result in unnecessary hardship. In granting any relaxation, the Board shall have regard to the intent of this By-law, the regulations and policies of any Official Development Plan, and such other applicable policies and guidelines adopted by Council.~~

~~3.2.5 The Director of Planning or the Development Permit Board, as the case may be, may relax the provisions of this By-law where~~

~~(a) literal enforcement would result in unnecessary hardship in carrying out any restoration or renovation of a building or site on the Heritage Register, or~~

~~(b) Council determines that the proposed development would make a contribution to conserving a building or site designated by Council as protected heritage property or a building or site on the Heritage Register.~~

~~Any development permit issued shall specify the heritage aspects of the building or site that merit the relaxation authorized by this section. Before granting any relaxation, the Director of Planning or the Development Permit Board shall:~~

~~(c) consider any advice from the Vancouver Heritage Commission or any other body established by Council for this purpose defining the aspects of the building or site that give it heritage value and advising on the proposed conservation work;~~

~~(d) notify such adjacent property owners and tenants as deemed necessary, consider the responses received, and if there is significant objection, refer the matter to Council for~~

~~advice; and~~

~~(c) consider the provisions of this By-law and all applicable policies and guidelines adopted by Council.~~

~~3.2.6 The Director of Planning is authorized to determine whether or not a building is a character house and, in making that determination, may consider the age and architectural form and style of the building, in accordance with all applicable Council policies and guidelines.~~

~~3.2.7 If an owner applies to replicate a Multiple Conversion Dwelling or Infill use damaged by fire to the extent of 60% or more of its value above its foundations, and the Director of Planning has previously given a bonus or relaxation under the RT-3, RT-4, RT-4A, RT-4N and RT-4AN, RT-5 and RT-5N, RT-6, RT-7, RT-8, RT-9, RT-10 and RT-10N, RT-11 and RT-11N, RM-1 and RM-1N, RM-7, RM-7N and RM-7AN, RM-8, RM-8A, RM-8N and RM-8AN, RM-9, RM9A, RM-9N, RM-9AN and RM-9BN, RM-10 and RM-10N, RM-11 and RM-11N, or RM-12N District Schedules in respect of such use, and the proposed replication is in accordance with the most recently issued development or building permits for that use, the Director of Planning must relax the provisions of the applicable districts schedules to the extent necessary to permit the replication.~~

~~3.2.8 The Director of Planning may relax the provisions of this By-law regulating the siting of a building where literal enforcement would result in unnecessary hardship if an existing tree could not be retained, provided that:~~

~~(a) the proposed siting of a building will accommodate the retention of an existing tree which, in the opinion of the Director of Planning, warrants retention; and~~

~~(b) the resulting siting of a building will not, in the opinion of the Director of Planning, result in unduly adverse effects on adjacent properties.~~

~~3.2.9 The Director of Planning must relax the provisions in regards to minimum site width in the RS-1, RS-5, and RS-6 district schedules to permit the construction of a one-family dwelling on an existing lot which is on record in the Land Title Office as of June 24, 2014 if the use was previously approved under issued development or building permits.~~

~~3.2.10 The Director of Planning or the Development Permit Board may relax the provisions of this by-law where the proposed development makes provision for low-cost housing for persons receiving assistance, if the Director of Planning or the Development Permit Board first considers:~~

~~(a) all applicable Council policies and guidelines;~~

~~(b) the impact on the liveability of neighbouring residents; and~~

~~(c) the proposed development is not in the RS-1, RS-1A, RS-1B, RS-2, RS-3 and RS-3A, RS-5, RS-6, RS-7, RT-1, RT-4, RT-7, RT-9, RT-10 or RT-11 zoning district or in any other zoning district that permits one family dwellings and does not permit multiple dwellings.~~

~~For the purposes of this section, low-cost housing for persons receiving assistance means social housing, except that 70% of the dwelling units must be occupied by persons eligible for either Income Assistance or a combination of basic Old Age Security pension and Guaranteed Income Supplement and must be rented at rates no higher than the shelter component of Income Assistance, and the remainder of the dwelling units must be occupied by households with incomes below housing income limits, as set out in the current 'Housing Income Limits' table published by the British Columbia Housing Management Commission, or equivalent publication.~~

~~3.2.11 The authority of the Director of Planning or the Development Permit Board to relax any provision of this by-law pursuant to this section 3.2 includes the authority to impose conditions, including but not limited to time limitations.~~

~~3.3 Development Permits~~

~~3.3.1 In dealing with applications for development permits the Director of Planning or the Development Permit Board may in every case and in accordance with the provisions of this By-law grant such permits either unconditionally or subject to conditions, including a limitation in time, or may refuse such applications.~~

Section 3

~~3.3.2 Notwithstanding the provisions of this By-law, an application for a development permit may be refused if the development in respect of which application is made:~~

~~(a) does not conform to an amendment to the Zoning and Development By-law for which a formal application has been made prior to the application for the development permit;~~
~~(b) refers to a site or a portion thereof required for any civic purpose, in which case the Director of Planning shall refer the application to the City Council for authority either to negotiate with the applicant or to issue the development permit;~~
~~(c) would prejudice the future subdivision of the property;~~
~~(d) refers to a site where adequate drainage, sanitary facilities or water supply are not available;~~
~~(e) would in the opinion of the City Engineer adversely affect the public safety;~~
~~(f) would in the opinion of the Director of Planning or the Development Permit Board adversely affect public amenity. If matters of design are involved, the application may first be referred to the Urban Design Panel for consideration and advice; or~~
~~(g) includes a conversion or demolition under the Single Room Accommodation By-law but Council has not approved issuance of a conversion or demolition permit for such conversion or demolition.~~

~~3.3.2 A In making a determination regarding the adequacy of drainage under section 3.3.2(d) of this By-law, the Director of Planning or the Development Permit Board may require any development permit applicant to submit a Hydrogeological Study and an impact assessment, and may consider drainage to be inadequate if the proposed development will result in:~~

~~(a) any groundwater discharge from the site into the City collection system;~~
~~(b) rainwater or stormwater discharge from the site into the City collection system that would increase the downstream flow; or~~
~~(c) water infiltration that could reasonably be expected to compromise the underlying aquifer or geology.~~

~~3.3.2B In order to address the inadequacy of drainage the Director of Planning or Development Permit Board may impose conditions on development requiring the applicant to develop the proposed site in accordance with a:~~

~~(a) rainwater management plan designed to achieve prescribed performance targets; and~~
~~(b) groundwater management plan designed to prevent groundwater discharge into the City collection system and limit or reduce environmental impacts, including stricter targets if the development is below the water table.~~

~~3.3.2C In order to ensure compliance with a rainwater management plan or a groundwater management plan or both, the Director of Planning or Development Permit Board may refuse to issue the development permit unless the property owner has first entered into a rainwater and groundwater management agreement, to the satisfaction of the Director of Legal Services and the City Engineer, to:~~

~~(a) construct a rainwater management system or groundwater management system, or both, on the site that is designed and certified by a Professional Engineer to:~~
~~(i) prevent groundwater discharge from entering the City's collection system;~~
~~(ii) retain the first 24mm of rainwater in a 24 hour period from all areas, including rooftops, paved areas, and landscape;~~
~~(iii) treat the first 24 mm of rainwater in a 24 hour period from all pervious and impervious surfaces to remove 80% Total Suspended Solids (TSS) by mass prior to discharge from the site;~~
~~(iv) treat an additional 24mm of rainwater in a 24 hour period to remove 80% Total Suspended Solids (TSS) by mass prior to discharge from the site of all rainwater flowing from roads, driveways and parking lots; and~~
~~(v) limit the peak flow rate discharged to the sewer under post-development conditions to a flow not greater than the peak pre-development flow rate for the return period specified in the City of Vancouver's Intensity-Duration-Frequency curves (IDF curves) set out in Schedule I of this By-law, using the City of Vancouver's 2014 IDF curve for pre-development design flow calculations, and the City's 2100 IDF curve for post-development design flow calculations.~~
~~(b) maintain the rainwater management system or groundwater management system or both at the expense of the owner;~~
~~(c) grant a statutory right of way and equitable charge to the City; and~~
~~(d) release and indemnify the City from all liability related to the installation, operation and maintenance of the rainwater management system or groundwater management system or~~

~~both.~~

~~3.3.3~~ ~~Notwithstanding the provisions of this By-law, the Director of Planning may in the Director of Planning's discretion either approve, approve subject to conditions or refuse development permit applications for which the consent of the Development Permit Board would otherwise be required. However, a member of the Development Permit Board may, prior to consideration of an application by the Director of Planning, require that it be considered by the Development Permit Board and in that case the Director of Planning shall not exercise the sole discretion otherwise given by this section.~~

~~3.3.4~~ ~~The Director of Planning shall not exercise the Director of Planning's discretion pursuant to subsection 3.3.3 above where, in the Director of Planning's opinion:~~

~~(a) the development would have a significant effect on the existing immediate environment;~~
~~(b) the development would create traffic implications that could affect the general environment;~~
~~(c) the height or density of any proposed building would not be in keeping with the general building heights or density in the immediate environment;~~
~~(d) there may be possible significant buildings of heritage value on the site or in the surrounding area that may be adversely affected by the development;~~
~~(e) the design is not of an acceptable standard and may adversely affect public amenity, in which case the Director of Planning may first request advice from the Urban Design Panel;~~
~~(f) the development is such that special public amenities could be considered for density bonus or other special advantages; or~~
~~(g) the proposed development could affect any public policy objectives, established or potential, including future transit locations and open space needs.~~

~~3.3.5~~ ~~The Development Permit Board or the Director of Planning may refer any application for a development permit to the Urban Design Panel for advice and may notify such property owners and tenants it deems necessary.~~

~~[See By-law No. 4722, Appendix F]~~

~~3.3.6~~ ~~Despite anything to the contrary in this by-law, the Director of Planning or the Development Permit Board must not issue a development permit for:~~

~~(a) a multiple dwelling with three or more dwelling units in the RM-2, RM-3, RM-3A, RM-4 and RM-4N, RM-5, RM-5A, RM-5B, RM-5C and RM-5D, RM-6, or FM-1 districts;~~
~~(b) a multiple conversion dwelling with three or more dwelling units in the RM-2, RM-3, RM-3A, RM-4 and RM-4N, RM-5, RM-5A, RM-5B, RM-5C and RM-5D, or FM-1 districts; or~~
~~(c) an infill multiple dwelling with three or more dwelling units in the RM-4 and RM-4N, RM-5, RM-5A, RM-5B, RM-5C and RM-5D, or FM-1 districts,~~

~~unless the development permit is subject to conditions that comply with the requirements of the applicable districts schedule or district schedule.~~

Section 4

Development Permits

4.1 Development Permit Applications

4.1.1 Every applicant for a development permit or an amendment ~~thereto~~ to a development permit shall submit to the Director of Planning ~~an application therefor in writing~~ written application on forms furnished for such purpose, and the Director of Planning may require the correctness of the information supplied in ~~said~~ that application to be verified by statutory declaration.

~~4.1.2 Every such application shall state the legal description and location of the site, and the purpose of the proposed development together with such further or additional information as the Director of Planning may require.~~

~~4.1.3 Every such application shall be accompanied by such number of plans or drawings as may be required by the Director of Planning, but in no case less than three, sufficient to identify the site and to describe fully the proposed development. All plans or drawings other than for one set shall become the property of the City. The Director of Planning may, however, accept the submission of an application without plans or drawings if in the Director of Planning's opinion the development is of a minor nature. The Director of Planning may require additional information to identify development within the immediate surroundings and may, if the Director of Planning deems it necessary, require the applicant to furnish a plan of survey of the site verified by a British Columbia Land Surveyor.~~

~~4.1.4 All plans or drawings submitted shall be drawn in metric measurements[1] on substantial paper, mylar or other material satisfactory to the Director of Planning, to a scale of not less than 1:100 metric or such less scale as the Director of Planning may approve, and shall be fully dimensioned, accurately figured, explicit and complete. The Director of Planning may, where circumstances warrant, accept plans and drawings in their equivalent imperial measurements.~~

~~4.1.5 The Director of Planning may, in the Director of Planning's discretion, accept with any development permit application submitted in preliminary form, plans or drawings not in compliance with sections 4.1.3 and 4.1.4, provided that such plans or drawings are sufficient to identify the site and satisfactorily indicate preliminary development information.~~

~~4.1.6 No development permit shall be issued without the prior submission of plans or drawings in compliance with the requirements of sections 4.1.3, 4.1.4 and 4.1.5.~~

~~4.1.7 No development permit shall be issued without the prior submission of plans or drawings showing the proposed development or change of use to be in compliance with the provisions of any by-law regulating the provision of parking and loading within the City of Vancouver.~~

4.1.2 Every application for a development permit or an amendment to a development permit shall include:

(a) the legal description and location of the site, and the purpose of the proposed development, together with such further or additional information as the Director of Planning may require; and

(b) no less than three plans or drawings as may be required by the Director of Planning, sufficient to identify the site and to describe fully the proposed

development. All plans or drawings, other than one set, shall become the property of the City. The Director of Planning may, however, accept the submission of an application without plans or drawings if in the Director of Planning's opinion the development is of a minor nature. The Director of Planning may require additional information to identify development within the immediate surroundings and may, if the Director of Planning deems it necessary, require the applicant to provide a survey plan of the site verified by a British Columbia Land Surveyor.

4.1.3 All plans or drawings submitted shall be drawn in metric or imperial measurements on substantial paper, mylar or other material satisfactory to the Director of Planning, to a scale of not less than 1:100 metric or imperial or such less scale as the Director of Planning may approve, and shall be fully dimensioned, accurately figured, explicit and complete.

4.1.4 The Director of Planning may, in the Director of Planning's discretion, accept with any development permit application submitted in preliminary form, plans or drawings not in compliance with sections 4.1.2(b) and 4.1.3, provided that such plans or drawings are sufficient to identify the site and satisfactorily indicate preliminary development information.

4.1.5 No development permit shall be issued without the prior submission of plans or drawings in compliance with the requirements of sections 4.1.2(b), 4.1.3 and 4.1.4.

4.1.6 No development permit shall be issued without the prior submission of plans or drawings showing the proposed development or change of use to be in compliance with the provisions of any by-law regulating the provision of parking and loading within the City of Vancouver.

4.2 Development Permit Application Time Limits

4.2.1 Unless otherwise approved, refused or subject to limitations in time as may be imposed by the Director of Planning or the Development Permit Board, any development permit application shall be void 12 months from the date of application.

4.2.2 The Director of Planning may allow an extension or extensions of the time period specified in section 4.2.1 for additional periods, if ~~the same is~~ warranted by the circumstances. In no case shall any extension or extensions exceed in total 12 months.

~~[1] NOTE: Council instructed Director of Planning to continue to accept plans submitted in either metric or imperial measurement (92-09-03).~~

4.2.3 If within thirty days or such longer period as may be agreed by the applicant from the date on which the applicant has furnished all the information and material required by the Director of Planning in accordance with the last preceding section, no development permit has been issued to the ~~such~~ applicant, then the issue of the development permit shall be deemed to have been refused, so as to enable ~~such~~ the applicant to exercise their right to appeal, provided always that if the Council pursuant to the terms of Section 570 of the Vancouver Charter (British Columbia) has withheld or has authorized its proper officer to withhold the issuance of a development or building permit relative to the property in question, then the issue of a development or building permit shall not be deemed to have been refused during such period that issuance of such development or building permit so continues to be withheld.

~~4.3 Development Permit Issuance~~

~~4.3.1 When such application for a development permit and also the terms of the proposed development conform to the provisions of this By-law, the Director of Planning or the Director of Planning's nominee shall issue a development permit and return one set of the approved plans to the applicant. Of the remaining sets of plans or drawings the City may retain such number as required for record purposes.~~

~~4.3.2 The approval of plans or drawings and the issuing of a development permit and any inspection in connection therewith made by the Director of Planning or the Director of Planning's accredited representatives shall not in any way relieve the applicant from full responsibility for the carrying out of the development in accordance with the provisions of this By-law.~~

~~4.3.3 The approval of any application and plans or drawings, or issuing of a development permit, shall not prevent the Director of Planning from thereafter requiring the correction of errors or from prohibiting a development from being carried out when the same is in violation of this or any other By-law.~~

~~4.3.4 Save and except as provided in this By-law, it shall be unlawful for any person to erase, alter or modify any development permit including the application therefor or any plans or drawings accompanying the same.~~

~~4.3.5 The issue of a development permit shall not absolve the applicant from complying with all City By-laws.~~

~~4.3.6 In the event of a discrepancy between any written description and the plans or drawings the written description shall prevail.~~

~~4.3.7 The Director of Planning shall upon application being made therefor issue a development permit in accordance with any decision of the Board of Variance.~~

4.3 Development Permit Approvals

4.3.1 In dealing with applications for development permits the Director of Planning or the Development Permit Board may in every case and in accordance with the provisions of this By- law grant such permits either unconditionally or subject to conditions, including a limitation in time, or may refuse such applications.

4.3.2 The Director of Planning, in granting or refusing development permits, granting relaxations or imposing conditions, must give due regard to the spirit and intent of the By-law.

4.3.3 Notwithstanding the provisions of this By-law, an application for a development permit may be refused if the development in respect of which application is made:

(a) does not conform to an amendment to the Zoning and Development By-law for which a formal application has been made prior to the application for the development permit;

(b) refers to a site or a portion thereof required for any civic purpose, in which case the Director of Planning shall refer the application to the City Council for authority either to negotiate with the applicant or to issue the development permit;

(c) would prejudice the future subdivision of the property;

(d) refers to a site where adequate drainage, sanitary facilities or water supply are not available;

(e) would in the opinion of the City Engineer adversely affect the public safety;

(f) would in the opinion of the Director of Planning or the Development Permit Board adversely affect public amenity. If matters of design are involved, the application may first be referred to the Urban Design Panel for consideration and advice; or

(g) includes a conversion or demolition under the Single Room Accommodation By-law but Council has not approved issuance of a conversion or demolition permit for such conversion or demolition.

4.3.4 In making a determination regarding the adequacy of drainage under section 4.3.3(d) of this By-law, the Director of Planning or the Development Permit Board may require any development permit applicant to submit a Hydrogeological Study and an impact assessment, and may consider drainage to be inadequate if the proposed development will result in:

(a) any groundwater discharge from the site into the City collection system;

(b) rainwater or stormwater discharge from the site into the City collection system that would increase the downstream flow; or

(c) water infiltration that could reasonably be expected to compromise the underlying aquifer or geology.

4.3.5 In order to address the inadequacy of drainage the Director of Planning or Development Permit Board may impose conditions on development requiring the applicant to develop the proposed site in accordance with a:

(a) rainwater management plan designed to achieve prescribed performance targets; and

(b) groundwater management plan designed to prevent groundwater discharge into the City collection system and limit or reduce environmental impacts, including stricter targets if the development is below the water table.

4.3.6 In order to ensure compliance with a rainwater management plan or a groundwater management plan or both, the Director of Planning or Development Permit Board may refuse to issue the development permit unless the property owner has first entered into a rainwater and groundwater management agreement, to the satisfaction of the Director of Legal Services and the City Engineer, to:

(a) construct a rainwater management system or groundwater management system, or both, on the site that is designed and certified by a Professional Engineer to:

(i) prevent groundwater discharge from entering the City's collection system;

(ii) retain the first 24 mm of rainwater in a 24 hour period from all areas, including rooftops, paved areas, and landscape;

(iii) treat the first 24 mm of rainwater in a 24 hour period from all pervious and impervious surfaces to remove 80% Total Suspended Solids (TSS) by mass prior to discharge from the site;

(iv) treat an additional 24 mm of rainwater in a 24 hour period to remove 80% Total Suspended Solids (TSS) by mass prior to discharge from the site of all rainwater flowing from roads, driveways and parking lots; and

(v) limit the peak flow rate discharged to the sewer under post-development conditions to a flow not greater than the peak pre-development flow rate for the return period specified in the City of Vancouver's Intensity-Duration-Frequency curves (IDF curves) set out in Schedule I of this By-law, using the City of Vancouver's 2014 IDF curve for pre-development design flow calculations, and the City's 2100 IDF curve for post-development design flow calculations.

(b) maintain the rainwater management system or groundwater management system or both at the expense of the owner;
(c) grant a statutory right of way and equitable charge to the City; and
(d) release and indemnify the City from all liability related to the installation, operation and maintenance of the rainwater management system or groundwater management system or both.

4.3.7 Where in this By-law a development permit application requires the consent of either the Development Permit Board or the Director of Planning, the Director of Planning may in the Director of Planning's discretion approve, approve subject to conditions, or refuse any such development permit application unless, in the Director of Planning's opinion:

(a) the development would have a significant effect on the existing immediate environment;

(b) the development would create traffic implications that could affect the general environment;

(c) the height or density of any proposed building would not be in keeping with the general building heights or density in the immediate environment;

(d) there may be possible significant buildings of heritage value on the site or in the surrounding area that may be adversely affected by the development;

(e) the design is not of an acceptable standard and may adversely affect public amenity, in which case the Director of Planning may first request advice from the Urban Design Panel;

(f) the development is such that special public amenities could be considered for density bonus or other special advantages;

(g) the proposed development could affect any public policy objectives, established or potential, including future transit locations and open space needs; or

(h) the public response to the application is such that review by the Development Permit Board is warranted,

in which case the Director of Planning shall refer the development permit application to the Development Permit Board who may approve, approve subject to conditions, or refuse such application.

4.3.8 The Development Permit Board or the Director of Planning may refer any application for a development permit to the Urban Design Panel for advice and may notify such property owners and tenants it deems necessary.

4.3.9 Despite anything to the contrary in this By-law, the Director of Planning or the Development Permit Board must not issue a development permit for:

(a) a multiple dwelling with three or more dwelling units in the RM-2, RM-3, RM-3A, RM-4 and RM-4N, RM-5, RM-5A, RM-5B, RM-5C and RM-5D, RM-6, or FM-1 districts;

(b) a multiple conversion dwelling with three or more dwelling units in the RM-2, RM-3, RM-3A, RM-4 and RM-4N, RM-5, RM-5A, RM-5B, RM-5C and RM-5D, or FM-1 districts; or

(c) an infill multiple dwelling with three or more dwelling units in the RM-4 and RM-4N, RM-5, RM-5A, RM-5B, RM-5C and RM-5D, or FM-1 districts,

unless the development permit is subject to conditions that comply with the

requirements of the applicable districts schedule or district schedule.

~~**4.4 Development Permit Amendment**~~

~~4.4.1 If at any time it is desired to alter in any manner, or to deviate from, the particulars of the application or plans or drawings previously submitted for which a development permit has already been issued, a new application shall be made. However, if an amendment is of a minor nature whereby a new application is deemed to be unnecessary, the Director of Planning may waive this requirement and endorse any necessary amendment to the application, plans or drawings and development permit accordingly.~~

4.4 Development Permit Issuance

4.4.1 When an application for a development permit and also the terms of the proposed development conform to the provisions of this By-law, the Director of Planning or the Director of Planning's nominee shall issue a development permit and return one set of the approved plans to the applicant. Of the remaining sets of plans or drawings the City may retain such number as required for record purposes.

4.4.2 The approval of plans or drawings and the issuing of a development permit and any inspection in connection therewith made by the Director of Planning or the Director of Planning's accredited representatives shall not in any way relieve the applicant from full responsibility for the carrying out of the development in accordance with the provisions of this By-law.

4.4.3 The approval of any application and plans or drawings, or issuing of a development permit, shall not prevent the Director of Planning from thereafter requiring the correction of errors or from prohibiting a development from being carried out when the same is in violation of this or any other By-law.

4.4.4 Save and except as provided in this By-law, it shall be unlawful for any person to erase, alter or modify any development permit including the application therefor or any plans or drawings accompanying the same.

4.4.5 The issue of a development permit shall not absolve the applicant from complying with all City by-laws.

4.4.6 In the event of a discrepancy between any written description and the plans or drawings the written description shall prevail.

4.4.7 The Director of Planning shall upon application being made therefor issue a development permit in accordance with any decision of the Board of Variance.

4.5 Development Permit Amendment

4.5.1 If at any time it is desired to alter in any manner, or to deviate from, the particulars of the application or plans or drawings previously submitted for which a development permit has already been issued, a new application shall be made. However, if an amendment is of a minor nature whereby a new application is deemed to be unnecessary, the Director of Planning may waive this requirement and endorse any necessary amendment to the application, plans or drawings and development permit accordingly.

4.6. Development Permit Time Limits

4.6.1 Any development permit issued shall be void 12 months after the date of issue of same unless:

(a) the development authorized thereunder shall meanwhile have been commenced; or

(b) a building permit has been issued and is unexpired.

4.6.2 Any development permit issued shall be void 24 months after the date of issuing unless the development authorized thereunder shall meanwhile have been completed in compliance with all conditions attached thereto.

4.6.3 The Director of Planning may allow an extension or extensions of the periods specified in sections 4.6.1 and 4.6.2 above for additional periods if warranted by the circumstances.

4.6.4 The Director of Planning may renew on one occasion only, and for a period not exceeding 12 months, a development permit which has become void, provided that at the time of such renewal the permit has not been void for a period of more than 12 months.

4.6.5 The Director of Planning may in the case of a public utility grant a development permit valid to such date as the Director of Planning may set but in no case for a period longer than 120 months after the date of issue of the permit.

4.6.6 Where a building has been destroyed or demolished, any development permit authorizing its use or form of development shall be deemed to be void and expired.

4.6.7 Where a building has been destroyed by fire, any conditional approval use of the building existing at the time of its destruction or demolition shall be issued a development permit authorizing its continuance in the repaired or reconstructed building if:

(a) the use is configured in the same way as it lawfully existed immediately prior to the fire; and

(b) a development permit authorizing the repair and reconstruction of the building is issued within 90 days of the building's destruction or demolition.

4.6.8 The Director of Planning may renew, on more than one occasion, a development permit issued with specified time limitations where the conditions of approval have not changed.

4.7 Building Permit Validity

4.7.1 Notwithstanding the provisions of any other By-law, no building permit issued for any operation with respect to which a development permit is required under this By-law shall be valid unless and until a development permit has been issued.

4.8 Exemptions from Development Permit Requirements

A person who complies in all other respects with this By-law, the Parking By-law, other City by-laws, any Official Development Plan, and any development permit, to the extent any of them apply to that person's site, need not obtain a development permit for the following development and uses:

4.8.1 The maintenance or minor repair of any building, structure or use, except for a building, structure, use or site designated under the Heritage By-law or located in an HA District. The Director of Planning may exempt an applicant from the requirement of a development permit in an HA District where the Director of Planning is satisfied that the maintenance or repair does not contravene the relevant provisions of the By-law or any applicable Official Development Plan, policies or guidelines adopted by Council.

4.8.2 The construction or use of an accessory building or an accessory use that is permitted

outright in the District Schedule and located on the same site as the principal building or use.

4.8.3 The construction or placing of tool sheds, construction shacks, scaffolding or similar temporary buildings, required for a limited period of time, intended solely to serve a development or activity that is being carried out in compliance with this By-law, and located on the same site or on an adjoining parcel.

4.8.4 The installation, inspection, repair or renewal of sewers, mains, pipes, cables, wires or other similar apparatus required in connection with any lawful use of buildings or land.

4.8.5 The construction and maintenance of that part of a public utility placed in or upon a public thoroughfare or public utility easement.

4.8.6 The construction, widening, improvement, maintenance or repair of any highway, lane, street, bridge or other public thoroughfare.

4.8.7 The demolition of any building, except for a building:

(a) used for residential rental accommodation;

(b) listed on the Heritage Register; or

(c) used for residential accommodation in the RS-1, RS-3 and RS-3A, RS-5, RS-6, RS-7 or First Shaughnessy District (FSD), except that this section 4.8.7 does not apply to any building that is:

(i) residential rental accommodation subject to the provisions of section 10.8.3,
(ii) subject to a demolition order,
(iii) subject to demolition as a condition of subdivision approval, or
(iv) used for residential accommodation in the RS-1, RS-3 and RS-3A, RS-5, RS-6, RS-7 or First Shaughnessy District (FSD), not listed on the Heritage Register, and for which a building permit has been issued to demolish by deconstruction.

4.8.8 The placing or maintenance of any fence or similar enclosure structure except those requiring the permission of the Director of Planning or the Development Permit Board.

4.8.9 The keeping of not more than two boarders or lodgers or the keeping of not more than five foster or eight daycare children in each dwelling unit.

4.8.10 The keeping of animals or birds for domestic purposes, except as otherwise prohibited or regulated by the Health By-law.

4.8.11 The renting of no more than one off street parking space accessory to a one family or a two family dwelling, so long as the space is surplus to the minimum parking requirements of the dwelling.

4.8.12 The provision of recreation rooms or extra bedrooms in the basement of a one or two family dwelling.

4.8.13 The engaging in a homecraft, subject to the provisions of section 11 of this By-law.

4.8.14 The change in use from a lawfully existing use that is listed in Column A to a use

listed opposite in Column B.

COLUMN A From	COLUMN B To
1. Multiple conversion dwelling or rooming house	One-family dwelling.
2. Multiple conversion dwelling.	Multiple conversion dwelling containing the same or fewer units in total, except in RT-4, RT-4A, RT-4AN and RT-4N, RT-5 and RT-5N, RT-6, RT-7, RT-8, RT-9, RT-10 and RT-10N, RT-11 and RT-11N, RM-1 and RM-1N, RM-7, RM-7N and RM-7AN, RM-8, RM-8A, RM-8N and RM-8AN or RM-9, RM-9A, RM-9N, RM-9AN and RM-9BN, RM-10 and RM-10N, RM-11 and RM-11N, and RM-12N district or districts and in the First Shaughnessy District (FSD).
3. Except as provided in clause 4 herein, any use located in any district and listed in the applicable District Schedule as an outright or conditional use, except for live-work use.	Any outright use listed in the same District Schedule.
4. Any use located in an industrial district and listed in the applicable District Schedule as an outright or conditional use, but not including a storage warehouse or any use where the number of parking and loading spaces has been relaxed.	Any outright use listed in the same District Schedule.

4.8.15 The construction of antennae, including satellite dishes, provided:

(a) they are used for domestic purposes if located in an R district; and

(b) they are located in the rear yard and are no higher than 1.9 m above the existing grade, or in the case of satellite dishes, comply with the height regulations of the district in which they are located and do not exceed 77 cm in diameter.

4.8.16 The placing of a mural on a hoarding where at least 50% of the hoarding is located on a street or lane.

4.8.17 The repair or alteration of any building, structure or use to rectify an unsafe condition if correction of such unsafe condition has been ordered by the City Building Inspector.

4.8.18 Outside the projected area of the outermost walls of all principal or accessory buildings on the site, the installation, repair, or replacement of impermeable materials permitted under section 4.8 of each of the RS-1, RS-1A, RS-1B, RS-2, RS-3, RS-3A, RS-5, RS-6, and RS-7 District Schedules.

4.8.19 The installation and maintenance of a Public Bike Share Station as part of a Public Bike Share use, provided that the Public Bike Share Station:

(a) does not include any enclosed structures;
(b) is automated;
(c) does not interfere with any public works, facilities or amenities; and
(d) is part of a network comprised of no fewer than 50 Public Bike Share Stations.

4.8.20 An arts and culture indoor event.

4.8.21 An Urban Farm - Class A, provided that:

(a) the planting area of the parcel does not exceed 325 m2 (0.0325 hectares); and

(b) the Urban Farm - Class A otherwise complies with sections 11.29.3 to 11.29.11 of the Zoning and Development By-law.

4.8.22 Short Term Rental Accommodation, provided that the Short Term Rental Accommodation otherwise complies with section 11.32 of the Zoning and Development By-law.

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~~Section 5~~

~~Exemptions From Development Permit Requirement~~

~~A person who complies in all other respects with this By-law, the Parking By-law, other City by-laws, any official Development Plan, and any development permit, to the extent any of them apply to that person's site, need not obtain a development permit for the following development and uses:~~

~~5.1~~ ~~The maintenance or minor repair of any building, structure or use, except for a building, structure, use or site designated under the Heritage By-law or located in an HA District. The Director of Planning may exempt an applicant from the requirement of a development permit in an HA District where the Director of Planning is satisfied that the maintenance or repair does not contravene the relevant provisions of the By-law or any applicable Official Development Plan, policies or guidelines adopted by Council.~~

~~5.2~~ ~~The construction or use of an accessory building or an accessory use that is permitted outright in the District Schedule and located on the same site as the principal building or use.~~

~~5.3~~ ~~The construction or placing of tool sheds, construction shacks, scaffolding or similar temporary buildings, required for a limited period of time, intended solely to serve a development or activity that is being carried out in compliance with this By-law, and located on the same site or on an adjoining parcel.~~

~~5.4~~ ~~The installation, inspection, repair or renewal of sewers, mains, pipes, cables, wires or other similar apparatus required in connection with any lawful use of buildings or land.~~

~~5.5~~ ~~The construction and maintenance of that part of a public utility placed in or upon a public thoroughfare or public utility easement.~~

~~5.6~~ ~~The construction, widening, improvement, maintenance or repair of any highway, lane, street, bridge or other public thoroughfare.~~

~~5.7~~ ~~The demolition of any building, except for a building:~~

~~(a) used for residential rental accommodation;~~
~~(b) listed on the Heritage Register; or~~
~~(c) used for residential accommodation in the RS-1, RS-3 and RS-3A, RS-5, RS-6, RS-7 or First Shaughnessy District (FSD), except that this section 5.7 does not apply to any building that is:~~
~~(i) residential rental accommodation subject to the provisions of section 10.8.3,~~
~~(ii) subject to a demolition order,~~
~~(iii) subject to demolition as a condition of subdivision approval, or~~
~~(iv) used for residential accommodation in the RS-1, RS-3 and RS-3A, RS-5, RS-6, RS-7 or First Shaughnessy District (FSD), not listed on the Heritage Register, and for which a building permit has been issued to demolish by deconstruction.~~

~~5.8~~ ~~The placing or maintenance of any fence or similar enclosure structure except those requiring the permission of the Director of Planning or the Development Permit Board.~~

~~5.9~~ ~~The keeping of not more than two boarders or lodgers or the keeping of not more than five foster or eight daycare children in each dwelling unit.~~

~~5.10~~ ~~The keeping of animals or birds for domestic purposes, except as otherwise prohibited or regulated by the Health By-law.~~

~~5.11 The renting of no more than one off-street parking space accessory to a one family or a two-family dwelling, so long as the space is surplus to the minimum parking requirements of the dwelling.~~

~~5.12 The provision of recreation rooms or extra bedrooms in the basement of a one or two-family dwelling.~~

~~5.13 The engaging in a homecraft, subject to the provisions of section 11 of this By-law.~~

~~5.14 The change in use from a lawfully existing use that is listed in Column A to a use listed opposite in Column B. [Check Parking By-law].~~

~~COLUMN A~~		~~COLUMN B~~
~~From~~		~~To~~
~~1.~~	~~Multiple conversion dwelling or rooming house.~~	~~One-family dwelling.~~
~~2.~~	~~Multiple conversion dwelling.~~	~~Multiple conversion dwelling containing the same or fewer units in total, except in RT-4, RT-4A, RT-4AN and RT-4N, RT-5 and RT-5N, RT-6, RT-7, RT-8, RT-9, RT-10 and RT-10N, RT-11 and RT-11N, RM-1 and RM-1N, RM-7, RM-7N and RM-7AN, RM-8, RM-8A, RM-8N and RM-8AN or RM-9, RM-9A, RM-9N, RM-9AN and RM- 9BN, RM-10 and RM-10N, RM-11 and RM- 11N, and RM-12N district or districts and in the First Shaughnessy District (FSD).~~
~~3.~~	~~Except as provided in clause 4 herein, any use located in any district and listed in the applicable District Schedule as an outright or conditional use, except for live-work use.~~	~~Any outright use listed in the same District Schedule.~~
~~4.~~	~~Any use located in an industrial district and listed in the applicable District Schedule as an outright or conditional use, but not including a storage warehouse or any use where he number of parking and loading spaces has been relaxed.~~	~~Any outright use listed in the same District Schedule.~~

~~5.15 The construction of antennae, including satellite dishes, provided:~~

~~(a) they are used for domestic purposes if located in an R district; and~~
~~(b) they are located in the rear yard and are no higher than 1.9 m above the existing grade, or in the case of satellite dishes, comply with the height regulations of the district in which they are located and do not exceed 77 cm. in diameter.~~

~~5.16 The placing of a mural on a hoarding where at least 50 percent of the hoarding is located on a street or lane.~~

~~5.17 The repair or alteration of any building, structure or use to rectify an unsafe condition if correction of such unsafe condition has been ordered by the City Building Inspector.~~

~~**5.18** Outside the projected area of the outermost walls of all principal or accessory buildings on the site, the installation, repair, or replacement of impermeable materials permitted under section 4.8 of each of the RS-1, RS-1A, RS-1B, RS-2, RS-3, RS-3A, RS-5, RS-6, and RS-7 District Schedules.~~

~~**5.19** The installation and maintenance of a Public Bike Share Station as part of a Public Bike Share use, provided that the Public Bike Share Station:~~

~~(a) does not include any enclosed structures;~~
~~(b) is automated;~~
~~(c) does not interfere with any public works, facilities or amenities; and~~
~~(d) is part of a network comprised of no fewer than 50 Public Bike Share Stations.~~

~~**5.20** An arts and culture indoor event.~~

~~**5.21** An Urban Farm - Class A, provided that:~~

~~(a) the planting area of the parcel does not exceed 325 m^2 (0.0325 hectares); and~~
~~(b) the Urban Farm - Class A otherwise complies with section 11.36 of this By-law.~~

~~**5.22** Short Term Rental Accommodation, provided that the Short Term Rental Accommodation otherwise complies with section 11.32 of this By-law.~~

Section 5
By-law Relaxations and Powers of Discretion

5.1 Relaxation of By-law Provisions

5.1.1 Except as otherwise specified in this By-law, in any case where enforcement of this By-law would result in unnecessary hardship, the Director of Planning or the Development Permit Board, in the exercise of their jurisdiction, may relax the provisions of this By-law to the extent necessary to relieve such hardship. In granting any such relaxation, the Development Permit Board or the Director of Planning, as the case may be, shall consider whether the relaxation would result in any adverse effects on adjacent properties and shall have regard to the intent of this By-law, the regulations and policies of any Official Development Plan, and such other applicable policies and guidelines adopted by Council.

5.1.2 Except as otherwise specified in this By-law, the Director of Planning or the Development Permit Board, in the exercise of their jurisdiction, may relax the provisions of this By-law where Council determines that the proposed development would make a contribution to conserving a building or site designated by Council as protected heritage property or a building or site on the Heritage Register. Any development permit issued shall specify the heritage aspects of the building or site that merit the relaxation authorized by this section. Before granting any relaxation, the Director of Planning or the Development Permit Board shall:

(a) consider any advice from the Vancouver Heritage Commission or any other body established by Council for this purpose defining the aspects of the building or site that give it heritage value and advising on the proposed conservation work;

(b) notify such adjacent property owners and tenants as deemed necessary, consider the responses received, and if there is significant objection, refer the matter to Council for advice; and

(c) consider the provisions of this By-law and all applicable policies and guidelines adopted by Council.

5.1.3 Except as otherwise specified in this By-law, the Director of Planning or the Development Permit Board, in the exercise of their jurisdiction, may relax the provisions of this By-law where the proposed development makes provision for low cost housing for persons receiving assistance, if the Director of Planning or the Development Permit Board first considers:

(a) all applicable Council policies and guidelines;

(b) the impact on the liveability of neighbouring residents; and

(c) the proposed development is not in the RS-1, RS-1A, RS-1B, RS-2, RS-3 and RS-3A, RS-5, RS-6, RS–7, RT-1, RT-4, RT-7, RT-9, RT-10 or RT-11 zoning district or in any other zoning district that permits one family dwellings and does not permit multiple dwellings.

For the purposes of this section, low cost housing for persons receiving assistance means social housing, except that 70% of the dwelling units must be occupied by persons eligible for either Income Assistance or a combination of basic Old Age Security pension and Guaranteed Income Supplement and must be rented at rates no higher than the shelter component of Income Assistance, and the remainder of the dwelling units must be occupied by households with incomes below housing income limits, as set out in the current ‘Housing Income Limits’ table published by the British Columbia Housing Management Commission, or equivalent publication.

5.1.4 The authority of the Director of Planning or the Development Permit Board to relax any provision of this By-law pursuant to this section 5.1 includes the authority to impose conditions, including but not limited to time limitations.

5.2 Powers of Discretion Related to Zoning Matters

5.2.1 The Director of Planning may vary the provisions of this By-law relating to any of the following:

(a) alterations or additions to an existing building which lacks minimum yards required by the appropriate district schedule, except that any variation in this case shall be with respect to yard requirements only, and provided that the Director of Planning first considers the impact on neighbouring properties;

(b) erection of more than one principal building on one site or structural alterations or additions to two or more principal buildings existing on the same site and located in a C, M, I or CD District;

(c) erection of more than one principal building on one site or structural alterations or additions to two or more principal buildings existing on the same site where such principal buildings consist of multiple dwellings located within any R district, subject to the arrangement of such principal buildings being satisfactory to the Director of Planning;

(d) retention of more than one principal building on one site where an application for a development permit has been made but the permit cannot be issued because of a requirement to consolidate or subdivide the site;

(e) placement of one or more portable classrooms on an elementary or secondary school site, where the existing or proposed development exceeds permitted floor space ratio or site coverage, or lacks minimum yards or setbacks, as specified in the district schedule or section 11;

(f) erection of a new elementary or secondary school building, or alterations or additions to an existing elementary or secondary school building, where the existing or proposed development exceeds permitted floor space ratio or site coverage, or lacks minimum yards or setbacks, as specified in the district schedule or section 11;

(g) Low Operational Cost Housing containing 6 or more dwelling units, except that permitted floor area or density of units may not be increased or varied above the maximum permitted within the district schedule under this By-law, and may be granted by the Director of Planning after consideration of all Council adopted policies and guidelines. This subsection (g) does not apply to Comprehensive Development zones, and shall not apply to applications made after December 31, 2025;

(h) required setbacks to off-street parking areas where, in the opinion of the Director of Planning, the landscaping provided or to be provided is adequate to warrant such reduction, except that in a C-1 or R District, no reduction shall be granted which has the effect of reducing the front yard to less than the required depth of an adjoining front yard; and

(i) the maximum projection of balconies into required yards, horizontal daylight control angles and limitations on building length.

5.2.2 Despite anything to the contrary in this By-law, if

(a) the construction or alteration of, or addition to, a building is to include enhanced accessibility to and from the dwelling by way of ramps, lifts, or other like means, for persons who find conventional access impossible or difficult because they have a loss or reduction of functional ability or activity, and

(b) the Director of Planning first considers all applicable guidelines and policies adopted by Council,

the Director of Planning may vary the requirements in the appropriate district schedule regarding yards, setbacks, site coverage, impermeability, building depth, and side door entrance to the extent necessary to allow such enhanced accessibility.

5.2.3 The Director of Planning may vary the provisions of this By-law regulating the siting of a building, provided that:

(a) the proposed siting of a building will accommodate the retention of an existing tree which, in the opinion of the Director of Planning, warrants retention; and

(b) the resulting siting of a building will not, in the opinion of the Director of Planning, result in unduly adverse effects on adjacent properties.

5.2.4 The Director of Planning, on the advice of the Chief Building Official, may vary any necessary provisions in an RS district schedule in order to permit additional above grade floor area if soil or hydrological conditions on a site are not suitable to below grade construction, provided that:

(a) the soil or hydrological conditions are documented to the satisfaction of the Director of Planning; and

(b) the area of all floors at or above finished grade does not exceed a floor space ratio of 0.6.

5.2.5 If an owner applies to replicate a Multiple Conversion Dwelling or Infill use damaged by fire to the extent of 60% or more of its value above its foundations, and the Director of Planning has previously given a bonus, relaxation or variation under the RT-3, RT-4, RT-4A, RT-4N and RT-4AN, RT-5 and RT-5N, RT- 6, RT-7, RT-8, RT-9, RT-10 and RT-10N, RT-11 and RT-11N, RM-1 and RM-1N, RM-7, RM-7N and RM-7AN, RM-8, RM-8A, RM-8N and RM-8AN, RM-9, RM9A, RM-9N, RM-9AN and RM-9BN, RM- 10 and RM-10N, RM-11 and RM-11N, or RM-12N District Schedules in respect of such use, and the proposed replication is in accordance with the most recently issued development or building permits for that use, the Director of Planning must vary the provisions of the applicable districts schedules to the extent necessary to permit the replication.

5.2.6 The Director of Planning must vary the provisions in regards to minimum site width in the RS-1, RS-5, and RS-6 district schedules to permit the construction of a one-family dwelling on an existing lot which is on record in the Land Title Office as of June 24, 2014 if the use was previously approved under issued development or building permits.

5.2.7 The Director of Planning is authorized to determine whether or not a building is a character house and, in making that determination, may consider the age and architectural form and style of the building, in accordance with all applicable Council policies and guidelines.

5.2.8 The Director of Planning, before exercising its powers of discretion pursuant to this section 5.2, shall be satisfied that any property owner likely to be adversely affected is notified. Such notification shall be in the form appropriate to the circumstances.

Section 10

General Regulations

The regulations below apply to all zoning districts, unless otherwise specified.

[Note: The content in the right margin is for information purposes only and does not form part of this By-law.]

Section	Term and General Regulations
10.1	Antennae 10.1.1 Except as exempted by the provisions of section ~~5.15,~~4.8.15 no person shall erect an antenna, including a satellite dish, without first obtaining a development permit from the Director of Planning. 10.1.2 The Director of Planning may permit in any district, antennae including satellite dishes used for the transmission or reception of radio, television, satellite, microwave or related communications together with related masts, mechanical equipment and mechanical rooms, whether or not they are ancillary to the principal use on the site, and may permit such antennae at a greater height than otherwise permitted by this By-law provided that: (a) the Director of Planning is satisfied the antennae will not have an unduly detrimental effect on the site or adjacent properties, having particular regard to visual impact; and (b) before granting approval the Director of Planning notifies such adjacent property owners or persons the Director of Planning deems necessary.
10.2	Birds and Animals 10.2.1 Buildings or runs for the shelter or accommodation of birds or animals in any districts except RA-1 shall be located no closer than 9.1 m from any dwelling and 18.3 m from the front line of the site and, as accessory buildings, shall conform with all other applicable provisions of this By-law. 10.2.2 Despite section 10.2.1, a building or other enclosure for keeping one or more hens: (a) must be no more than 9.2 m^2 in floor area; (b) must be no more than 2 m high; (c) must be no closer than 3 m from any door or window of any

	dwelling; (d) must be situated only in a rear yard or a side yard; (e) may be anywhere in a rear yard; (f) must, on a corner flanking lot, be no less than the greater of a distance equal to: (i) the existing setback of the principal building, and (ii) the required setback for a principal building under this By-law, from the property line adjacent to the flanking street; (g) must be at grade level; (h) must be no less than 1 m from any property line; and (i) may be situate only in the RA, RS, RT, RM, FM, and First Shaugnessy Districts.
10.3	Boats, Vehicles, Equipment or Materials in Residential and Commercial Districts 10.3.1 No boat, boat trailer, truck, bus or similar vehicle shall be placed or parked on any site in an R district except for the following: (a) one truck with a registered gross vehicle weight not exceeding 4 550 kg; (b) one boat not exceeding 4.9 m in length, together with its accessory boat trailer; (c) trucks temporarily involved in servicing the premises; or (d) such boats or vehicles as may be approved by the Director of Planning where the Director of Planning considers that they will not have an unduly detrimental effect on the site or adjacent properties. 10.3.2 No equipment or materials shall be stored in an R or C district except where: (a) otherwise permitted by section 11.13 or as an accessory use pursuant to this By-law; (b) temporarily required for the construction, repair, servicing or maintenance of the premises; or (c) approved by the Director of Planning where the Director of Planning considers that an unduly detrimental effect is not created on the site or adjacent properties.
10.4	Building Length Exclusions 10.4.1 The following features are excluded from any limitations to the maximum length of buildings or portions of buildings for the purpose of viewobstruction: (a) eaves, gutters, sills, safety railings and chimneys; (b) balconies, subject to the same conditions as in section 10.7.1(c);

	(c) canopies over entrances to buildings, subject to the same conditions as set out in section 10.32.1(d); and (d) any other features which, in the opinion of the Director of Planning, are similar to any of the features listed above.
10.5	Buildings on Site – Number 10.5.1 The placing of more than one principal building on any one site shall not be permitted, except as otherwise provided for by this By-law.
10.6	Character House 10.6.1 If the Director of Planning first considers the intent of the relevant District Schedule and all applicable policies and guidelines, the Director of Planning may vary the requirements in the appropriate District Schedule, other than permitted use or permitted floor space ratio (unless otherwise allowed in the appropriate district schedule), where a character house is retained. ~~The Director of Planning may permit more than one entrance facing a front yard or a side yard if the entrances provide access to a dwelling unit in a character house.~~ 10.6.2 Computation of floor area in a character house may exclude: (a) existing covered porches that: (i) in the opinion of the Director of Planning, are original to the character house, (ii) face a street, and (iii) are open or protected by guards ~~rails which~~ that do not exceed the required minimum height ~~specified in the Building By-law~~; (b) areas of undeveloped floors with a ceiling height or height to the underside of joists of less than 2.0 m located below the floors of covered porches complying with subsection (a); (c) floor areas under sloping roofs with a pitch of at least 7:12 if: (i) the vertical distance from the floor to any part of the ceiling is 2.3 m or less, and (ii) the ceiling attaches directly to the underside of the sloping roof rafter and follows its slope; and (d) floors used for off-street parking, not exceeding 6.7 m in length, located in an infill building in conjunction with a retained character house, to a maximum of 42 m^2. ~~10.6.3 Building depth, in the case of a character house, means the distance from the front exterior wall measured in a straight line to a point directly opposite on the rear exterior wall, except that covered porches that comply with section 10.6.2(a) may be excluded from the measurement of building depth~~ ~~10.6.4 Covered porches that comply with section 10.6.2(a) may project~~

	~~into the required front yard.~~
10.7	Daylight Access and Angle Controls Exclusions 10.7.1. The following features are excluded from regulations of daylight access and angle controls: (a) steps; (b) eaves, gutters, sills and chimneys; (c) balconies, if: (i) they do not project more than 1.2 m into the area controlled by daylight angles, and (ii) the safety railing does not extend more than 1 070 mm above the floor of the balcony; (d) canopies over entrances to buildings, subject to the same conditions as set out in section 10.31.1(d); (e) safety railings, if they are not over 1 070 mm in height; (f) bay windows, if: (i) they do not project more than 540 mm into the area controlled by daylight angle, and (ii) the bottom outside edge of the bay is not less than 300 mm above the floor level; and (g) any other features, including vent shafts or mechanical equipment which, in the opinion of the Director of Planning, are similar to any of the features listed above.
10.8	Demolition of a Building 10.8.1 Except as exempted by the provisions of section ~~5~~4, no person shall carry out any construction, engineering or other operation in, on, over or under any land which will result in the demolition of a building without first obtaining a development permit for the demolition from the Director of Planning. 10.8.2 Except as set out in section 10.8.3, where development necessitates the demolition of existing residential rental accommodation, no development permit shall be issued for the demolition unless and until a development permit for the new development has been issued. The development permit for the new development shall not be issued unless and until all building permits for the new development and a building permit for the demolition are issuable. 10.8.3 The following cases of residential rental accommodation are exempted from the provisions of section 10.8.2:

(a) where located in the RA-1 District, or any M or I district;

(b) where located in a building damaged or destroyed by fire to the extent of 60% or more of its value above the foundations, as determined by the City Building Inspector;

(c) where located above a commercial use and where the residential rental accommodation does not predominate in terms of floor space;

(d) where located in a building deemed by the City Building Inspector to be beyond re-use or rehabilitation for residential purposes;

(e) where located in a building deemed by the City Building Inspector to be appropriate for demolition because of hazard to public health or safety;

(f) where located in a multiple dwelling in which units are individually owned in accordance with the *Strata Property Act* (British Columbia) and no fewer than 75% of them are owner-occupied;

(g) where located in a multiple dwelling consisting of a co-operative tenure established prior to legislation permitting condominium ownership; and

(h) where located in a building deemed by Council to be appropriate for demolition because the premises are a nuisance.

10.8.4 Except as set out in sections 10.8.6, 10.8.7 and 10.8.8, where development necessitates the demolition of (a) a building listed on the Heritage Register or (b) a residential building located in the RS-1, RS-3, RS-3A, RS-5, RS-6, RS-7, or First Shaughnessy Districts no development permit shall be issued for the demolition unless the Director of Planning is satisfied that all applicable policies and guidelines adopted by Council have been met, and until a development permit for the new development has been issued. The development permit for the new development shall not be issued unless and until all building permits for the new development and a building permit for the demolition are issuable.

10.8.5 Except as provided in sections 10.8.6 and 10.8.7, where development necessitates demolition of a building listed in the Heritage Register as an "A" Evaluation Group heritage building and located in the RM-5, RM-5A, RM-5B, RM-5C and RM-5D, RM-6, or Downtown Districts, a development permit shall not be issued for the new development unless the applicant has complied with the provisions of section 10.8.4, except that the Director of Planning may also require that the applicant submit a calculation of density bonus to the City, to the satisfaction of the Director of Planning, before a development permit may be issued.

10.8.6 A building deemed by the City Building Inspector to be appropriate for demolition because of hazards to public health or safety is exempt from the provisions of sections 10.8.4 and 10.8.5.

	10.8.7 A building deemed by Council to be appropriate for demolition because the premises are a nuisance is exempted from the provisions of sections 10.8.4 and 10.8.5. 10.8.8 A building which is a one-family dwelling, one-family dwelling with secondary suite, or two-family dwelling in the RS-1, RS-3 and RS-3A, RS-5, RS-6, RS-7, or First Shaughnessy Districts, which is not listed on the Heritage Register, and for which a building permit has been issued to demolish by deconstruction, is exempted from the provisions of section 10.8.4.
10.9	Fences 10.9.1 For the purposes of this section 10.9, the term "fence" shall include arbors, archways, boundary fences, gates, pergolas, screens, trellises, walls and similar structures. 10.9.2 Height shall be measured from any point on the ground level of the site at the structure or fence line. 10.9.3 A fence or similar structure shall be permitted in a required yard or on the boundaries of a required yard provided it does not exceed 1.9 m in height. 10.9.4 Notwithstanding section 10.9.3, a fence or similar structure shall be permitted in a required front yard or on the boundaries of a required front yard located in the C-1 District or any R district provided it does not exceed 1.2 m in height. 10.9.5 Where a fence is erected or placed above a common boundary retaining wall or within 1.0 m of a common boundary retaining wall, the maximum permissible height shall be reduced by half the height of the retaining wall. 10.9.6 The Director of Planning may, at the Director of Planning's discretion, permit a fence or similar structure which does not comply with sections 10.9.3, 10.9.4, and 10.9.5; however, in the case of a relaxation of the height limitations of this section 10.9, the Director of Planning shall first notify such property owners as the Director of Planning deems necessary.
10.10	Floor Area Exclusions 10.10.1 Floor area excluded from a computation of floor space ratio pursuant to this By-law shall not be put to any use other than that which justified the exclusion.
10.11	Floor Area Exclusions for Exterior Wall Thickness 10.11.1 For residential buildings less than seven storeys in height, computation of floor area shall exclude 2% of the total area in buildings of three storeys or less if the majority of the exterior wall space contain at least 175 mm of thermal insulation in total thickness, or 1% of total area in buildings of four to six storeys where the majority of exterior wall space contain at least 100 mm of thermal insulation in total thickness. 10.11.2 The Director of Planning may exclude an area equal to the area occupied by the insulation thickness that exceeds the applicable thermal performance value for exterior walls in the Building By-law, as verified by a building envelope

	professional, to a maximum exclusion of 330 mm of thickness for buildings of six storeys or less, and a maximum exclusion of 179 mm of thickness for all other buildings. 10.11.3 Computation of floor area shall exclude an area equal to the area occupied by a rain screen system in a wall that exceeds 203 mm in thickness, as verified by a building envelope professional, to a maximum exclusion of 152 mm of thickness, except that this exclusion shall not apply to laneway houses or to one or two-family dwellings of three storeys or less with or without a secondary suite.
10.12	Deleted
10.13	Floor Area Exclusions for Kitchen Exhaust Shafts 10.13.1 In buildings with commercial, retail or service use at grade, computation of floor area may exclude the area occupied by interior commercial kitchen exhaust shafts, to a maximum exclusion of 3.7 m^2 for each floor above the commercial, retail or service use.
10.14	Deleted
10.15	Floor Area Exclusions for Sites in a Designated Flood Plain in an R District 10.15.1 The Director of Planning may exclude floors located at or below finished grade with a ceiling height of less than 1.5 m from the computation of floor area, in order to achieve flood construction levels on sites located in a designated flood plain in an R district.
10.16	Floor Area Increase for Low Operational Cost Housing 10.16.1 Notwithstanding the maximum permitted floor area regulation in any district schedule, the Director of Planning may approve an addition of up to 5% of the floor space ratio for low operational cost housing containing 6 or more dwelling units, excluding sites that contain rental housing units in the RM-3 District, provided the Director of Planning first considers all applicable policies and guidelines adopted by Council. This section 10.16 shall not apply to applications made after December 31, 2025.
10.17	Frontage Determination 10.17.1 The frontage of any site having more than one boundary on a street shall be: (a) where street boundary lengths are equal, as determined by the Director of Planning; (b) in the case of a corner site, the shortest boundary abutting on a street, or as otherwise determined by the Director of Planning; and (c) where a site is composed of more than one lot, the shortest boundary abutting on a street, or as otherwise determined

	by the Director ofPlanning.
10.18	Height of Building and Relaxation 10.18.1 The height of a building shall, unless otherwise specified in a district schedule to this By-law, be measured as the vertical distance that the building extends above the base surface. 10.18.2 Where the existing grade of a site is higher than the base surface and the Director of Planning is satisfied that the existing grade is compatible with the existing grade of the adjoining sites or the general topography of the area, height of building may be measured from a surface determined by joining the existing grade at all points around the perimeter of the proposed building. The Director of Planning may, if the Director of Planning deems necessary, require the applicant to furnish a plan of survey in accordance with section ~~4.1.3~~4.1.2 of this By-law. 10.18.3 Where the existing grade of a site is lower than the base surface, building height may be measured from the base surface provided the Director of Planning is satisfied that the proposed finished grade is compatible with the existing grade of the adjoining sites or the general topography of the area. The Director of Planning may, if the Director of Planning deems necessary, require the applicant to furnish a plan of survey in accordance with section ~~4.1.3~~ 4.1.2 of this By-law. ~~10.18.5~~ 10.18.4 The Director of Planning may, at the Director of Planning's discretion, permit a greater height than otherwise permitted for the following items if, except for the items set out in subsection (d), they do not, in total, exceed one third of the width of the building or buildings as measured on any elevation drawings and do not, in total, cover more than 10% of the roof area on which they are located as viewed from directly above: (a) architectural appurtenances such as towers, turrets, and cupolas, provided: (i) no additional floor area is created, and (ii) no protrusion extends more than 1.1 m above the height limitation; (b) mechanical appurtenances such as elevator machine rooms; (c) chimneys;

(d) access and infrastructure required to maintain green roofs or urban agriculture, or roof mounted energy technologies including solar panels and wind turbines, provided that the Director of Planning considers:

(i) their siting and sizing in relation to views, overlook, shadowing, and noise impacts, and

(ii) all applicable policies and guidelines adopted by Council;

(e) venting skylights and opening clerestory windows designed to reduce energy consumption or improve natural light and ventilation; and

(f) items similar to any of the above.

~~10.18.6~~ 10.18.5 The Development Permit Board may, for any building higher than 30.5 m, permit a decorative roof, which may include items referred to in section 10.18.~~5~~4, to exceed the maximum height otherwise specified in this By-law, provided that:

(a) the Development Permit Board is satisfied that the roof enhances the overall appearance of the building and appropriately integrates mechanical appurtenances;

(b) the roof does not add to the floor area otherwise permitted; and

(c) the Development Permit Board first considers all applicable policies and guidelines adopted by Council.

10.19

Land not Abutting a Street

10.19.1 Where an area of land does not abut a street and therefore is not defined as a site, development may be permitted by the Director of Planning if, in the Director of Planning's opinion, the land is, or is likely to be, satisfactorily provided with the public utilities and services necessary for the development.

10.20

Landscape Setbacks in an M or I District or a CD-1 District

10.20.1 Development in an M, I, or CD-1 district where the site abuts any portion of the streets, lanes or other areas set forth in Schedule C to this By-law, shall be subject to the following:

(a) a setback shall be provided and maintained at a depth as set forth in Schedule C;

(b) no building or structure of any kind, or area for manoeuvring aisles, parking, loading or any other like purpose, shall be permitted within the setback area;

(c) except as provided for elsewhere in this section 10.20, the setback area shall be fully graded and landscaped with trees, shrubs and lawn to the satisfaction of the Director of Planning; and

(d) the following may be permitted within the landscaped setback area by the Director of Planning:

(i) statuary, fountains and other objects of art,

	(ii) open ornamental fences if necessary for the protection and preservation of landscaping or permitted objects of art, and (iii) walks or driveways which in the opinion of the Director of Planning may be required to provide direct access to any building or use on the site.
10.21	Living Accommodation Below Finished Grade 10.21.1 Living accommodation may be permitted below finished grade, subject to the following: (a) the floor must be no more than 0.8 m below the finished grade of the adjoining ground, except that if the Director of Planning, on the advice of the Chief Building Official, is satisfied about: (i) the provision of adequate damp proofing, lighting, ventilation, heating and secondary access, the Director of Planning may increase this dimension to 1.5 m, or (ii) in the case of a one-family dwelling or a one- family dwelling with secondary suite, the same considerations as (i) above and the overall relationship of the resulting living accommodation to the surrounding grade, the Director of Planning may increase this dimension to 1.83 m; and (b) in the case of a multiple dwelling that has its existing utility, recreational or storage areas below finished grade, a minimum of 20% of the floor area below finished grade shall be retained for such uses, except that the Director of Planning may allow a lesser amount where the Director of Planning is satisfied that adequate utility, recreational and storage space is provided elsewhere in the building. 10.21.2 Storage rooms shall be excluded from the provisions of section 10.21.1. 10.21.3 Recreation rooms and bedrooms in a one-family dwelling, two-family dwelling, multiple conversion dwelling, or laneway house, bathrooms, utility rooms and workshops shall be excluded from the provisions of section 10.21.1(a), except that no bedroom shall be permitted having a floor 1.5 m or more below the finished grade of the adjoining ground.

10.22	Murals 10.22.1 The Director of Planning may permit a mural in any district, provided that the Director of Planning first considers: (a) all applicable policies and guidelines adopted by Council; and (b) the submission of any advisory group, property owner or tenant.
10.23	Nuclear Weapons Prohibition 10.23.1 No person shall use or occupy land and no development permit shall be issued for the manufacture, distribution or storage of a nuclear weapon or any component thereof
10.23A	Passive House 10.23.A1 For a one-family dwelling, a one-family dwelling with secondary suite, a two-family dwelling, or a two-family dwelling with secondary suite in an RA, RS or RT district, the Director of Planning may vary the following regulations to accommodate building features designed to reduce energy consumption in a Passive House, if the Director of Planning first considers the intent of the relevant district schedule and all applicable Council policies and guidelines: (a) height, including secondary envelopes, by a maximum of 1 m; (b) the floor area of a partial storey or a half-storey; (c) front yards expressed as a dimension, by a maximum of 0.5 m; (d) rear yards expressed as a dimension, by a maximum of 1.25 m; (e) building depth, and front and rear yards expressed as a percentage, by a maximum of 5%; (f) the computation of floor space ratio where the distance from a floor to the floor above, or where there is no floor, to the top of the roof joists, exceeds 3.7 m, by excluding the area of the floor below the excess height, up to maximum of 10% of the permitted floor area; (g) external design regulations; and (h) the dimensions of below grade features including window wells and entrances designed to increase solar gain to a basement. 10.23A.2 For any district or use not included in section 10.23A.1, except a laneway house, the Director of Planning may vary a height, yard, or building depth regulation by a maximum of 1.25 m to accommodate building features designed to reduce energy consumption in a Passive House, if the Director of Planning first considers the intent of the relevant district schedule and all applicable Council policies and guidelines. 10.23A.3 The Director of Planning may exclude any floor area occupied by heat recovery ventilators and connected shafts in a Passive House that exceeds the floor area required in order for these features to meet the requirements of the Building By-law, to a maximum exclusion of 2% of permitted floor area. 10.23A.4 In an RA, RS or RT district, except where the floor area exceeds 465 m2, computation of floor area in a Passive House shall exclude 16% of the floor area in a one-family dwelling or a one family

	dwelling with secondary suite, and 18% of the floor area in a two-family dwelling or two-family dwelling with secondary suite, unless exclusions are sought under section 10.11, section 10.23A.1(f), section 10.23A.3, or section 4.7 of an applicable district schedule for bay windows. This section 10.23A.4 shall not apply to applications made after December 31, 2025. 10.23A.5 The Director of Planning may exercise the discretion in this section 10.23A to accommodate a building designed for certification under the Passive House Institute's EnerPHit standard, the International Living Future Institute's Zero Energy standard, or an equivalent standard acceptable to the Director of Planning.
10.24	Principal Pedestrian Access 10.24.1 Except in the case of an approval pursuant to section 10.19, the principal pedestrian access to every principal building and separate use shall be directly from a street.
10.25	Relocation of a Building 10.25.1 Where an existing buildingis: (a) relocated onto a different site;or (b) located elsewhere within the same site, it shall conform with all the regulations of the district in which it is located.
10.26	Site with Building Lines 10.26.1 Where a building line has been established pursuant to section 14.1, the following measurements and calculations shall be made using the building line instead of the site boundaries: (a) width or depth of a required yard; (b) depth of required setbacks for pump islands and canopies in gasoline station – full serve and split island; and (c) depth of a site for the purpose of yard reductions pursuant to section 10.29.
10.27	Site, Corner – in an RA, RS, RT or C-1 District 10.27.1 Development in an RA, RS, RT, or C-1 district on 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, shall provide: (a) in the case of the principal building, a setback from the flanking street of a distance not less than one half of the depth of the required front yard of the rear site, but which need not exceed the greater of 3.7 m or the minimum side yard of the applicable district schedule, or result in the reduction of the building width on the corner lot to less than 7.9 m so long as the minimum side yards of the applicable district schedule are provided; and (b) in the case of any accessory building, a setback of 7.3 m from the flanking street or as otherwise approved by the Director of Planning.

10.28	Site, Double Fronting – Design Approval 10.28.1 The siting and design of all buildings on a double fronting site located in any district except an M or I district shall require the approval of the Director of Planning.
10.29	Site, Shallow – in an RS, RT or C-1 District 10.29.1 Development in an RS, RT or C-1 district on a site which is less than 36.6 m deep may reduce the required depths as follows: (a) the front yard to 20% of the average depth of the site, except that the front yard shall in no case have a depth of less than 5.5 m; and (b) the rear yard to 30% of the average depth of the site, except that the rear yard shall in no case have a depth of less than 8.2 m or, where it abuts a lane, 8.2 m less the lane width between the rear property line and the ultimate centre line of the lane.
10.30	Vehicles on a Site – Maximum Number 10.30.1 Where a provision of the Parking By-law prescribes a maximum number of off-street parking spaces for a site, no person shall park or place, or permit to be parked or placed, a greater number of vehicles on that site than the maximum number of off-street parking spaces prescribed, except that this section 10.30 shall not apply to businesses licensed for the sale or rental of motor vehicles.
10.31	Yards – Development In 10.31.1 No building or development shall be permitted in any required yard, except as otherwise provided for by this By-law or the Parking By-law. 10.31.2 No portion of required yard or required open space for any development shall be provided from any yard or open space already required for any other development. 10.31.3 No development shall be permitted beneath the normal finished grades of a required yard without the prior approval of the Director of Planning who shall, in the exercise of the Director of Planning's discretion, have due regard to: (a) the effect on the amenity in the neighbourhood; (b) the adjoining topography; and (c) the design treatment of the open portions of the site, and shall be satisfied that the proposed development is unlikely to adversely affect the possible widening or future development of streets and lanes. 10.31.4 No accessory building shall be located closer than 6.0 m to the rear line of any site which adjoins without the intervention of a lane the front or side yards of a site in an R district, except that the Director of Planning may approve a lesser distance where in the Director of Planning's opinion no unduly adverse effect on adjoining sites is likely to be created.

10.32

Yards – Projections Into

10.32.1 The following features shall be permitted in any required yard:

(a) steps, except that no steps shall be permitted in any side yard except an exterior sideyard;

(b) eaves, gutters, sills and chimneys or other similar projections as determined by the Director of Planning, if they do not project more than 540 mm, measured horizontally, into a required yard;

(c) balconies on multiple dwellings, if:

(i) they do not project more than 1.~~2~~8 m into a required yard and in no case are closer than 2.1 m to an interior side property line, and

(ii) the safety railing does not extend more than 1 070 mm above the floor of the balcony;

(d) canopies, if:

(i) they are cantilevered,

(ii) they do not project more than 1.2 m measured at right angles to the face of the building, and

(iii) they are not located closer than 0.3 m measured horizontally from any window of a habitable room where any part of such window is located below the level of the canopy;

(e) bay windows, if:

(i) they do not project more than 540 mm into the required yard,

(ii) the bottom outside edge of the bay is not less than 300 mm above the floor level, and

(iii) the area contained within the bay window projection is not used for any purpose other than to provide light and ventilation;

(f) building projections, including shading devices, eaves, and overhangs, if:

(i) they are, in the opinion of the Director of Planning, suitably designed and located in a position that provides solar rejection,

(ii) they are cantilevered, and

(iii) they do not project more than 1.5 m measured at right angles to the face of the building;

(g) demountable green walls, if:

(i) they do not project more than 254 mm into a required yard,

(ii) they comply with Building By-law requirements, and

(iii) they are, in the opinion of the Director of Planning, suitably designed and located to contribute to sustainable design performance; and

(h) any other features which, in the opinion of the Director of Planning, are similar to any of the features listed above.

10.32.2 The following additional features may project into rear yards only:

(a) open fire escapes; and

(b) any other features which, in the opinion of the Director of Planning, are similar to any of the features listed above.

Section 11

Additional Regulations for Specific Uses

Whenever any of the following uses are permitted in any district pursuant to any provisions of this By-law, the following additional regulations shall apply unless other specified.

[Note: The content in the right margin is for information purposes only and does not form part of this By-law.]

Section	Term and Regulations
11.1	Adult Retail Store 11.1.1 Premises used as an adult retail store shall not be issued a permit for an arcade and premises used as an arcade shall not be issued a permit for an adult retail store. 11.1.2 Adult retail stores shall be restricted to a maximum floor area of 278 m^2 and a maximum premise frontage of 7.6 m. 11.1.3 Any development permit issued for an adult retail store shall be limited in time to three years.
11.2	Artist Studio and Residential Unit Associated with an Artist Studio 11.2.1 Where an artist studio is combined with a residential unit, the studio may only be used by the individuals residing in the residential unit associated with and forming an integral part of the artist studio. 11.2.2 The total minimum and maximum size of an artist studio when combined with a residential unit associated with and forming an integral part of an artist studio shall be 47 m^2 and 500 m^2, respectively.
11.3	Arts and Culture Indoor Event 11.3.1 An arts and culture indoor event is not a permitted use in a dwelling unit.
11.4	Bed and Breakfast Accommodation 11.4.1 A maximum of two bedrooms accommodating a maximum of four bed and breakfast guests may be permitted in a dwelling unit. 11.4.2 The provision of bed and breakfast accommodation shall not be permitted coincidentally with the keeping of boarders and lodgers.

	11.4.3 The operator of the bed and breakfast accommodation shall reside in the dwelling unit.
11.5	Body-rub Parlour 11.5.1 Wherever "commercial", "commercial uses", or "service uses" appear in this By-law or in any by-law passed pursuant to this By-law, such permitted use shall not, unless otherwise specifically provided by this By-law, include a body rub parlour.
11.6	Cannabis Store 11.6.1 Before granting a development permit, the Director of Planning shall: (a) notify surrounding property owners and residents and have regard to their opinions; (b) have regard to the liveability of neighbouring residents; and (c) consider all applicable Council policies and guidelines. 11.6.2 A cannabis store is not permitted: (a) within 300 m of the nearest property line of a site containing another cannabis store; (b) within 300 m of the nearest property line of a site containing a school – elementary or secondary, or community centre or neighbourhood house; (c) within the area outlined on the map attached to this section 11 as Figure 1, except for sites with a property line on Hastings Street or Main Street; (d) on any site with a property line on Granville Street between Robson Street and Pacific Boulevard; (e) on any site other than a site located on a block where all or part of the street in that block has a painted centre line; (f) in conjunction with any other use; or (g) in conjunction with an automated banking machine.
11.7	Casino and Bingo Halls 11.7.1 Wherever the words "commercial", "commercial uses", "social, recreational and cultural" and "cultural and recreational uses" appear in this By-law or any other by-law passed pursuant to this By-law, such permitted use shall not, unless otherwise specifically provided by this By-law or any other by-law passed pursuant to this By-law, include a casino – class 1 or a bingo hall. 11.7.2 No person shall use or occupy land for the purpose of and no development permit shall be issued for a casino – class 2 except as expressly allowed under this By-law.
11.8	Church 11.8.1 The site shall have a minimum frontage of 20.1 m. 11.8.2 The Director of Planning may permit a greater height than permitted by the applicable district schedule, provided the

	Director of Planning first considers the effect of the additional height on the amenity of the neighbourhood. 11.8.3 Yards shall be provided in accordance with the applicable district schedule except that interior side yards shall have a minimum width of 4.5 m plus an additional 0.3 m for every0.6 m by which the height of the building exceeds 10.7 m.
11.9	Community Care Facility – Class B; or Group Residence; or Seniors Supportive or Assisted Housing 11.9.1 Before granting a development permit, the Director of Planning shall: (a) be satisfied that the landscaping and open spaceprovision is appropriate for the size and nature of thedevelopment; (b) have due regard to the effect of the design of all buildings and the provision and location of off-street parking and loading on the amenity of the neighbourhood; (c) notify adjacent property owners andany others that the Director of Planning deems necessary; and (d) consider all applicable policies and guidelines adopted by Council. 11.9.2 In the case of a specifically designed facility not being a conversion, the Director of Planning shall establish the minimum site area, having particular regard to: (a) the nature of the proposed facility in terms of type of service being provided and number of residents; and (b) the character of development within the adjacent neighbourhood. 11.9.3 In the case of a community care facility – class B, group residence, or seniors supportive or assisted housing resulting from the conversion of an existing building, the Director of Planning before granting a development permit shall be satisfied that the building is suitable for the conversion, having regard to the size of the site and building, open space on the site and the proximity of adjacent buildings.
11.10	Dwelling Units 11.10.1 Except when used for short term rental accommodation in accordance with section 11.32 of this By-law, no dwelling unit shall be used or occupied by more than one family, but it may also be used to keep a maximum of two boarders or lodgers, or a maximum of five foster or eight daycare children. 11.10.2 Subject to the provisions of section 11.10.7, the floor area of each: (a) dwelling unit, except for a lock-off unit, must be at least 37 m^2; and (b) lock-off unit must be at least 26 m^2, measured from the inside of all outer walls, except that if the Director of Planning is satisfied that the design and location of the unit provides satisfactory living accommodation, having regard to the type of occupancy proposed, the Director of

	Planning may permit a floor area no less than: (c) 29.7 m^2 for dwelling units except lock-off units; and (d) 19 m^2 for lock-off units. 11.10.3 The maximum floor area of a lock-off unit is 29.7 m^2. 11.10.4 There shall not be less than one complete bathroom unit, comprising one water closet, one hand wash basin and one bathtub or shower, contained within each dwelling unit. 11.10.5 There shall not be more than one kitchen contained within a dwelling unit. 11.10.6 All rooms of a dwelling unit shall remain accessible from within that dwelling unit. 11.10.7 No person shall use or permit to be used any dwelling unit for a period of less than 30 days unless such unit forms part of a hotel, or is used for bed and breakfast accommodation or short term rental accommodation. 11.10.8 The minimum requirements regarding floor area in section 11.10.2 do not apply to the conversion or demolition of a room designated under the Single Room Accommodation By-law, if the conversion or demolition adds bathroom and cooking facilities to the designated room. 11.10.9 The minimum requirements regarding floor area in section 11.10.2 do not apply to a dwelling unit contained in temporary modular housing that complies with the provisions of section 11.34.
11.11	Farmers' Market 11.11.1 A farmers' market must be in: (a) open air stalls or booths; (b) stalls or booths partially or totally covered by tents or similar temporary structures; or (c) stalls or booths in a building approved for use as a farmers' market. 11.11.2 A farmers' market must have at least 11 stalls or booths, except that the Director of Planning may permit a lesser number of stalls or booths, if the Director of Planning first considers all applicable policies and guidelines adopted by Council. 11.11.3 The site area of a farmers' market must not exceed 2 323 m^2, except that the Director of Planning may permit an increase in site area, if the Director of Planning first considers all applicable policies and guidelines adopted by Council. 11.11.4 A vendor at a farmers' market must only sell: local fresh, dried or frozen fruit and vegetables; local dried or frozen meat and seafood; local eggs; local dairy products; local plants; local prepared foods; local ready-to-eat foods; local artisan crafts; or local wine, cider, beer or spirits. 11.11.5 No more than 40% of the total number of stalls or booths in a farmers' market may be used for the sale of local ready-to- eat foods and local artisan crafts.

	11.11.6 There must be no more than three vendors selling or providing samples of local wine, cider, beer or spirits at a farmers' market.
11.12	Freehold Rowhouses 11.12.1 Computation of floor area, floor space ratio, yards, site coverage, impermeability, number of buildings on site and dwelling unit density must be based on the site width and area at the time of development, prior to any subdivision into individual freehold rowhouse parcels. 11.12.2 For the purpose of fee simple subdivision, the minimum site width and frontage for each freehold rowhouse parcel is 5 m.
11.13	Gasoline Stations – Full Serve and Split Island 11.13.1 In the case of a gasoline station – full serve or split island located in a C-1 District, notwithstanding section 10.27 of this By-law and the front, side and rear yard regulations as set out in the C-1 District Schedule: (a) the minimum width of the side yard on a street which flanks a corner site shall be 4.5 m; (b) a rear yard with a minimum depth of 4.5 m shall be provided, except that where the rear property line of the site adjoins a dedicated lane, the minimum depth of the rear yard may be reduced by the width of that portion of the lane equal to the distance from the ultimate centre line of the lane to the rear line of the site; (c) pump islands shall be permitted in the front yard provided that they are set back a minimum distance of 4.5 m from the front property line; and (d) canopies over the pump islands may be located to the satisfaction of the Director of Planning in the front and side yards as long as all such canopies are set back at least 1.5 m from the front or side property line of the site, as the case may be, and no canopy is longer than 33% of the length of the street boundary of the yard in which it is located, to a maximum of 12.2 m. 11.13.2 Notwithstanding any other provisions of this By-law, no merchandise shall be displayed outdoors on any gasoline station – full serve or split island site except for the following: (a) if located at a pump island, the small sample display of new tires, lubricating oils and automotive accessories; (b) if located adjacent to the principal building, tires and vending machines; and (c) if located within an accessory building approved by the Director of Planning, other merchandise including fireplace logs, garden equipment, garden furniture and similar items. 11.13.3 No truck, bus, utility or camper trailer, camper or similar

	vehicle shall be stored or parked at any time, other than the necessary waiting period for service, on a gasoline station – full serve or split island site in a C district except for the following: (a) in the C-1 District, trucks with a registered gross vehicle weight not exceeding 4 550 kg; (b) in all other C districts, trucks and small buses with a registered gross vehicle weight not exceeding 6 825 kg; (c) five utility trailers, provided that they do not exceed 1.5 m in width and 3.1 m in length and are located in the rear or side yards; (d) one service truck operated by the gasoline station – full serve or split island; and (e) trucks or equipment temporarily required for the construction, repair, servicing or maintenance ofthe premises. 11.13.4 Gasoline stations – full serve or split island in all districts shall be subject to the following: (a) except for points of access to and from the perimeter, every gasoline station – full serve or split island site shall be screened to the satisfaction of the Director of Planning along those boundaries which adjoin or are across the lane from any R district or any residence in a C, M or I district; and (b) the site of every gasoline station – full serve or split island shall be properly landscaped and maintained with lawns, shrubs, trees or other suitable landscaping of a type and location to the satisfaction of the Director of Planning, such landscaping to constitute a minimum of 5% of the site subject to such minor variations as the Director of Planning may approve. 11.13.5 The total width of vehicular access to a gasoline station – full serve or split island from a lane in a C, M or I district shall not exceed an amount equal to 15% of the total length of the lane abutting the site; except that in no case shall the total width of vehicular access be restricted to less than 3.7 m.
11.14	Homecraft 11.14.1 No person other than one resident member of the family occupying the dwelling shall be engaged in the homecraft on the premises. 11.14.2 Where located in an R district, there shall be nothing to indicate from the exterior of the dwelling unit or building that it is being used for any purpose other than its principal or approved use. 11.14.3 No products or material shall be sold from or within the dwelling unit. 11.14.4 No products or materials shall be stored outside of the dwelling unit, building or accessory building. 11.14.5 No offensive noise, odour, vibration, smoke, heat or other

	objectionable effect shall be produced.
11.15	Hospital 11.15.1 Before granting a development permit, the Director of Planning shall: (a) be satisfied that the landscaping and open space provision is appropriate for the size and nature of the development; (b) have due regard to the design of all buildings, to the location and provision of off-street parking and loading, and to their effect on the amenity of the neighbourhood; and (c) prior to final consideration, notify adjacent property owners and any others that the Director of Planning deems necessary. 11.15.2 In the case of a specifically designed facility not being a conversion: (a) the site area shall not be less than 3 700 m^2 except as provided in clause (b) below; (b) the Director of Planning may permit a greater height than permitted by the applicable district schedule, provided the Director of Planning first considers the effect of the additional height on the amenity of the neighbourhood, and the Director of Planning may therefor require a site area of larger than 3 700 m^2; and (c) the floor space ratio shall not exceed the maximum permitted for any residential use in the particular district schedule. 11.15.3 In the case of a hospital resulting from the conversion of an existing building, the Director of Planning before granting a development permit shall be satisfied that the building is suitable for the conversion, having regard to the size of the site and building, open space on the site and the proximity of adjacent buildings.
11.16	Housekeeping Units 11.16.1 No housekeeping unit shall be used or occupied by more than one family. 11.16.2 Every housekeeping unit shall have a floor area of not less than 13.4 m^2, or a floor area of not less than 11.1 m^2 if the unit is occupied by not more than one person only and adequate lounge facilities are provided on the premises. 11.16.3 There shall be provided within the housekeeping unit a separate and properly ventilated kitchen or kitchenette equipped with a sink and cooking facilities. 11.16.4 There shall not be less than one complete bathroom unit for every three housekeeping units, provided that where the housekeeping units have single occupancy the provisions of section 11.33.3 shall apply.

	11.16.5 No person shall use or permit to be used any housekeeping unit for a period of less than one month unless such unit forms part of a hotel.
11.17	Laneway House 11.17.1 In this section 11.17, "footprint" means the projected area of the extreme outer limits of a laneway house including carports, ~~covered~~entries, and ~~-~~porches, and enclosed or covered accessory building areas but excluding steps, eaves, and such other projections as section 10.31 of this By-law may allow. 11.17.2 In this section 11.17, height is measured from the horizontal datum plane, which is the plane created by the average of the existing site elevations as measured at the intersections of the required setback lines from the ultimate rear property line, with the side property lines. 11.17.3 A laneway house is not permissible except in conjunction with a one-family dwelling or one-family dwelling with secondary suite on: (a) a site served by an open lane; (b) a site located on a corner served by an open or dedicated lane; or (c) a double-fronting site served by a street at both the front and rear of the site. 11.17.4 The width of a site on which a laneway house is situated must be at least 9.8 m, except that the Director of Planning may approve a laneway house on a site which is less than 9.8 m in width, if: (a) the site is at least 7.3 m in width; or (b) the Director of Planning first considers massing, overlook and impact on neighbourhood privacy and all applicable Council policies and guidelines. 11.17.5 A laneway house may have a basement. 11.17.6 For sites in the RS-3 and RS-3A Districts and the RS-6 District, and for sites 16.8 m or wider in the RS-5 District, the width of a laneway house, or a laneway house and an accessory building, must not exceed the permitted width for an accessory building under the applicable district schedule. 11.17.7 On east-west oriented sites, a laneway house must be located toward the south side of the site to reduce shadowing on the site to the north. 11.17.8 A laneway house may be one storey or one storey with a partial second storey. 11.17.9 ~~Open b~~Balconies, ~~sun~~decks, and roof decks are not permitted: (a) on a one storey laneway house; or (b) above the partial second storey of a laneway house with a partial second storey. 11.17.10 The height of a one storey laneway house must not exceed 4.3 m in height measured to the highest point of the roof if a flat roof, or to the mean height level between the eaves and the ridge of a

gable or hip roof, except that no portion of a one storey laneway house may exceed 5.2 m in height.

11.17.11 The location of a one storey laneway house must be:

(a) within 10.7 m of the ultimate rear property line;

(b) at least 4.9 m, measured across the width of the site, from the one-family dwelling or one-family dwelling with secondary suite on the site;

(c) at least 0.9 m from the ultimate rear property line, except that the Director of Planning may relax the location to 0.6 m from the ultimate rear property line on sites less than 30.5 m in depth; and

(d) a distance from each side property line equal to at least 10% of the lot width, except that the Director of Planning may relax the location to:

(i) 0.6 m from one side property line for interior lots, and

(ii) 0.6 m from the inside side property line for corner lots.

11.17.12 Notwithstanding 11.17.11(a), where a site is 39.6 m or more in depth, the Director of Planning may permit a one storey laneway house to extend into a site to a maximum of 26% of the lot depth measured from the ultimate rear property line.

11.17.13 Site coverage must not exceed the permitted site coverage under the applicable district schedule, except that, for a one storey laneway house, the Director of Planning may permit an increase in the permitted site coverage of up to 7% to a maximum of 47% of the site area.

11.17.14 The height of a laneway house with a partial second storey must not exceed:

(a) 6.7 m to the ridge of a gable or hip roof, with a minimum pitch of 7:12; or

(b) 5.8 m to the highest point of a roof with a pitch less than 7:12.

11.17.15 On a laneway house with a partial second storey and a roof pitch of:

(a) at least 7:12, the height of the intersection of the exterior surface of the roof and the exterior wall surface of the building must not exceed 4 m from the horizontal datum plane; or

(b) less than 7:12, the walls of the partial second storey must be set back at least 0.6 m from the exterior walls of the floor below, except that there may be a single projection into the setback to a maximum of 35% of the width of the floor below.

11.17.16 The partial second storey of a laneway house must not exceed:

(a) 60% of the footprint of the laneway house, if the roof has a minimum pitch of 3:12; or

(b) 50% of the footprint of the laneway house, if the roof has a pitch of less than 3:12, except that the calculation may exclude any floor area of the partial second storey that is not included in the calculation of floor area according to sections 11.17.24 and 11.17.25.

11.17.17 Dormers must be inset at least 0.6 m from the exterior walls of the floor below, except that there may be a single projection into the setback to a maximum of 35% of the width of the floor below.

11.17.18 The location of a laneway house with a partial second storey must be:

(a) within 7.9 m of the ultimate rear property line;

(b) at least 4.9 m, measured across the width of the site, from the one-family dwelling or one-family dwelling with secondary suite on the site;

(c) at least 0.9 m from the ultimate rear property line, except that the Director of Planning may relax the location to 0.6 m from the ultimate rear property line:

(i) on sites less than 30.5 m in depth, or

(ii) for the width of an existing enclosed or covered parking area that forms part of the laneway house; and

(d) a distance from each side property line which is at least equal to the required side yards for the site as prescribed by the applicable district schedule.

11.17.19 Notwithstanding 11.17.18(a), where a site is 39.6 m or more in depth, the Director of Planning may permit a laneway house with a partial second storey to extend into a site to a maximum of 21% of the lot depth measured from the ultimate rear property line.

11.17.20 The floor area of a laneway house must not exceed the lesser of:

(a) 0.16 multiplied by the site area; and

(b) 83.6 m2.

11.17.21 Despite section 11.10, the floor area of a laneway house, excluding any floor area used for enclosed parking, must be at least 26 m2, except that the Director of Planning may allow a reduction to not less than 19 m2 if the Director of Planning first considers the design of the laneway house and all applicable Council policies and guidelines.

11.17.22 Except for a laneway house with no separate bedrooms, a laneway house must have:

(a) one main habitable room that is not a bedroom, with a minimum size of 16.7 m2 and a minimum dimension of 2.1 m measured between finished wall surfaces; and

(b) at least one bedroom with a minimum size of 8.4 m2 and a minimum dimension of 2.1 m measured between finished wall surfaces.

11.17.23 Computation of floor area for a laneway house must include:

(a) all floors, including earthen floor, measured to the extreme outer limits of the building;

(b) stairways, fire escapes, elevator shafts, and other features which the Director of Planning considers similar, measured by their gross cross-sectional areas and included in the measurements for each floor at which they are located;

(c) the floor area of a basement;

(d) floor area used for enclosed or covered parking; and

(e) if the distance from a floor to the floor above or, in the absence of a floor above, to the top of the roof rafters or deck exceeds 3.7 m, an additional amount equal to the area of the floor area below the excess.

11.17.24 Computation of floor area for a laneway house must exclude:

(a) areas of floors 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;

(b) floors located at or below finished grade with a ceiling height of less than 1.2 m;

(c) ~~covered~~ entries and porches if:

(i) their location is at the level of the basement or first storey,

(ii) they are open on at least one side or protected by guard rails, the height of which must not exceed the minimum specified in the Building By-law,

(iii) the total excluded floor area does not exceed 3 m2, and

(iv) the ceiling height of the total excluded area does not exceed 2.75 m measured from the entry or porch floor; and

(d) 3% of the total area, where the exterior walls include a minimum of 175 mm of thermal insulation in total.

Where floor area is excluded under section 11.17.24(d), the Director of Planning may vary section 11.17.11(a) and 11.17.18(a) no more than 30 cm.

11.17.25 Computation of floor area for a laneway house may exclude:

(a) ~~open~~ balconies, ~~sun~~decks, roof decks, or any other appurtenances which, in the opinion of the Director of Planning, are similar to the foregoing, if the ~~open~~ balconies, ~~sun~~decks, or roof decks face the lane or, in the case of a corner site, the lane and flanking street or either of them;

(b) patios and green roofs if the Director of Planning first ~~approves the design of sunroofs, walls, and railings~~ considers the effect on privacy and overlook;

(c) despite section 11.17.23(e), open to below spaces or double height volumes under sloping roofs with a pitch of at least 3:12 if:

(i) the vertical distance from the floor level to the ceiling does not exceed 4.5 m,

(ii) the ceiling attaches directly to the underside of the sloping roof rafter and follows its slope,

(iii) the excluded area does not exceed 25% of the maximum floor space under section 11.17.20, and

(iv) the excluded area, combined with the excluded area under subsection (d), does not exceed 25% of the maximum allowable floor area;

(d) despite section 11.17.23(e), floor areas under sloping roofs with a pitch of at least 3:12 if:

(i) the vertical distance from the floor to any part of the ceiling is between 1.2 m and 2.1 m,

(ii) the ceiling attaches directly to the underside of the sloping roof rafter and follows its slope,

(iii) the excluded floor area does not exceed 10% of the maximum floor area allowed under section 11.17.20, and

(iv) the excluded area, combined with the excluded area under subsection (c), does not exceed 25% of the maximum allowable floor area;

(e) for units that have a partial second floor, an area not exceeding 2.75 m2 for stairs, if the excluded area, combined with the excluded areas under subsections (c) and (d), does not exceed 25% of the maximum allowable floor area; and

(f) an area not exceeding 3.7 m2 for residential storage space, clothes closets and linen closets.

11.17.26 Private outdoor space must be provided in the form of:

(a) a~~n open~~ balcony, ~~sun~~deck, or roof deck; or

(b) a patio located at grade with a minimum size of 3.7 m^2 and a minimum dimension of 1.5 m.

1.17.27 The setback provided in accordance with sections 11.17.11(c) and 11.17.18(c) must be permeable and landscaped where not required for vehicle or fire access.

1.17.28 A laneway house must include:

(a) a minimum 75 mm wide trim around all doors and windows, excluding door sill trim, except where a window or door is recessed no less than 100 mm behind the adjacent exterior wall faces; and

(b) a canopy over the main entry door.

11.17.29 A main entry door that faces the lane must be set back at least 1.5 m from the ultimate rear property line.

11.17.30 On a corner site, the main entry door of a laneway house must face the flanking street.

11.17.31 At least 10% of the building elevation facing the lane must contain windows no smaller than 1.1 m^2.

11.17.32 Unless located at least 1.5 m above the floor of the partial upper storey, or facing the lane or a flanking street, windows with transparent glazing on a partial second storey must not exceed 1.1 m^2.

11.17.33 Wall cladding materials on a building elevation facing a lane or street must be continued in equal proportions, no less than 2.0 m along adjacent side walls or 1.2 m where the discontinuation of a material occurs at a change in the building wall plane, such as at a bay or chimney projection.

11.17.34 The Director of Planning may relax the design provisions in section 11.17.15, 11.17.17, 11.17.28, 11.17.29, 11.17.30, 11.17.31, 11.17.32, or 11.17.33 if, in the opinion of the Director of Planning, the design of a laneway house meets the intent of the laneway house regulations for quality and durability of design and architectural expression and is not compatible with one or more of the design requirements in those sections.

11.17.35 If the Director of Planning first considers the effects on neighbouring properties with regard to overlook, massing and neighbourhood privacy, and the intent of this section 11.17 and all applicable Council policies and guidelines, the Director of Planning may relax the provisions of sections 11.17.6, 11.17.7, 11.17.10, 11.17.11(a), (c) and (d), 11.17.14, 11.17.18(a), (c) and (d), 11.17.22, and 11.17.26 if:

(a) due to topography or other conditions peculiar to the site, literal enforcement would result in unnecessary hardship;

	(b) the relaxation is necessary to retain a tree; or (c) the relaxation is necessary to allow a green roof that does not have railings or stair access.
11.18	Live-Work Use 11.18.1 The size of a live-work unit must be at least 47 m^2.
11.19	Liquor Store 11.19.1 Wherever the words "retail store", "retail or business establishment", "retailing", "convenience commercial", or similar use descriptions which imply the sale of merchandise as a permitted use, appear in this By-law or in any by-law passed pursuant to this By-law, such permitted use shall not include a liquor store without the approval of the Director of Planning or the Development Permit Board, as the case may be. 11.19.2 Wherever "commercial", "commercial uses", "retail", "retail uses", or "drive-through service" appear in this By-law or in any by-law passed pursuant to this By-law, such permitted use shall not, unless otherwise specifically provided by this By-law, include a liquor store.
11.20	Lounge 11.20.1 Wherever "restaurant" appears in this By-law or in any by-law passed pursuant to this By-law, such permitted use shall not, unless otherwise specifically provided by this By-law, include a lounge as defined in the Liquor Control and Licensing Regulation under the *Liquor Control and Licensing Act* (British Columbia).
11.21	Lock–off Units and Secondary Suites 11.21.1 Each lock-off unit or secondary suite must include at least one complete bathroom unit, comprising one water closet, one hand wash basin, and one bathtub or shower. 11.21.2 Each lock-off unit or secondary suite must include no more than one kitchen.
11.22	Marine Terminal or Berth 11.22.1 A marine terminal or berth must not be used for the bulk storage and handling and trans-shipment of coal.
11.23	Micro Dwelling 11.23.1 A micro dwelling must be part of a development which has a covenant or housing agreement registered against title restricting its use to secured market rental housing or social housing, for the longer of 60 years or the life of the building. 11.23.2 The floor area of a micro dwelling must be at least 29.7 m^2, except that the Director of Planning or the Development Permit Board may relax the permitted floor area of a micro dwelling to a minimum of 23.2 m^2 if: (a) the Director of Planning or the Development Permit Board first considers all applicable Council policies and guidelines; and

	(b) the micro dwelling is part of a development which has a covenant or housing agreement registered against title restricting its use to secured market rental housing or social housing, for the longer of 60 years or the life of the building. 11.23.3 A micro dwelling is only permitted in: (a) the area of the FC-1 District north of National Avenue; (b) the area of the RT-3 and RM-3A Districts located north of Venables Street, Malkin Avenue and Prior Street, south of Hastings Street, east of Gore Avenue and west of Clark Drive; (c) the HA-1 and HA-1A Districts; (d) the HA-2 District; (e) the Downtown Eastside Oppenheimer District; (f) the area of the Downtown District denoted as C2 on Map 1 of the Downtown Official Development Plan; (g) the FC-2 District; and (h) the area of the IC-3 District north of 2nd Avenue. 11.23.4 No more than one person shall occupy a micro dwelling.
11.24	Neighbourhood Grocery Stores and Dwelling Units in Conjunction with Neighbourhood Grocery Stores 11.24.1 Neighbourhood grocery stores existing as of July 29, 1980 are permitted in any R district except the FM-1 District. 11.24.2 The maximum permitted frontage for a site is 15.3 m. 11.24.3 The maximum permitted floor area for all retail and storage space is 110 m^2. 11.24.4 The maximum permitted number of indoor and outdoor seats is 16. 11.24.5 Live entertainment is not permitted. 11.24.6 Before granting a development permit, the Director of Planning must: (a) notify surrounding property owners and residents; and (b) consider: (i) the design of any proposed building addition, (ii) the proposed solid waste program for collecting, storing and disposal of garbage and recycling, and (iii) the impact on adjacent property owners and residents of a proposed building addition or solid waste program. 11.24.7 The Director of Planning may relax the provisions of this section 11.24 with regards to maximum frontage and the applicable zoning district regulations with regards to setbacks, floor space ratio or site coverage, in order to facilitate the rehabilitation of an existing neighbourhood grocery store or dwelling unit in conjunction with neighbourhood grocery store.

11.25	Pawnshop and Secondhand Store 11.25.1 Any development permit issued for a pawnshop or secondhand store shall be limited in time to one year.
11.26	Public Bike Share 11.26.1 Despite anything to the contrary in this By-law, public bike share is only a permitted use of lands that fall within the shaded area shown on the map attached to this section 11 as Figure 2. 11.26.2 The Director of Planning may approve a public bike share use, including such conditions as the Director of Planning may decide, provided that the Director of Planning first considers: (a) all applicable policies and guidelines adopted by Council; and (b) the submission of any advisory group, property owner or tenant, but no development permit approving the use shall be required if the use complies with section ~~5.19~~4.8.19 of this By-law. 11.26.3 Floor space necessary for public bike share or a public bike share station shall be excluded from the calculation of floor space ratio on anysite.
11.27	Retailing Used Merchandise 11.27.1 Any retail store shall be permitted to use up to a maximum of 2.5 m^2 of floor area of premises for the retailing of: (a) used electronic equipment, including, but not limited to, audio or video equipment or accessories, computers, printers or fax machines; or (b) two or more of the following types of used merchandise: bicycles, sports equipment, luggage, jewellery, cameras, musical equipment or tools; provided that this floor area shall be clearly demarcated and readily visible and accessible to the public.
11.28	Riding Ring 11.28.1 No riding ring shall be used for the sale, whether by auction or otherwise, of horses or otheranimals. 11.28.2 In the granting of a development permit, the Director of Planning shall have regard to the size, siting and location of the proposed development, the type and hours of operation, whether operated privately or open to the public with or without payment, generation of traffic, parking facilities and any effect upon adjacent property and the amenity of the neighbourhood, and shall notify such owners of adjoining property as the Director of Planning deems necessary.
11.29	Seniors Supportive or Assisted Housing 11.29.1 All residential units shall contain a three piece bathroom.

	11.29.2 All housing projects shall provide meal service and 24 hour on-site emergency response assistance. 11.29.3 For the purposes of calculating floor space ratio, common areas such as the communal dining room, and common areas on the main floor and residential floors are not excludable. Only common space provided in excess of what is required in the guidelines can be considered as an exclusion within the maximum 10% amenity exclusion.
11.30	School – Elementary or Secondary 11.30.1 The site shall have a minimum frontage of 20.1 m. 11.30.2 The Director of Planning may permit a greater height than permitted by the applicable district schedule, provided the Director of Planning first considers the effect of the additional height on the amenity of the neighbourhood. 11.30.3 Yards shall be provided in accordance with the applicable district schedule except that side yards shall have a minimum width of 6.0 m plus an additional 0.3 m for every 0.6 m by which the height of the building exceeds 10.7 m.
11.31	Small-scale Pharmacy 11.31.1 A small-scale pharmacy must include at least 25 m^2 of publicly accessible space except that if the Director of Planning first considers all applicable guidelines and policies adopted by Council and potential impacts on the site and the surrounding properties, the Director of Planning may allow a lesser amount of space. 11.31.2 Any development permit for a small-scale pharmacy must be limited in time to two years from the date of issuance.
11.32	Short Term Rental Accommodation 11.32.1 In this section 11.32, (a) "principal residence unit" means the dwelling where an individual lives, makes their home and conducts their daily affairs, including, without limitation, paying bills and receiving mail, and is generally the dwelling unit with the residential address used on documentation related to billing, identification, taxation and insurance purposes, including, without limitation, income tax returns, Medical Services Plan documentation, driver's licenses, personal identification, vehicle registration and utility bills; and (b) "booking" means a confirmed reservation of the dwelling unit, or of one or more bedrooms, as short term rental accommodation. 11.32.2 Short term rental accommodation is only permitted in a lawful dwelling unit, secondary suite, laneway house, or lock- off unit that is a principal residence unit. 11.32.3 Short term rental accommodation is not permitted in an accessory building or vehicle. 11.32.4 Short term rental accommodation is not permitted in a dwelling unit in combination with bed and breakfast

	accommodation. 11.32.5 No more than two adults may occupy each bedroom used as short term rental accommodation. 11.32.6 Short term rental accommodation is only permitted in dwelling units that comply with all applicable occupancy limits as set out in the Fire By-law. 11.32.7 No more than one booking may be permitted as short term rental accommodation in each dwelling unit at one time. 11.32.8 Subject to the provisions of this section 11.32, short term rental accommodation is permitted in all CD-1 districts where dwelling uses arepermitted. 11.32.9 Any development permit or exemption from a development permit for a short term rental accommodation is time limited to two years.
11.33	Sleeping Units 11.33.1 No sleeping unit shall contain any sink or cooking facilities. 11.33.2 Every sleeping unit shall include a main habitable room having a floor area of not less than 9.7 m^2. 11.33.3 There shall not be less than one hand basin provided for every three sleeping units, but in no case shall such basins be located in public hallways, at least one water closet for every ten sleeping units, and at least one bathing unit for every twelve sleeping units. 11.33.4 No person shall use or permit to be used any sleeping unit for a period of less than one month unless such unit forms part of a hotel.
11.34	Temporary Modular Housing 11.34.1 Temporary modular housing must be used as social housing. 11.34.2 Before granting a development permit for temporary modular housing, the Director of Planning must: (a) be satisfied that the landscaping and open space provision is appropriate for the size and nature of the development; (b) consider the impact on the livability of neighbouring residents; (c) notify adjacent property owners and any others that Director of Planning deems necessary; and (d) consider all applicable policies and guidelines adopted by Council. 11.34.3 A development permit for temporary modular housing must be time limited to a maximum of five years, unless otherwise extended in writing for up to an additional five years by the Director of Planning.
11.35	Temporary Sales Office 11.35.1 The minimum site size shall be 2 000 m^2, except that the Director of Planning may permit a smaller site provided that all parking required by the Parking By-law is provided on site.

	11.35.2 The site must be within 100 m of the development project to which the temporary sales office relates. 11.35.3 The site must be located on an arterial or major street, which generally have two or more lanes of travel in each direction and are usually designated as truck and bus routes. 11.35.4 The site must be more than 800 m from a commercial district, except that the Director of Planning may permit the use closer to a commercial district if the applicant can demonstrate that suitable commercial vacancy opportunities are not available. 11.35.5 The Director of Planning must consider the submission of any advisory group, property owner or tenant and all applicable policies and guidelines adopted by Council. 11.35.6 The site must be fully restored to its original condition immediately following the expiration of a development permit.
11.36	Urban Farm – Class A 11.36.1 The planting area must not exceed 325 m^2 on any single parcel unless the primary use of the parcel is park or playground, or institutional, in which case the Director of Planning may permit an increase in planting area to a maximum of 7 000 m^2. 11.36.2 If two or more parcels are operated jointly as an urban farm - class A, the combined planting area for all parcels must not exceed 7 000 m^2. 11.36.3 No on-site processing of fruits and vegetables, or manufacturing of food products is permitted. 11.36.4 No mechanical equipment may be used other than that designed for household use including lawnmowers, rototillers, garden hoses and pruners. 11.36.5 No herbicides or pesticides are permitted. 11.36.6 No on-site sales are permitted, unless the primary use of the parcel is institutional. 11.36.7 No urban farm – class A operated on a single parcel may generate revenue exceeding $9,999 in any calendar year, unless the primary use of the parcel is park or playground, or institutional. 11.36.8 If an urban farm – class A is operated, in whole or in part, by a person other than an owner or full-time resident of the parcel, the planting area must be subject to a lease authorizing the operation of the farm. 11.36.9 No offensive noise, odour, light, smoke, or vibration or other objectionable effect may be produced. 11.36.10 No mechanical equipment may be stored outside. 11.36.11 Any development permit or waiver of a development permit for an urban farm – class A is time limited to one year.
11.37	Urban Farm – Class B 11.37.1 The planting area for a single parcel or the combined planting area for all parcels operated jointly as an urban farm – class B,

	may not exceed 7 000 m^2, unless relaxed by the Director of Planning due to unnecessary hardship associated with the location, shape or size of the parcel or parcels. 11.37.2 If located within 30 m of a residential use, no mechanical equipment may be used other than that designed for household use including lawnmowers, rototillers, garden hoses and pruners. 11.37.3 No herbicides or pesticides are permitted. 11.37.4 No offensive noise, odour, light, smoke, or vibration or other objectionable effect may be produced. 11.37.5 If an urban farm – class B is operated, in whole or in part, by a person other than an owner or full-time resident of the parcel during the farm operation, the planting area must be subject to a lease authorizing the operation of the farm. 11.37.6 Any development permit for an urban farm – class B is time limited to one year.
11.38	Wedding Chapel 11.38.1 Subject to section 11.38.2, the size of a wedding chapel must not exceed 140 m^2. 11.38.2 The Director of Planning may permit a wedding chapel of a larger size having regard to the siting and location of the proposed development, the type and hours of operation, generation of traffic, parking facilities, and any effect upon adjacent property and the amenity of the neighbourhood, and will notify such owners of adjoining property as the Director of Planning deems necessary.

Figure 1

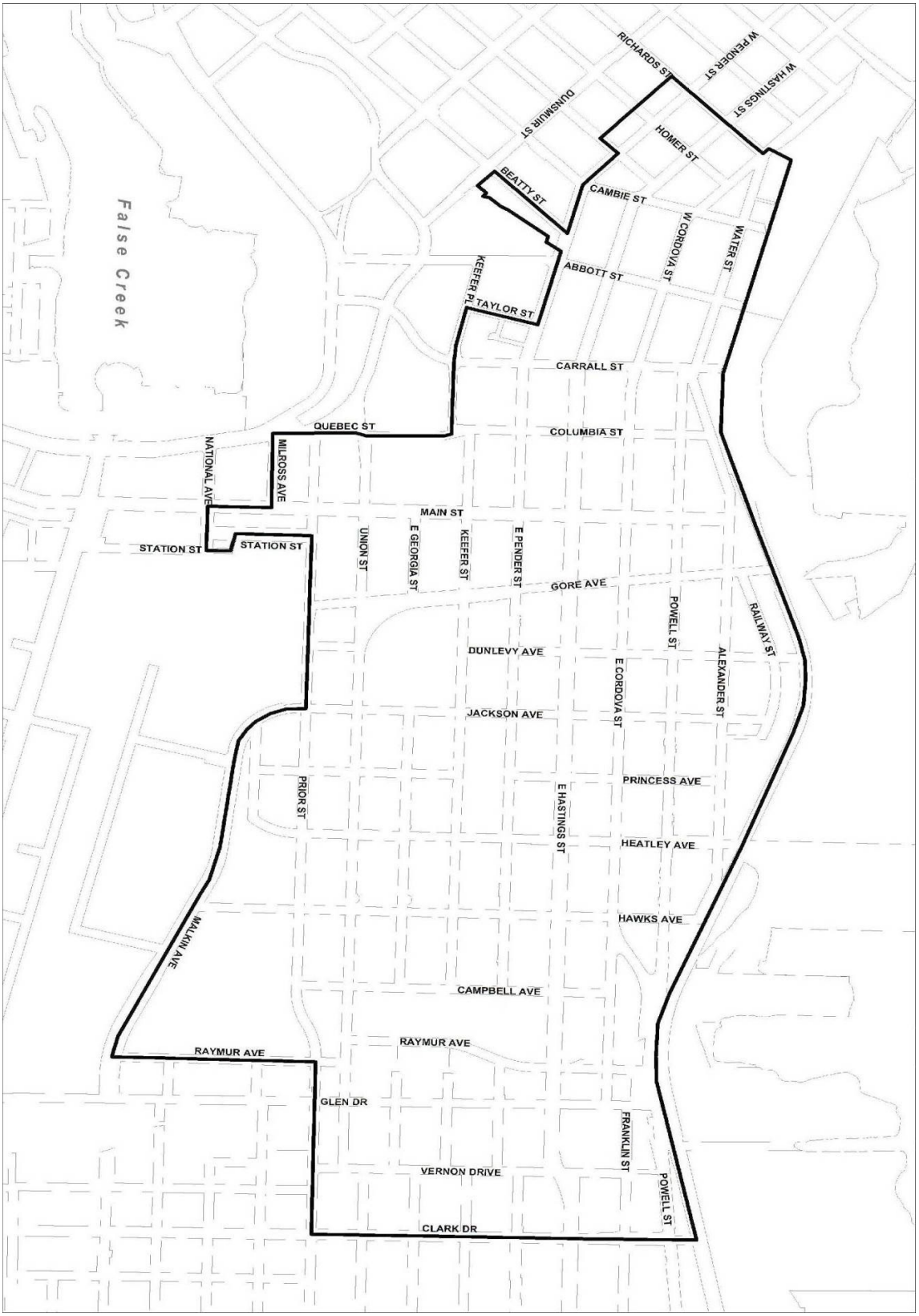
False Creek
RICHARDS ST
W PENDER ST
W HASTINGS ST
DUNSMUIR ST
HOMER ST
BEATTY ST
CAMBIE ST
W CORDOVA ST
WATER ST
ABBOTT ST
KEEFER PL
TAYLOR ST
CARRALL ST
QUEBEC ST
COLUMBIA ST
NATIONAL AVE
MILROSS AVE
MAIN ST
STATION ST
STATION ST
UNION ST
E GEORGIA ST
KEEFER ST
E PENDER ST
GORE AVE
POWELL ST
RAILWAY ST
DUNLEVY AVE
E CORDOVA ST
ALEXANDER ST
JACKSON AVE
PRINCESS AVE
PRIOR ST
E HASTINGS ST
HEATLEY AVE
HAWKS AVE
MALKIN AVE
CAMPBELL AVE
RAYMUR AVE
RAYMUR AVE
GLEN DR
FRANKLIN ST
VERNON DRIVE
POWELL ST
CLARK DR

Figure 2

NORTH VANCOUVER
UBC
ALMA
VICTORIA
16th AVENUE
VANCOUVER
BURNABY
RICHMOND

Section 14

14.1 Building lines are hereby prescribed on sites adjoining streets and lanes set forth in Parts I and II of Schedule E to this By-law and shall be as described therein.

14.2 Building lines (for the purpose of preserving open space) are hereby prescribed in accordance with a description or map, as the case may be, being Part III of Schedule E to this By-law.

14.3 No development shall be carried out upon, over or under any part of a site:

(a) between any building line established by Parts I and II of Schedule E and the limit of the adjoining or projected street or lane;
(b) as described in Part III of Schedule E;

except as provided for by sections ~~5.3 to 5.8, inclusive, of section 5~~ 4.8.3 to 4.8.8, inclusive, of section 4 of this By-law.

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, 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.

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 10.27 of this By-law;

  (c) for all uses except for two-family dwellings and two-family dwellings with secondary suite, 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^2, 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) for two-family dwellings and two-family dwellings with secondary suite, the total floor area, measured to the extreme outer limits of the building, of all accessory buildings is not greater than 48 m^2;

  (e) not more than 80 percent of the width of the rear yard of any lot is occupied by accessory buildings;

  (f) roof decks ~~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^2 in area.

2.2.I [Institutional]

- Community Care Facility – Class A, subject to the regulations, variations 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 Council policies and guidelines; 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.

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.

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.

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.
- 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 10.27 of this By-law shall not apply; and

(c) its floor area shall not exceed 75 m² and shall be also counted in the accessory building area.

- One-Family Dwelling with Secondary Suite.
- Laneway House.
- 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.
- 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.
- 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.

3.2.1.I [Institutional]

- Ambulance Station.
- Child Day Care Facility.
- Church.
- Hospital.
- Public Authority Use essential in this District.
- School - Elementary or Secondary.
- Social Service Centre.
- Community Care Facility – Class B.
- Group Residence.

3.2.1.O [Office]

- Temporary Sales Office.

3.2.1.P [Parking]

- Parking Area ancillary to a principal use on an adjacent site.

3.2.1.R [Retail]

- Farmers' Market. *Compatibility with nearby sites, parking, traffic, noise, hours of operation, size of facility, pedestrian amenity*.
- Neighbourhood Grocery Store existing as of July 29, 1980.
- Public Bike Share.

3.2.1.S [Service]

- Bed and Breakfast Accommodation.
- Short Term Rental Accommodation.

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, or two-family dwelling with secondary suite, is 334 m^2, 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.

4.1.2 Where the site is less than 9.8 m in width or less than 334 m^2 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^2.

4.1.4 The maximum site area for a two-family dwelling, including a lock-off unit in conjunction with a two-family dwelling, is less than 511 m^2.

4.1.5 The Director of Planning may permit a reduction to 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.

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.

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, the Director of Planning 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 the Director of Planning 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), the Director of Planning 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.

4.4 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~~ Entries, porches and verandahs 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), the Director of Planning 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:

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

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 10.27 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), the Director of Planning may permit a building having a lesser side yard than required in section 4.5.1.

4.6 Rear Yard

4.6.1 A rear yard with a minimum depth of 45 percent of the depth of the site shall be provided for all uses except for 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.

4.6.1A A rear yard with a minimum depth of 40 percent of the depth of the site shall be provided for two-family dwellings or two-family dwellings 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~~ deck or ~~sun~~deck 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), the Director of Planning may permit a building having a lesser rear yard than required in section 4.6.1.

4.7 Floor Space Ratio

4.7.1 The floor space ratio for all uses except for two-family dwelling or two-family dwelling with secondary suite 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 m²;

(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 m²;

(c) notwithstanding clauses (a) and (b), where a site is 18.2 m or more in width and 500 m² 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 m² provided that:
   (i) the Director of Planning considers the effect of the increase in floor area on adjacent properties and the character of the area, and
   (ii) the Director of Planning 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~~entries, porches and verandahs,

   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~~ entries, porches and verandahs, 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 adopted by Council.

4.7.1A The floor space ratio for two-family dwellings and two-family dwellings with secondary suite must not exceed 0.70, except that 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 371 m^2.

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; 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~~ and ~~sun~~decks, 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~~ these exclusions does not exceed ~~eight percent~~8% of the ~~permitted residential~~ floor area being provided;
(b) patios and roof ~~gardens~~decks, provided that the Director of Planning first considers the effect on privacy and overlook ~~approvesthe 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^2.
(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~~ entries, porches and verandahs, and covered porches above the first storey provided that:
    (i) for all uses except for two-family dwellings and two-family dwellings with secondary suite, they face a street or a rear property line and entries, porches and verandahs are located at the basement or first storey,
    (ii) for two-family dwellings and two-family dwellings with secondary suite, they face a street or rear property line,
    (iii) ~~that~~ the ~~portion~~side facing the street or rear property line ~~shall be~~is open or protected by guards ~~rails the height of which shall~~that do not exceed the required minimum height~~specified in the Building By-law~~,
    ~~(iv) for all uses except for two-family dwellings and two-family dwellings with secondary suite, the total area being excluded does not exceed 5 percent of the permitted floor area,~~

(iv) ~~for two-family dwellings and two-family dwellings with secondary suite,~~ the total area being excluded, when combined with the balcony and deck exclusions under subsection 4.7.3(a), does not exceed 13 % ~~percent~~ of the ~~permitted floor area~~floor area being provided,

(v~~i~~) for two-family dwellings and two-family dwellings with secondary suite, the depth of the total area being excluded for covered porches above the first storey does not exceed 1.83 m, and

(vi) the ceiling height, excluding roof structure, of the total area being excluded does not exceed 3.1 m measured from the entry, porch or verandah floor;

(h) unconditioned floor areas with a ceiling height or height to the underside of joists of less than 2.0 m, located below the floors of entries, porches and verandahs complying with subsection 4.7.3(g), to which there is no access from the interior of the building;

(~~h~~i) the floor area of a laneway house; and

(j) for two-family dwellings and two-family dwellings with secondary suite, areas of floors existing, proposed or as may be extended over open-to-below space located directly below sloping roof rafters or a sloping ceiling where the ceiling is directly attached to the underside of sloping roof rafters, and where the roof joists have a minimum 7:12 pitch and the related ceiling maintains the same pitch as the roof joists, provided that:

(i) the distance from the floor to any part of the roof rafters or ceiling is no higher than 2.3 m and no lower than 1.2 m, both measured vertically, and

(ii) the excluded floor area does not exceed 10 percent of the permitted total floor area.

4.7.4 Notwithstanding the definition of "half-storey" in section 2 of this By-law, for the purposes of this Schedule the maximum permitted floor area contained in a half-storey shall not include floor area excluded in section 4.7.3(j) of this Schedule.

4.7.5 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 vary the provisions of section 4.7 to permit the exclusion of floor space used for off-street parking in the principal building up to a maximum of 42 m².

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 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.

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 ~~sun~~decks.

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), the Director of Planning 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 m² 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~~ entries, porches and verandahs ~~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.

4.8.8 The Director of Planning may vary 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) the Director of Planning considers the advice of the City Engineer; and
(c) the Director of Planning considers all applicable policies and guidelines adopted by Council.

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 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) 40 percent of the depth of the site for two-family dwelling or two-family dwelling with secondary suite.

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), the Director of Planning 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 Where the permitted building depth is increased in accordance with section 10.23A.1, sections 4.6.1 (a), (b), (c) and (d) of this schedule do not apply.

4.17 External Design

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 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 on a corner site, one main entrance must face the front street and one main entrance must face the flanking street.

4.17.8 In two-family dwellings and two-family dwellings with secondary suite, there must be a ~~covered~~ entry, porch or verandah at each main entrance, with a minimum width and depth of 1.8 m.

4.17.9 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 shall have a minimum slope of 7:12 and a maximum slope of 12:12 and shall be either hip or gable or a combination of both, and shall intersect at its lower portion with the exterior wall face of the building or the vertical projection thereof at a line no higher than the lesser of 7.9 m above the base surface or the floor level of a half-storey or attic above the second storey;
(b) dormer roofs shall be gable, hip or shed in form and shall have a minimum slope of 4:12;
(c) the maximum total width of dormers provided on a half storey above the second storey must not exceed 50% of the width of the elevation of the storey below;
(d) all exterior dormer walls shall be set back a minimum of 0.6 m from the exterior face of the wall of the storey below; and
(e) notwithstanding section 4.17.9(d), one dormer, which faces an interior side yard and which provides headroom over a stair and any intermediate and top landings which provide access from the second storey to the half-storey above may have its face wall flush or continuous with the second storey exterior wall face below.

4.17.10 Exterior windows in a secondary suite or lock off unit 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.

4.17.11 The Director of Planning may vary the requirements of section 4.17 for two-family dwellings and two-family dwellings with secondary suite if, in the opinion of the Director of Planning, the design meets the intent of the regulations for quality and durability of design and architectural expression.

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~~

5.1~~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) the Director of Planning 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 m².~~

~~**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) the Director of Planning considers the advice of the City Engineer; and~~
~~(c) the Director of Planning considers all applicable policies and guidelines adopted by Council.~~

5.2~~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) the Director of Planning considers all applicable guidelines and policies adopted by Council; and
(b) the Director of Planning 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.~~

RS-1A District Schedule

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.

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 this 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 located in the rear yard and in no case are 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 10.27 of this By-law;
  - (c) for all uses except for two-family dwellings and two-family dwellings with secondary suite, the total floor area, measured to the extreme outer limits of the building, of all accessory buildings is not greater than 35 percent of the minimum rear yard prescribed in this Schedule, or 48 m^2, whichever is the greater, except that the floor area of a laneway house shall be deducted from the total allowable accessory building floor area;
  - (d) for two-family dwellings and two-family dwellings with secondary suite, the total floor area, measured to the extreme outer limits of the building, of all accessory buildings is not greater than 48 m^2,
  - (e) not more than 80 percent of the width of the rear yard of any lot is occupied by accessory buildings.
- Accessory Uses customarily ancillary to any of the uses listed in this section.

2.2.DW [Dwelling]

- One-Family Dwelling.
- Two-Family Dwelling, on lots less than 511 m^2 in area.

2.2.I [Institutional]

- Community Care Facility – Class A, subject to the regulations, variations 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 Council policies and guidelines; and
(b) the submission of any advisory group, property owner or tenant.

3.2 Uses

3.2.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.AG [Agricultural]

- Urban Farm - Class A.

3.2.C [Cultural and Recreational]

- Community Centre or Neighbourhood House.
- Library in conjunction with a Community Centre.
- Park or Playground.

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

3.2.DW [Dwelling]

- Dwelling Unit in conjunction with a neighbourhood grocery store existing as of July 29, 1980.
- Infill in conjunction with retention of a character house existing on the site as of January 16, 2018.
- Multiple Conversion Dwelling, provided that:
  (a) before making a decision the Director of Planning shall consider the quality and livability of the resulting units, and the effect of the conversion on adjacent properties and the character of the area;
  (b) building additions shall not be permitted;
  (c) no housekeeping or sleeping units shall be created;
  (d) the number of dwelling units shall be limited to two.
- One-Family Dwelling with Secondary Suite.
- Seniors Supportive or Assisted Housing.
- Laneway House.
- 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.
- 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.
- Two-Family Dwelling with Secondary Suite, provided that there is no more than one secondary suite for each dwelling unit.

3.2.I [Institutional]

- Ambulance Station.
- Child Day Care Facility.
- Church.
- Hospital.
- Public Authority Use essential in this District.

- School - Elementary or Secondary.
- Social Service Centre.
- Community Care Facility – Class B.
- Group Residence.

3.2.O [Office]

- Temporary Sales Office.

3.2.P [Parking]

- Parking Area ancillary to a principal use on an adjacent site.

3.2.R [Retail]

- Farmers' Market. *Compatibility with nearby sites, parking, traffic, noise, hours of operation, size of facility, pedestrian amenity*.
- Neighbourhood Grocery Store existing as of July 29, 1980.
- Public Bike Share.

3.2.S [Service]

- Bed and Breakfast Accommodation.
- Short Term Rental Accommodation.

3.2.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, or two-family dwelling with secondary suite shall be 334 m².

4.1.2 Where the site size is less than 9.8 m in width or less than 334 m² in area, the design of any new building shall first require the approval of the Director of Planning.

4.1.3 The maximum site area for a two-family dwelling, including a lock-off unit in conjunction with a two-family dwelling, is less than 511 $m^{2.}$

4.1.4 The Director of Planning may permit a reduction to the minimum site area requirements 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.

4.2 Frontage -- Not Applicable.

4.3 Height

4.3.1 A building shall not exceed 10.7 m in height and shall not have more than 2½ storeys.

4.4 Front Yard

4.4.1 A front yard with a minimum depth of 7.3 m shall be provided.

4.4.2 In the case of a site having an average depth of less than 36.5 m the required front yard may be reduced in accordance with section 10.29 of this By-law.

4.4.3 ~~For two-family dwellings and two-family dwellings with secondary suite, covered~~ Entries, porches and verandahs 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.

4.5 Side Yards

4.5.1 A side yard width of 10 percent of the width of the site shall be provided on each side of the building, except that it need not be more than 1.5 m in width.

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 10.27 of this By-law.

4.6 Rear Yard

4.6.1 A rear yard with a minimum depth of 10.7 m shall be provided, except that where the rear of the site abuts a lane, this required minimum depth shall be decreased by the lane width between the rear property line and the ultimate centre line of the lane.

4.6.2 In the case of a site having an average depth of less than 36.5 m, the required rear yard may be reduced in accordance with section 10.29 of this By-law.

4.7 Floor Space Ratio

4.7.1 The floor space ratio for all uses except for two-family dwelling or two-family dwelling with secondary suite shall not exceed 0.60, except that:

(a) where an existing lot is less than 7.3 m width the floor space ratio shall not exceed 0.45;
(b) if:
  (i) the area of all floors at or above finished grade does not exceed a floor space ratio of 0.45,
  (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~~ entries, porches and verandahs,

  an increase in the floor space ratio to 0.70 is permissible;
(c) 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~~ entries, porches and verandahs,

a basement or cellar is permissible;

(d) 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
(e) 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 adopted by Council.

4.7.1A The floor space ratio for two-family dwellings and two-family dwellings with secondary suite must not exceed 0.70, except that 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 371 m^2.

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; and
(c) 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~~ and ~~sun~~decks, 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~~ these exclusions does not exceed ~~eight percent~~8% of the ~~permitted residential~~ floor area being provided;
(b) patios and roof decks ~~gardens~~, provided that the Director of Planning first ~~approves the design of sunroofs and walls~~considers the effect on privacy and overlook;
(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 so used, which:
   (i) are at or below the base surface, provided that the maximum exclusion for a parking space shall not exceed 7.3 m in length; or
   (ii) are above the base surface and where developed as off-street parking are located in an accessory building situated in the rear yard, provided that the maximum exclusion for a parking space shall not exceed 7.3 m in length.
(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~~ entries, porches and verandahs, and covered porches above the first storey provided that:

(i) for all uses except for two-family dwellings and two-family dwellings with secondary suite, they face a street or a rear property line and entries, porches and verandahs are located at the basement or first storey,

(ii) for two-family dwellings and two-family dwellings with secondary suite, they face a street or rear property line,

(iii) ~~that~~ the side ~~portion~~ facing the street or rear property line is ~~shall be~~ open or protected by guards that do not ~~rails the height of which shall not~~ exceed the required minimum height~~specified in the Building By-law~~,

~~(iv) for all uses except for two-family dwellings and two-family dwellings with secondary suite, the total area being excluded does not exceed 5 percent of the permitted floor area,~~

(iv) ~~for two-family dwellings and two-family dwellings with secondary suite,~~ the total area being excluded, when combined with the balcony and deck exclusions under subsection 4.7.3(a), does not exceed 13% ~~percent~~ of the ~~permitted floor area~~floor area being provided,

(v~~i~~) for two-family dwellings and two-family dwellings with secondary suite, the depth of the total area being excluded for covered porches above the first storey does not exceed 1.83 m, and

(vi~~i~~) the ceiling height, excluding roof structure, of the total area being excluded does not exceed 3.1 m measured from the entry, porch or verandah floor;

(h) unconditioned floor areas with a ceiling height or height to the underside of joists of less than 2.0 m, located below the floors of entries, porches and verandahs complying with subsection 4.7.3(g), to which there is no access from the interior of the building;

(~~h~~i) the floor area of a laneway house; and

(j) for two-family dwellings and two-family dwellings with secondary suite, areas of floors existing, proposed or as may be extended over open-to-below space located directly below sloping roof rafters or a sloping ceiling where the ceiling is directly attached to the underside of sloping roof rafters, and where the roof joists have a minimum 7:12 pitch and the related ceiling maintains the same pitch as the roof joists, provided that:

(i) the distance from the floor to any part of the roof rafters or ceiling is no higher than 2.3 m and no lower than 1.2 m, both measured vertically, and

(ii) the excluded floor area does not exceed 10 percent of the permitted total floor area.

4.7.4 Notwithstanding the definition of "half-storey" in section 2 of this By-law, for the purposes of this Schedule the maximum permitted floor area contained in a half-storey shall not include floor area excluded in section 4.7.3(j) of this Schedule.

4.8 Site Coverage

4.8.1 The maximum site coverage for buildings shall be 45 percent of the site area, except that where an existing lot is less than 7.3 m in width the maximum site coverage for buildings shall be 35 percent of the site area.

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 ~~sun~~decks.

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 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 m² to accommodate vehicular access and manoeuvring.

4.8.5 For the purposes of section 4.8.4, the following materials shall be considered impermeable: the projected area of the outside of the outermost walls of all buildings, including carports, ~~covered~~ entries, porches and ~~entries~~verandahs; asphalt; concrete; brick; stone; and wood.

4.8.6 Notwithstanding section 4.8.5, 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.

4.8.7 The Director of Planning may vary section 4.8.4 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) the Director of Planning considers the advice of the City Engineer; and
(c) the Director of Planning considers all applicable policies and guidelines adopted by Council.

4.9 [Deleted -- see Parking By-law.]

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 40 percent of the depth of the site.

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 on a corner site, one main entrance must face the front street and one main entrance must face the flanking street.

4.17.4 In two-family dwellings and two-family dwellings with secondary suite, there must be a ~~covered~~ entry, porch or verandah at each main entrance, with a minimum width and depth of 1.8 m.

4.17.5 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 shall have a minimum slope of 7:12 and a maximum slope of 12:12 and shall be either hip or gable or a combination of both, and shall intersect at its lower portion with the exterior wall face of the building or the vertical projection thereof at a line no higher than the lesser of 7.9 m above the base surface or the floor level of a half-storey or attic above the second storey;
(b) dormer roofs shall be gable, hip or shed in form and shall have a minimum slope of 4:12;
(c) the maximum total width of dormers provided on a half storey above the second storey must not exceed 50% of the width of the elevation of the storey below;
(d) all exterior dormer walls shall be set back a minimum of 0.6 m from the exterior face of the wall of the storey below; and
(e) notwithstanding section 4.17.5(d), one dormer, which faces an interior side yard and which provides headroom over a stair and any intermediate and top landings which provide access from the second storey to the half-storey above may have its face wall flush or continuous with the second storey exterior wall face below.

4.17.6 Exterior windows in a secondary suite or lock off unit 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.

4.17.7 The Director of Planning may vary the requirements of section 4.17 for two-family dwellings and two-family dwellings with secondary suite if, in the opinion of the Director of Planning, the design meets the intent of the regulations for quality and durability of design and architectural expression.

5 Relaxation of Regulations

~~**5.1** The Director of Planning may relax the minimum site area requirements 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 section 4.8.4 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) the Director of Planning considers the advice of the City Engineer; and~~
~~(c) the Director of Planning considers all applicable policies and guidelines adopted by Council.~~

5.1~~3~~ The Director of Planning may relax the requirements of section 4.8.4 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) the Director of Planning considers all applicable guidelines and policies adopted by Council; and

(b) the Director of Planning considers the advice of the City Engineer.

~~**5.4** The Director of Planning may relax the provisions of this District Schedule regarding height, required yards and maximum site coverage, 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.~~

RS-1B District Schedule

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.

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 this 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 located in the rear yard and in no case are 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 10.27 of this By-law;
  - (c) for all uses except for two-family dwellings and two-family dwellings with secondary suite, the total floor area, measured to the extreme outer limits of the building, of all accessory buildings is not greater than 35 percent of the minimum rear yard prescribed in this Schedule, or 48 m^2, whichever is the greater, except that the floor area of a laneway house shall be deducted from the total allowable accessory building floor area;
  - (d) for two-family dwellings and two-family dwellings with secondary suite, the total floor area, measured to the extreme outer limits of the building, of all accessory buildings is not greater than 48 m^2;
  - (e) not more than 80 percent of the width of the rear yard of any lots is occupied by accessory buildings.
- Accessory Uses customarily ancillary to any of the uses listed in this section.

2.2.DW [Dwelling]

- One-Family Dwelling.
- Two-Family Dwelling, on lots less than 511 m^2 in area.

2.2.I [Institutional]

- Community Care Facility – Class A, subject to the regulations, variations 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 Council policies and guidelines; and
(b) the submission of any advisory group, property owner or tenant.

3.2 Uses

3.2.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.AG [Agricultural]

- Urban Farm - Class A.

3.2.C [Cultural and Recreational]

- Park or Playground.

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

3.2.DW [Dwelling]

- 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) the site has a secondary access, by way of either a lane or a flanking street;
  (b) the infill one-family dwelling is located within the rear yard; and
  (c) the maximum number of dwelling units shall be two.
- One-Family Dwelling with Secondary Suite.
- Two One-Family Dwellings, one of which shall be considered as secondary to the other, provided that:
  (a) the site has a secondary access, by way of either a lane or a flanking street;
  (b) the secondary one-family dwelling is located within the rear yard; and
  (c) the maximum number of dwelling units shall be two.
- Seniors Supportive or Assisted Housing.
- Laneway House.
- 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.
- 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.
- Two-Family Dwelling with Secondary Suite, provided that there is no more than one secondary suite for each dwelling unit.

3.2.I [Institutional]

- Social Service Centre.
- Community Care Facility - Class B.
- Group Residence.

3.2.O [Office]

- Temporary Sales Office.

3.2.R [Retail]

- Farmers' Market. *Compatibility with nearby sites, parking, traffic, noise, hours of operation, size of facility, pedestrian amenity*.
- Public Bike Share.

3.2.S [Service]

- Bed and Breakfast Accommodation.
- Short Term Rental Accommodation.

3.2.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, two-family dwelling with secondary suite, two one-family dwellings or an infill one-family dwelling shall be 334 m^2.

4.1.2 Where the site size is less than 9.8 m in width or less than 334 m^2 in area, the design of any new buildings shall first require the approval of the Director of Planning.

4.1.3 The maximum site area for a two-family dwelling, including a lock-off unit in conjunction with a two-family dwelling, is less than 511 m^2.

4.1.4 The Director of Planning may vary the requirements of section 4.1 after considering the intent of the Schedule and all applicable policies and guidelines adopted by Council.

4.2 Frontage -- Not Applicable.

4.3 Height

4.3.1 Subject to section 4.3.3, a principal one-family dwelling, two-family dwelling, or two-family dwelling with secondary suite shall not exceed 10.7 m in height and shall not have more than 2½ storeys.

4.3.2 Subject to sections 4.3.3 and 4.3.4, an infill or a secondary one-family dwelling shall not exceed 8.0 m in height and shall not have more than 1½ storeys.

4.3.3 Notwithstanding sections 4.3.1 and 4.3.2, the maximum height of both dwellings shall not exceed lines described by vertical angles of 30 degrees subtended above the base surface at and perpendicular to all exterior walls which face the opposite dwelling.

4.3.4 Notwithstanding section 4.3.2, where an infill or a secondary one-family dwelling is located adjacent to a lane the maximum height of the infill or secondary one-family dwelling shall not exceed a line described by a vertical angle of 60 degrees subtended above the horizontal from the closest line drawn parallel to and 3.1 m from the ultimate centre line of the lane.

4.3.5 For the purpose of calculating half-storey in sections 4.3.1 and 4.3.2, the floor area of the storey immediately below shall include any area used for parking within the outermost walls of the building unless the parking area is located in a basement or cellar.

4.3.6 The Director of Planning may vary the requirements of section 4.3.3 after considering the intent of the Schedule and all applicable policies and guidelines adopted by Council.

4.4 Front Yard

4.4.1 A front yard with a minimum depth of 7.3 m shall be provided.

4.4.2 In the case of a site having an average depth of less than 36.5 m, the required front yard may be reduced in accordance with section 10.29 of this By-law.

4.4.3 ~~For two-family dwellings and two-family dwellings with secondary suite, covered~~ Entries, porches and verandahs, 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.

4.5 Side Yards

4.5.1 A side yard with a minimum width of 1.5 m shall be provided along one side of any building.

4.5.2 The other side yard shall have a minimum width of 10 percent of the width of the site, but need not be more than 1.5 m in width.

4.5.3 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 10.27 of this By-law.

4.5.4 The Director of Planning may vary the requirements of section 4.5.1 after considering the intent of the Schedule and all applicable policies and guidelines adopted by Council.

4.6 Rear Yards

4.6.1 A rear yard with a minimum depth of 10.7 m shall be provided, except that where the rear of the site abuts a lane, this required minimum depth shall be decreased by the lane width between the rear property line and the ultimate centre line of the lane.

4.6.2 In the case of a site having an average depth of less than 36.5 m, the required rear yard may be reduced in accordance with section 10.29 of this By-law.

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 a riparian site, notwithstanding any dimension contained herein.

4.6.4 Notwithstanding the provisions of section 4.6.1, in the case of an infill or a secondary one-family dwelling, a rear yard with a minimum depth of 5.2 m from the ultimate centre line of the lane shall be provided.

4.6.5 Dwellings shall be separated by a yard with a minimum depth of 10.7 m.

4.6.6 The Director of Planning may vary the requirements of section 4.6.5 after considering the intent of the Schedule and all applicable policies and guidelines adopted by Council.

4.7 Floor Space Ratio

4.7.1 The total floor space ratio shall not exceed 0.60 and for all uses except for two-family dwelling or two-family dwelling with secondary suite, the area of any infill or secondary one-family dwelling shall not exceed 40 percent of the total floor area except that:

(a) where an existing lot is less than 7.3 m in width the floor space ratio shall not exceed 0.45;

(b) if:

(i) the area of all floors at or above finished grade does not exceed a floor space ratio of 0.45,

(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~~ entries, porches and verandahs,

an increase in the floor space ratio to 0.70 is permissible;

(c) 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~~ entries, porches and verandahs,

a basement or cellar is permissible;

(d) 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

(e) 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 adopted by Council.

4.7.1A The floor space ratio for two-family dwellings and two-family dwellings with secondary suite must not exceed 0.70, except that 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 371 m^2.

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; and

(c) 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~~ and ~~sun~~decks, 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~~ these exclusions does not exceed ~~eight percent~~8% of the ~~permitted residential~~ floor are being provided;

(b) patios and roof ~~gardens~~decks, provided that the Director of Planning first considers the effect on privacy and overlook~~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 so used, which:

(i) are at or below the base surface, provided that the maximum exclusion for a parking space shall not exceed 7.3 m in length; or

(ii) are above the base surface and where developed as off-street parking are located in an accessory building situated in the rear yard, provided that the maximum exclusion for a parking space shall not exceed 7.3 m in length.

(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~~ entries, porches and verandahs, and covered porches above the first storey provided that:

(i) for all uses except for two-family dwellings and two-family dwellings with secondary suite, they face a street or a rear property line and entries, porches and verandahs are located at the basement or first storey,

(ii) for two-family dwellings and two-family dwellings with secondary suite, they face a street or rear property line,

(iii) ~~that~~ the ~~portion~~ side facing the street or rear property line ~~shall be~~is open or protected by guards ~~rails the height of which shall~~ that do not exceed the required minimum height ~~specified in the Building By-law~~,

~~(iv) for all uses except for two-family dwellings and two-family dwellings with secondary suite, the total area being excluded does not exceed 5 percent of the permitted floor area,~~

(iv) ~~for two-family dwellings and two-family dwellings with secondary suite,~~ the total area being excluded, when combined with the balcony and deck exclusions under subsection 4.7.3(a), does not exceed 13% ~~percent~~ of the ~~permitted floor area~~floor area being provided,

(v~~i~~) for two-family dwellings and two-family dwellings with secondary suite, the depth of the total area being excluded for covered porches above the first storey does not exceed 1.83 m, and

(vi~~i~~) the ceiling height, excluding roof structure, of the total area being excluded does not exceed 3.1 m measured from the entry, porch or verandah floor;

(h) unconditioned floor areas with a ceiling height or height to the underside of joists of less than 2.0 m, located below the floors of entries, porches and verandahs complying with subsection 4.7.3(g), to which there is no access from the interior of the building;

(~~h~~i) the floor area of a laneway house; and

(j) for two-family dwellings and two-family dwellings with secondary suite, areas of floors existing, proposed or as may be extended over open-to-below space located directly below sloping roof rafters or a sloping ceiling where the ceiling is directly attached to the underside of sloping roof rafters, and where the roof joists have a minimum 7:12 pitch and the related ceiling maintains the same pitch as the roof joists, provided that:

(i) the distance from the floor to any part of the roof rafters or ceiling is no higher than 2.3 m and no lower than 1.2 m, both measured vertically, and

(ii) the excluded floor area does not exceed 10 percent of the permitted total floor area.

4.7.4 Notwithstanding the definition of "half-storey" in section 2 of this By-law, for the purposes of this Schedule the maximum permitted floor area contained in a half-storey shall not include floor area excluded in section 4.7.3(j) of this Schedule.

4.8 Site Coverage

4.8.1 The maximum site coverage for buildings shall be 45 percent of the site area, except that where an existing lot is less than 7.3 m in width the maximum site coverage for buildings shall be 35 percent of the site area.

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 ~~sun~~decks.

4.8.3 The maximum site coverage for any portion of the site used as parking area shall be 30 percent.

4.8.4 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 m² to accommodate vehicular access and manoeuvring.

4.8.5 For the purposes of section 4.8.4, the following materials shall be considered impermeable: the projected area of the outside of the outermost walls of all buildings, including carports, ~~covered~~ entries, porches and ~~entries~~verandahs; asphalt; concrete; brick; stone; and wood.

4.8.6 Notwithstanding section 4.8.5, 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.

4.8.7 The Director of Planning may vary section 4.8.4 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) the Director of Planning considers the advice of the City Engineer; and

(c) the Director of Planning considers all applicable policies and guidelines adopted by Council.

4.9 [Deleted -- see Parking By-law.]

4.10 Horizontal Angle of Daylight -- Not Applicable.

4.11 Vertical Angle of Daylight -- Not Applicable.

4.12 Dedication of Land for Lane Development -- Not Applicable.

4.13 Area of Transparent Surface – Not Applicable

~~4.13.1 Where dwellings are separated by a yard of less than 12.2 m in depth, the facing wall of each dwelling shall not consist of more than 20 percent transparent surface.~~

4.14 Access

4.14.1 Pedestrian access to the front street and lane shall be provided and maintained for all dwellings.

4.15 Acoustics

4.15.1 A development permit application for dwelling uses shall require evidence in the form of a report and recommendations prepared by persons trained in acoustics and current techniques of noise measurements demonstrating that the noise levels in those portions of the dwelling units listed below shall not exceed the noise levels expressed in decibels set opposite such portions for the dwelling units. For the purposes of this section the noise level is the A-weighted 24-hour equivalent (Leq) sound level and will be defined simply as noise level in decibels.

Portions of dwelling units	**Noise levels (Decibels)**
bedrooms	35
living, dining, recreation rooms	40
kitchen, bathrooms, hallways	45

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 40 percent of the depth of the site.

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 on a corner site, one main entrance must face the front street and one main entrance must face the flanking street.

4.17.4 In two-family dwellings and two-family dwellings with secondary suite, there must be a ~~covered~~ entry, porch or verandah at each main entrance, with a minimum width and depth of 1.8 m.

4.17.5 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 shall have a minimum slope of 7:12 and a maximum slope of 12:12 and shall be either hip or gable or a combination of both, and shall intersect at its lower portion with the exterior wall face of the building or the vertical

projection thereof at a line no higher than the lesser of 7.9 m above the base surface or the floor level of a half-storey or attic above the second storey;

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

(c) the maximum total width of dormers provided on a half storey above the second storey must not exceed 50% of the width of the elevation of the storey below;

(d) all exterior dormer walls shall be set back a minimum of 0.6 m from the exterior face of the wall of the storey below; and

(e) notwithstanding section 4.17.5(d), one dormer, which faces an interior side yard and which provides headroom over a stair and any intermediate and top landings which provide access from the second storey to the half-storey above may have its face wall flush or continuous with the second storey exterior wall face below.

4.17.6 Exterior windows in a secondary suite or lock off unit 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.

4.17.7 The Director of Planning may vary the requirements of section 4.17 for two-family dwellings and two-family dwellings with secondary suite if, in the opinion of the Director of Planning, the design meets the intent of the regulations for quality and durability of design and architectural expression.

5 Relaxation of Regulations

~~**5.1** The Director of Planning may relax the requirements of any of the following sections of this Schedule after considering the intent of the Schedule and all applicable policies and guidelines adopted by Council:~~

~~(a) section 4.1 – minimum site area;~~
~~(b) section 4.3.3 – maximum height;~~
~~(c) section 4.5.1 – minimum side yard;~~
~~(d) section 4.6.5 – minimum yard.~~

~~**5.2** The Director of Planning may relax the maximum permitted percentage of transparent surfaces where the Director of Planning is satisfied with the adequacy of landscaping or screening with respect to privacy.~~

~~**5.3** The Director of Planning may relax section 4.8.4 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) the Director of Planning considers the advice of the City Engineer; and~~
~~(c) the Director of Planning considers all applicable policies and guidelines adopted by Council.~~

5.1~~4~~ The Director of Planning may relax the requirements of section 4.8.4 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) the Director of Planning considers all applicable guidelines and policies adopted by Council; and

(b) the Director of Planning considers the advice of the City Engineer.

~~**5.5** The Director of Planning may relax the provisions of this District Schedule regarding height, required yards, site coverage, area of transparent surface and acoustics 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.~~

RS-2 District Schedule

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.

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 this 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 located in the rear yard and in no case are 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 10.27 of this By-law;
  - (c) for all uses except for two-family dwellings and two-family dwellings with secondary suite, the total floor area, measured to the extreme outer limits of the building, of all accessory buildings is not greater than 35 percent of the minimum rear yard prescribed in this Schedule, or 48 m^2, whichever is the greater, except that the floor area of a laneway house shall be deducted from the total allowable accessory building floor area;
  - (d) for two-family dwellings and two-family dwellings with secondary suite, the total floor area, measured to the extreme outer limits of the building, of all accessory buildings is not greater than 48 m^2;
  - (e) not more than 80 percent of the width of the rear yard of any lot is occupied by accessory buildings.
- Accessory Uses customarily ancillary to any of the uses listed in this section.

2.2.DW [Dwelling]

- Two-Family Dwelling, on lots less than 511 m^2 in area.

2.2.I [Institutional]

- Community Care Facility – Class A, subject to the regulations, variations 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 Council policies and guidelines; and
(b) the submission of any advisory group, property owner or tenant.

3.2 Uses

3.2.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.AG [Agricultural]

- Urban Farm - Class A.

3.2.C [Cultural and Recreational]

- Community Centre or Neighbourhood House.
- Library in conjunction with a Community Centre.
- Park or Playground.

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

3.2.DW [Dwelling]

- Dwelling Units, up to a maximum of two, in conjunction with a neighbourhood grocery store existing as of July 29, 1980.
- Infill.
- Infill in conjunction with retention of a character house existing on the site as of January 16, 2018.
- Multiple Conversion Dwelling, provided that:
  (a) before making a decision the Director of Planning shall consider the quality and livability of the resulting units, the suitability of the building for conversion in terms of age and size, the effect of the conversion on adjacent properties and whether the building contributes to the neighbourhood character of the area; and
  (b) building additions shall not be permitted.
- Multiple Dwelling.
- One-Family Dwelling with Secondary Suite.
- 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.
- 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.
- Laneway House.
- 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.

3.2.I [Institutional]

- Ambulance Station.
- Child Day Care Facility.
- Church.
- Hospital.
- Public Authority Use essential in this District.
- School - Elementary or Secondary.
- Social Service Centre.

- Community Care Facility – Class B.
- Group Residence.

3.2.O [Office]

- Temporary Sales Office.

3.2.P [Parking]

- Parking Area ancillary to a principal use on an adjacent site.

3.2.R [Retail]

- Farmers' Market. *Compatibility with nearby sites, parking, traffic, noise, hours of operation, size of facility, pedestrian amenity*.
- Neighbourhood Grocery Store existing as of July 29, 1980.
- Public Bike Share.

3.2.S [Service]

- Bed and Breakfast Accommodation.
- Short Term Rental Accommodation.

3.2.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 shall be:

(a) 334 m² for a one-family dwelling, one family dwelling with secondary suite, two-family dwelling, or two-family dwelling with secondary suite; and
(b) 929 m² for a multiple dwelling or infill.

4.1.2 Where the site size is less than 9.8 m in width or less than 334 m² in area, the design of any new dwelling shall first require the approval of the Director of Planning.

4.1.3 The maximum site area for a two-family dwelling, including a lock-off unit in conjunction with a two-family dwelling, is less than 511 m^2.

4.1.4 The Director of Planning may permit a reduction to the minimum site area requirements 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.

4.2 Frontage -- Not Applicable.

4.3 Height

4.3.1 A building shall not exceed 10.7 m in height and shall not have more than 2½ storeys.

4.4 Front Yard

4.4.1 A front yard with a minimum depth of 7.3 m shall be provided.

4.4.2 In the case of a site having an average depth of less than 36.5 m, the required front yard may be reduced in accordance with section 10.29 of this By-law.

4.4.3 ~~For two-family dwellings and two-family dwellings with secondary suite, covered~~ Entries, porches and verandahs 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.

4.5 Side Yards

4.5.1 A side yard with a minimum width of 10 percent of the width of the site shall be provided on each side of the building, except that it need not be more than 1.5 m in width.

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 10.27 of this By-law.

4.5.3 For a multiple dwelling or infill, a side yard with a minimum width of 2.1 m shall be provided on each side of any principal building, but the minimum width shall be increased, subject to section 4.5.4, so that the outer walls of the building are contained within a 135 degree angle extended horizontally and measured inwardly from any and all points on the side property lines.

4.5.4 For a multiple dwelling on a site greater than 45.4 m in depth the Director of Planning may permit a greater degree of angle provided the following are first taken into account:

(a) the height, bulk, location and overall design of the proposed development and its effects on the site, surrounding buildings and streets;
(b) the amount of open space, and the effects of overall design on the general amenity of the area; and
(c) the design and livability of the dwelling units proposed.

4.5.5 The Director of Planning may vary the yard provisions of section 4.5.3 in the case of infill, provided that:

(a) the Director of Planning first considers all applicable policies and guidelines adopted by Council; and
(b) the variation facilitates an overall better relationship of the infill development with the existing buildings on the development site and abutting sites.

4.6 Rear Yard

4.6.1 A rear yard with a minimum depth of 10.7 m shall be provided, except that where the rear of the site abuts a lane, this required minimum depth shall be decreased by the lane width between the rear property line and the ultimate centre line of the lane.

4.6.2 In the case of a site having an average depth of less than 36.5 m, the required rear yard may be reduced in accordance with section 10.29 of this By-law.

4.6.3 Where a building line has been established pursuant to the provisions of section 14.2 of this By-law, 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.

4.7 Floor Space Ratio

4.7.1 The floor space ratio for all uses except for two-family dwelling or two-family dwelling with secondary suite shall not exceed 0.60, except:

(a) for multiple dwellings or sites with infill in which cases the floor space ratio shall not exceed 0.75;

(b) if:

(i) the area of all floors at or above finished grade does not exceed a floor space ratio of 0.45,

(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, which perimeter includes ~~covered~~ entries, porches and verandahs,

in which case, an increase in the floor space ratio to 0.70 is permissible;

(c) 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 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~~ entries, porches and verandahs,

a basement or cellar is permissible;

(d) 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

(e) 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 adopted by Council.

4.7.1A The floor space ratio for two-family dwellings and two-family dwellings with secondary suite must not exceed 0.70, except that 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 371 m^2.

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; and

(c) 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~~ and ~~sun~~decks, 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~~ these exclusions does not exceed ~~eight percent~~8% of the ~~permitted residential~~ floor area being provided;

(b) patios and roof decks~~gardens~~, provided that the Director of Planning first considers the effect on privacy and overlook~~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 so used, which:

(i) are at or below the base surface, provided that the maximum exclusion for a parking space shall not exceed 7.3 m in length; or

(ii) are above the base surface and where developed as off-street parking are located in an accessory building situated in the rear yard, provided that the maximum exclusion for a parking space shall not exceed 7.3 m in length.

(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~~ entries, porches and verandahs, and covered porches above the first storey provided that:

(i) for all uses except for two-family dwellings and two-family dwellings with secondary suite, they face a street or a rear property line and entries, porches and verandahs are located at the basement or first storey,

(ii) for two-family dwellings and two-family dwellings with secondary suite, they face a street or rear property line,

(iii) ~~that~~ the side~~portion~~ facing the street or rear property line is ~~shall be~~ open or protected by guards ~~rails the height of which shall~~ that do not exceed the required minimum height~~specified in the Building By-law~~,

~~(iv) for all uses except for two-family dwellings and two-family dwellings with secondary suite, the total area being excluded does not exceed 5 percent of the permitted floor area,~~

(iv) ~~for two-family dwellings and two-family dwellings with secondary suite,~~ the total area being excluded, when combined with the balcony and deck exclusions under subsection 4.7.3(a), does not exceed 13% ~~percent~~ of the ~~permitted floor area~~floor area being provided,

(v~~i~~) for two-family dwellings and two-family dwellings with secondary suite, the depth of the total area being excluded for covered porches above the first storey does not exceed 1.83 m, and

(vi~~i~~) the ceiling height, excluding roof structure, of the total area being excluded does not exceed 3.1 m measured from the entry, porch or verandah floor;

(h) unconditioned floor areas with a ceiling height or height to the underside of joists of less than 2.0 m, located below the floors of entries, porches and verandahs complying with subsection 4.7.3(g), to which there is no access from the interior of the building;

(~~h~~i) the floor area of a laneway house; and

(j) for two-family dwellings and two-family dwellings with secondary suite, areas of floors existing, proposed or as may be extended over open-to-below space located directly below sloping roof rafters or a sloping ceiling where the ceiling is directly attached to the underside of sloping roof rafters, and where the roof joists have a minimum 7:12 pitch and the related ceiling maintains the same pitch as the roof joists, provided that:

(i) the distance from the floor to any part of the roof rafters or ceiling is no higher than 2.3 m and no lower than 1.2 m, both measured vertically, and
(ii) the excluded floor area does not exceed 10 percent of the permitted total floor area.

4.7.4 Notwithstanding the definition of "half-storey" in section 2 of this By-law, for the purposes of this Schedule the maximum permitted floor area contained in a half-storey shall not include floor area excluded in section 4.7.3(j) of this Schedule.

4.8 Site Coverage

4.8.1 The maximum site coverage for buildings shall be 45 percent of the site area.

4.8.2 For the purpose of this section, site coverage for buildings shall be based on the projected area of the outside outermost walls of all buildings and includes carports, but excludes steps, eaves, balconies and ~~sun~~decks.

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 For a multiple dwelling or sites with infill, the maximum coverage of the site by surface parking, accessory buildings, manoeuvring aisles, driveways, loading areas, other vehicular facilities and all principal buildings shall be 40 percent where no principal building exceeds 10.7 m or 2½ storeys in height, or 55 percent where no principal building exceeds 6.1 m or one storey plus a cellar in height.

4.8.5 For a multiple dwelling or sites with infill, in the case of a sloping site where a structure is located in or beneath a yard, the structure shall be excluded from the site coverage calculation provided that it does not, except for required earth cover, permitted fences and similar items, project above the average elevation of the portions of the streets, lanes or sites located adjacent to such structure, and does not, in any event, project more than 1.0 m above the actual elevation of adjoining streets, lanes and sites.

4.8.6 Except for multiple dwellings, 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 m² to accommodate vehicular access and manoeuvring.

4.8.7 For the purposes of section 4.8.6, the following materials shall be considered impermeable: the projected area of the outside of the outermost walls of all buildings, including carports, ~~covered~~ entries, porches and ~~entries~~verandahs; asphalt; concrete; brick; stone; and wood.

4.8.8 Notwithstanding section 4.8.7, 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.

4.8.9 The Director of Planning may vary section 4.8.6 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) the Director of Planning considers the advice of the City Engineer; and
(c) the Director of Planning considers all applicable policies and guidelines adopted by Council.

4.9 [Deleted -- see Parking By-law.]

4.10 Horizontal Angle of Daylight

4.10.1 Each habitable room must have at least one window on an exterior wall of a building.

4.10.2 Each exterior window must be located so that a plane or planes extending from the window and formed by an angle of 50 degrees, or two angles with a sum of 70 degrees, will encounter no obstruction over a distance of 24.0 m.

4.10.3 The plane or planes referred to in section 4.10.2 must be measured horizontally from the centre of the bottom of each window.

4.10.4 The Director of Planning may ~~relax~~ vary the horizontal angle of daylight requirement, if:
(a) the Director of Planning first considers all the applicable policies and guidelines adopted by Council; and
(b) the minimum distance of unobstructed view is not less than 3.7 m.

4.10.5 An obstruction referred to in section 4.10.2 means:
(a) any part of the same building including permitted projections; or
(b) the largest building permitted under the zoning on any adjoining site.

4.10.6 A habitable room referred to in section 4.10.1 does not mean:
(a) a bathroom; or
(b) a kitchen whose floor area is the lesser of:
(i) 10% or less of the total floor area of the dwelling unit, or
(ii) 9.3 m^2.

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 40 percent of the depth of the site.

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 on a corner site, one main entrance must face the front street and one main entrance must face the flanking street.

4.17.4 In two-family dwellings and two-family dwellings with secondary suite, there must be an ~~covered~~ entry, porch or verandah at each main entrance, with a minimum width and depth of 1.8 m.

4.17.5 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 shall have a minimum slope of 7:12 and a maximum slope of 12:12 and shall be either hip or gable or a combination of both, and shall intersect at its lower portion with the exterior wall face of the building or the vertical projection thereof at a line no higher than the lesser of 7.9 m above the base surface or the floor level of a half-storey or attic above the second storey;

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

(c) the maximum total width of dormers provided on a half storey above the second storey must not exceed 50% of the width of the elevation of the storey below;

(d) all exterior dormer walls shall be set back a minimum of 0.6 m from the exterior face of the wall of the storey below; and

(e) notwithstanding section 4.17.5(d), one dormer, which faces an interior side yard and which provides headroom over a stair and any intermediate and top landings which provide access from the second storey to the half-storey above may have its face wall flush or continuous with the second storey exterior wall face below.

4.17.6 Exterior windows in a secondary suite or lock off unit 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.

4.17.7 The Director of Planning may vary the requirements of section 4.17 for two-family dwellings and two-family dwellings with secondary suite if, in the opinion of the Director of Planning, the design meets the intent of the regulations for quality and durability of design and architectural expression.

5 Relaxation of Regulations

~~**5.1** The Director of Planning may relax the minimum site area requirements 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 yard provisions of section 4.5.3 of this Schedule in the case of infill, provided that:~~

~~(a) the Director of Planning first considers all applicable policies and guidelines adopted by Council; and~~
~~(b) the relaxation facilitates an overall better relationship of the infill development with the existing buildings on the development site and abutting sites.~~

~~**5.3** The Director of Planning may relax section 4.8.6 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) the Director of Planning considers the advice of the City Engineer; and~~

~~(c) the Director of Planning considers all applicable policies and guidelines adopted by Council.~~

5.14 The Director of Planning may relax the requirements of section 4.8.6 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) the Director of Planning considers all applicable guidelines and policies adopted by Council; and

(b) the Director of Planning considers the advice of the City Engineer.

~~**5.5** The Director of Planning may relax the minimum site area, height, required yards and maximum site coverage 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.~~

RS-3 and RS-3A Districts Schedule

1 Intent

The intent of this Schedule is to preserve and maintain the residential character of the RS-3 and RS-3A Districts in the form of one-family dwellings with or without a secondary suite and with or without a laneway house in a manner compatible with the existing amenity and design of development. Infill and multiple conversion dwellings in conjunction with retention of character houses may also be permitted. Emphasis is placed on encouraging neighbourly development by preserving outdoor space and views and by ensuring that the bulk and size of new development is similar to existing development. Neighbourhood amenity is enhanced through the maintenance of healthy trees and planting which reflects the established streetscape. The RS-3 District permits a higher non-discretionary density than the RS-3A District.

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-3 and RS-3A Districts 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 and width as regulated by section 4.16 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 10.27 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 20 percent of the minimum rear yard prescribed in this Schedule, or 48 m², whichever is the greater, except that the floor area of a laneway house shall be deducted from the total allowable accessory building floor area;
  - (d) not more than 50 percent of the width of the rear yard of any lot is occupied by accessory buildings;
  - (e) roof ~~gardens~~decks and ~~sun~~ decks are not located on an accessory building located beyond the permitted building depth as regulated by section 4.16.2 of this Schedule.

- Accessory Uses customarily ancillary to any of the uses listed in this section, provided that accessory parking spaces shall be located within 7.9 m of the ultimate rear property line.

2.2.DW [Dwelling]

- One-Family Dwelling.

2.2.I [Institutional]

- Community Care Facility – Class A, subject to the regulations, variations 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 Council policies and guidelines; and
(b) the submission of any advisory group, property owner or tenant.

3.2 Uses

3.2.A

- Accessory Buildings customarily ancillary to any of the uses listed in this Schedule, other than accessory buildings providing parking, and 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 Schedule, other than as provided for in section 2.2.A of this Schedule.

3.2.AG [Agricultural]

- Urban Farm - Class A.

3.2.C [Cultural and Recreational]

- Community Centre or Neighbourhood House.
- Library in conjunction with a Community Centre.
- Park or Playground.

3.2.D

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

3.2.DW [Dwelling]

- Infill in conjunction with retention of a character house existing on the site as of January 16, 2018.
- One-Family Dwelling with Secondary Suite.
- Seniors Supportive or Assisted Housing.
- Laneway House.
- 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.

3.2.I [Institutional]

- Ambulance Station.
- Child Day Care Facility.
- Church.
- Hospital.
- Public Authority Use essential in this District.
- School - Elementary or Secondary.
- Social Service Centre.
- Community Care Facility – Class B.
- Group Residence.

3.2.O [Office]

- Temporary Sales Office.

3.2.P [Parking]

- Parking Area ancillary to a principal use on an adjacent site.

3.2.R [Retail]

- Farmers' Market. *Compatibility with nearby sites, parking, traffic, noise, hours of operation, size of facility, pedestrian amenity*.
- Public Bike Share.

3.2.S [Service]

- Bed and Breakfast Accommodation.
- Short Term Rental Accommodation.

3.2.U [Utilities 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 -- Not Applicable.

4.2 Frontage -- Not Applicable.

4.3 Height

4.3.1 A building shall not:

(a) in RS-3, exceed 10.7 m in height and have more than 2½ storeys;
(b) in RS-3A, exceed 9.2 m in height and have more than 2½ storeys.

4.3.2 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, the Director of Planning may instead require that height be measured from base surface.

4.3.3 Notwithstanding the provisions of section 4.3.1(b) in RS-3A the height of a building:

(a) can be increased from 9.2 m to a maximum of 10.7 m provided that all roofs are either of a gable, hip or gambrel design and have a pitch of at least a 7:12 ratio over the whole roof area, except that
  (i) roofs covering only the first storey do not require a minimum slope, and
  (ii) roofs covering a dormer can have a slope of at least a 4:12 ratio over their area; or
(b) may be increased from 9.2 m to a maximum of 10.7 m by the Director of Planning provided that the Director of Planning considers the intent of this Schedule and all applicable policies and guidelines adopted by Council.

4.4 Front Yard

4.4.1 A front yard shall be provided with a depth of the average depth of the two adjacent sites on each side of the site, subject to the following:

(a) 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;
(b) 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; and
(c) where the site is adjacent to a flanking street or lane, the average depth shall be computed using the remainder of the adjacent sites.

4.4.2 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.

4.4.3 ~~Covered~~ Entries, porches and verandahs complying with the conditions of section 4.7.3(h) 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.

4.5 Side Yard

4.5.1 A side yard with a minimum width of 10 percent of the site width shall be provided on each side of the building.

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 10.27 of this By-law.

4.6 Rear Yard

4.6.1 A rear yard with a minimum depth of 10.7 m shall be provided, measured from the rear property line.

4.6.2 In the case of a site having an average depth of less than 36.5 m, this rear yard may be reduced in accordance with section 10.29 of this By-law.

4.7 Floor Space Ratio

4.7.1 The floor space ratio and floor area shall be as follows:

(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 shall not exceed a floor space ratio of:

(i) 0.16 plus 130 m² in the RS-3 District;
(ii) 0.12 plus 130 m² in the RS-3A District; and

(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 shall not exceed a floor space ratio of:
(i) 0.16 plus 130 m² in the RS-3 District;
(ii) 0.12 plus 130 m² in the RS-3A District; and
both subject to the following:

(c) the Director of Planning may permit an increase in the maximum floor space ratio to 0.20 plus 130 m², provided that the Director of Planning first approves a plan showing existing and proposed landscaping and that he considers:

(i) the intent of this Schedule and all applicable policies and guidelines adopted by Council;
(ii) the effect of the increase in floor area on adjacent properties;
(iii) the preservation of the architectural character of the area; and

(d) the maximum floor area shall not exceed 604 m²;

(e) notwithstanding subsection (d), the Director of Planning may increase the maximum permitted floor space ratio to 0.25 plus 130 m^2 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

(f) notwithstanding subsection (d), the Director of Planning may increase the maximum permitted floor space ratio to 0.3 plus 130 m^2 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 adopted by Council.

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; 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 and floor area:

(a) ~~open residential~~ balconies ~~or~~ and ~~sun~~decks, 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~~ these exclusions does not exceed ~~eight percent~~8% of the ~~permitted residential~~ floor area being provided;

(b) patios and roof gardens, provided that the Director of Planning first considers effect on privacy and overlook ~~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 attached to a principal building, or in an accessory building located within the building depth and width regulated by the provisions of section 4.16, up to a maximum of 42 m²;

(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) for buildings existing prior to April 12, 1988, basements, cellars and other spaces below floor surfaces located less than 2.0 m above finished grade and not extending beyond the

outermost walls of the first or second storey at or above finished grade of the principal building but including ~~covered~~ entries, porches and verandahs complying with the conditions of section 4.4.3;

(g) in all other cases, basements, cellars and other spaces below floor surfaces located less than 1.8 m above finished grade and not extending beyond the outermost walls of the first or second storey at or above finished grade of the principal building but including covered porches complying with the conditions of section 4.4.3;

(h) ~~covered~~ entries, porches and verandahs, and covered porches above the first storey, provided that:

(i) they face a street or a rear property line and entries, porches and verandahs are located at the basement or first storey;

(ii) ~~that portion~~ the side facing the street or rear property line ~~shall be~~is open or protected by guards~~ rails the height of which shall~~ that do not exceed the required minimum height~~specified in the Building By-law~~;

(iii) the total area being excluded when combined with the balcony and deck exclusions under 4.7.3 (a) does not exceed ~~5~~13% ~~percent~~ of the ~~permitted~~ floor area being provided; and

(iv) the ceiling height, excluding roof structures, of the total area being excluded does not exceed 3.1 m measured from the entry, porch or verandah floor; ~~and~~

(i) unconditioned floor areas with a ceiling height or height to the underside of joists of less than 2.0 m, located below the floors of entries, porches and verandahs complying with subsection 4.7.3(h), to which there is no access from the interior of the building; and

(~~j~~i) the floor area of a laneway house.

4.7.4 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 vary the provisions of section 4.7 to permit the exclusion of floor space used for off-street parking in the principal building up to a maximum of 42 m².

4.8 Site Coverage

4.8.1 The maximum site coverage for buildings shall be 35 percent of the site area.

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 ~~sun~~decks.

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 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 m² to accommodate vehicular access and manoeuvring.

4.8.5 For the purposes of section 4.8.4, the following materials shall be considered impermeable: the projected area of the outside of the outermost walls of all buildings, including carports, ~~covered~~ entries, porches and ~~entries~~verandahs; asphalt; concrete; brick; stone; and wood.

4.8.6 Notwithstanding section 4.8.5, 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.

4.8.7 The Director of Planning may vary section 4.8.4 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) the Director of Planning considers the advice of the City Engineer; and

(c) the Director of Planning considers all applicable policies and guidelines adopted by Council.

4.9 to 4.15 **(Reserved)**

4.16 Building Depth and Width

4.16.1 For the purpose of this section, building depth shall mean the distance from the required front yard, measured in a straight line to a point directly opposite thereto along the exterior wall, including projections, facing the rear yard, except that where an existing building encroaches into the required front yard, the distance shall be measured from the front exterior wall rather than the required front yard.

4.16.2 The maximum building depth shall not exceed 40 percent of the depth of the site.

4.16.3 Projections into front yards permitted under section 4.4.3 shall not be included in the calculation of building depth.

4.16.4 For the purpose of this section, building width shall mean the distance from an exterior wall of the principal or accessory building facing a side yard, measured in a straight line to a point directly opposite thereto along the exterior wall of the principal or accessory building facing the opposite side yard, except that for purposes of this calculation, the exterior wall shall be deemed to be a straight line perpendicular to the required front yard, and extending from the front yard to the rear yard.

4.16.5 The maximum building width shall not exceed 70 percent of the width of the site.

4.17 External Design

4.17.1 For the purpose of section 4.17, a front entrance means a door located on that part of a building 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.

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 (Reserved)

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 rear yard; and
(b) that portion of the building abutting the lowered surface:
  (i) faces 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, the Director of Planning may:

(a) on the advice of the Chief Building Official, permit one additional entrance facing a front yard if it provides access to a building existing prior to March 14, 1989; 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.

5 Relaxation of Regulations

5.1 The Director of Planning may relax the provisions of sections 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) the Director of Planning first considers the submission of any advisory group, property owner or tenant; and
(b) in no case shall the yard requirements be reduced to less than 60 percent of the amount specified in this Schedule.

~~**5.2** 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 m².~~

~~**5.3** The Director of Planning may relax section 4.8.4 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) the Director of Planning considers the advice of the City Engineer; and~~
~~(c) the Director of Planning considers all applicable policies and guidelines adopted by Council.~~

5.24 The Director of Planning may relax the requirements of section 4.8.4 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) the Director of Planning considers all applicable guidelines and policies adopted by Council; and
(b) the Director of Planning considers the advice of the City Engineer.

~~**5.5** The Director of Planning may relax the provisions of this District Schedule regarding height, required yards, maximum site coverage, building depth and width, external design and above grade basement floor area exclusion, 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.~~

RS-5 District Schedule

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.

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 this 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 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 10.27 of this By-law;

  (c) for all uses except for two-family dwellings and two-family dwellings with secondary suite, the total floor area, measured to the extreme outer limits of the building, of all accessory buildings is not greater than the area given by the following formula except:

    (i) this area need not be less than 48 m², and

    (ii) the floor area of a laneway house shall be deducted from the total allowable accessory building floor area:

    [site width in metres x 3.0 m] + 20 m²;

  (d) for two-family dwellings and two-family dwellings with secondary suite, the total floor area, measured to the extreme outer limits of the building, of all accessory buildings is not greater than 48 m^2;

  (e) accessory buildings occupy not more than 40% of the site width plus 4.2 m;

  (f) for the purpose of Section 2.2.A, site width shall be the average width of the portion of the site located within 7.9 m of the ultimate rear property line;

  (g) roof decks~~gardens~~ and ~~sun~~decks are not located on an accessory building located beyond the permitted building depth as regulated by Section 4.16.2 of this Schedule.

- Accessory Uses customarily ancillary to any of the uses listed in this section, provided that accessory parking spaces shall be located within 7.9 m of the ultimate rear property line.

2.2.DW [Dwelling]

- One-Family Dwelling.
- Two-Family Dwelling, on lots less than 511 m^2 in area.

2.2.I [Institutional]

- Community Care Facility – Class A, subject to the regulations, variations 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 Council policies and guidelines; 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-5 District.

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, except that for buildings accessory to dwelling uses the total floor area shall not exceed the total floor area permitted 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.

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.

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.
- 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;
  (iii) clause (b) of Section 10.27 of this By-law shall not apply; and
(c) its floor area shall not exceed 75 m² and shall be also counted in the accessory building area.

- One-Family Dwelling with Secondary Suite.
- Laneway House.
- 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.
- 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.
- 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.

3.2.1.I [Institutional]

- Ambulance Station.
- Child Day Care Facility.
- Church.
- Hospital.
- Public Authority Use essential in this District.
- School - Elementary or Secondary.
- Social Service Centre.
- Community Care Facility – Class B.
- Group Residence.

3.2.1.O [Office]

- Temporary Sales Office.

3.2.1.P [Parking]

- Parking Area ancillary to a principal use on an adjacent site.

3.2.1.R [Retail]

- Farmers' Market. *Compatibility with nearby sites, parking, traffic, noise, hours of operation, size of facility, pedestrian amenity*.
- Neighbourhood Grocery Store existing as of July 29, 1980.
- Public Bike Share.

3.2.1.S [Service]

- Bed and Breakfast Accommodation.
- Short Term Rental Accommodation.

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 and Width

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 m2, 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.

4.1.2 Where the site is less than 9.8 m in width or less than 334 m² 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 m².

4.1.4 The maximum site area for a two-family dwelling, including a lock-off unit in conjunction with a two-family dwelling, is less than 511 m^2.

4.1.5 The Director of Planning may permit a reduction to 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.

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, 9.2 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.

4.3.2 For all uses other than two-family dwelling or two-family dwelling with secondary suite, the height of the building may be increased from 9.2 m to a maximum of 10.7 m providing all roofs, except roofs covering only the first storey, have no flat portions, have a minimum slope of 7:12 ratio over the whole roof area and are limited to gable, hip or gambrel roofs.

4.3.3 Notwithstanding the requirements permitting an increase in height in Section 4.3.2, dormer roofs may have a minimum slope of 4:12 ratio.

4.3.4 As an exception to the provisions of Section 4.3.2, the Director of Planning may permit an increase in the maximum height to 10.7 m provided that the Director of Planning considers the intent of this Schedule and all applicable policies and guidelines adopted by Council.

4.3.5 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, the Director of Planning may instead require that height be measured from base surface.

4.4 Front Yard

4.4.1 A front yard shall be provided with a depth of the average depth of the two adjacent sites on each side of the site, subject to the following:

(a) 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;
(b) 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; and
(c) where the site is adjacent to a flanking street or lane, the average depth shall be computed using the remainder of the adjacent sites.

4.4.2 If the provisions of Section 4.4.1 and Section 4.6.1 of this Schedule result in a distance between the front yard and the rear yard which is less than 40 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 may be reduced so that the distance between the front yard and the rear yard is equal to 40 percent of the depth of the site.

4.4.3 If the depth of the required front yard is greater than 20 percent of the depth of the site, the Director of Planning may permit a reduction in the depth of the required front yard prescribed by Section 4.4.1 by an amount not exceeding 60 percent of the difference between the depth of the required front yard and 20 percent of the depth of the site, provided that such a reduction shall not exceed 1.5 m.

4.4.4 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.

4.4.5 ~~Covered~~ Entries, porches and verandahs 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.

4.4.6 Notwithstanding the provisions of Section 10.32.1(b) of this By-law, eaves, gutters or other similar projections as determined by the Director of Planning may project into the required front yard to a maximum of 1.0 m, measured horizontally.

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 12 percent and need never be more than 15 percent:

% of site width = site width in metres + 2.

4.5.2 A side yard on one side of a building may be decreased to 10 percent of the site width in the case of sites 13.0 m or wider provided that the portion of the building abutting the decreased side yard is limited to 65 percent of the allowable building depth, is set back a minimum of 1.0 m from the required front yard, is limited in height to one storey and does not include a roof deck.

4.5.3 The Director of Planning may permit a roof deck on the portion of building permitted in section 4.5.2 provided the Director of Planning takes into account the effect of the roof deck on the privacy of the adjacent property.

4.5.4 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 10.27 of this By-law.

4.5.5 Notwithstanding the provisions of Section 10.27 of this By-law, the exterior side yard prescribed in Section 4.5.4 may be reduced to 10 percent of the site width provided that the portion of building abutting the decreased side yard is limited to 65 percent of the allowable building depth, is set back a minimum of 1.0 m from the required front yard and is limited in height to one storey.

4.5.6 Notwithstanding the provisions of Section 10.32.1(b) of this By-law, eaves and gutters or other similar projections as determined by the Director of Planning may project into a required side yard to a maximum of 1.0 m, measured horizontally, except that they must not be closer than 0.7 m from a side property line.

4.6 Rear Yard

4.6.1 A rear yard with a minimum depth of 10.7 m shall be provided, measured from the rear property line.

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 Notwithstanding the provisions of Section 10.32.1(b) of this By-law, eaves, gutters or other similar projections as determined by the Director of Planning may project into a required rear yard to a maximum of 1.0 m, measured horizontally.

4.7 Floor Space Ratio

4.7.1 The floor space ratio for all uses except for two-family dwelling or two-family dwelling with secondary suite 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 shall not exceed a floor space ratio of 0.20 plus 130 m²;

(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 shall not exceed a floor space ratio of 0.16 plus 130 m²;

(c) the Director of Planning may permit an increase in the maximum floor space ratio to 0.70 and may permit an increase in the area of all floors described in clause (a) or (b) to a floor space ratio not exceeding 0.24 plus 130 m² provided that the Director of Planning considers the intent of this Schedule and all applicable policies and guidelines adopted by Council;

(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) or (b) 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~~ entries, porches and verandahs,

  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~~ entries, porches and verandahs,

  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 adopted by Council;

4.7.1A The floor space ratio for two-family dwellings and two-family dwellings with secondary suite must not exceed 0.70, except that 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 371 m^2.

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; 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 and floor area:

(a) ~~open residential~~ balconies ~~or~~ and ~~sun~~decks, 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~~ these exclusions does not exceed ~~eight percent~~8% of the ~~permitted residential~~ floor area being provided;

(b) patios and roof decks~~gardens~~, provided that the Director of Planning first ~~approves the design of sunroofs and walls~~ considers the effect on privacy and overlook;

(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 attached to 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 m²;

(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~~ entries, porches and verandahs, and covered porches above the first storey provided that:
  (i) for all uses except for two-family dwellings and two-family dwellings with secondary suite, they face a street or a rear property line and entries, porches and verandahs are located at the basement or first storey,
  (ii) for two-family dwellings and two-family dwellings with secondary suite, they face a street or rear property line,
  (iii) ~~that portion~~the side facing the street or rear property line shall be open or protected by guards ~~rails the height of which shall~~ that do not exceed the required minimum height ~~specified in the Building By-law~~,
  ~~(iv) for all uses except for two-family dwellings and two-family dwellings with secondary suite, the total area being excluded does not exceed 5 percent of the permitted floor area~~,
  (iv) ~~for two-family dwellings and two-family dwellings with secondary suite,~~ the total area being excluded, when combined with the balcony and deck exclusions under subsection 4.7.3(a), does not exceed 13% ~~percent~~ of the ~~permitted floor area~~floor area being provided,
  (v~~i~~) for two-family dwellings and two-family dwellings with secondary suite, the depth of the total area being excluded for covered porches above the first storey does not exceed 1.83 m, and
  (vi~~i~~) the ceiling height, excluding roof structure, of the total area being excluded does not exceed 3.1 m measured from the entry, porch or verandah floor;

(h) areas of floors existing, proposed or as may be extended over open-to-below space located directly below space located directly below sloping roof rafters or a sloping ceiling where the ceiling is directly attached to the underside of sloping roof rafters, and where the roof joists have a minimum 7:12 pitch and the related ceiling maintains the same pitch as the roof joists, provided that:
  (i) the distance from the floor to any part of the ceiling is no higher than 2.3 m and no lower than 1.2 m, both measured vertically; and
  (ii) the excluded floor area does not exceed 10 percent of the permitted floor area above finished grade; ~~and~~

(i) unconditioned floor areas with a ceiling height or height to the underside of joists of less than 2.0 m, located below the floors of entries, porches and verandahs complying with subsection 4.7.3(g), to which there is no access from the interior of the building; and

(~~i~~j) the floor area of a laneway house.

4.7.4 Notwithstanding the provisions of Section 2 of this By-law, the maximum permitted floor area contained in a half-storey shall not include floor areas excluded in Section 4.7.3(h).

4.7.5 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 vary the provisions of section 4.7 to permit the exclusion of floor space used for off-street parking in the principal building up to a maximum of 42 m².

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 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.

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 ~~sun~~decks.

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 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 m² to accommodate vehicular access and manoeuvring.

4.8.5 For the purposes of Section 4.8.4, the following materials shall be considered impermeable: the projected area of the outside of the outermost walls of all buildings, including carports, ~~covered~~ entries, porches and ~~entries~~verandahs; asphalt; concrete; brick; stone; and wood.

4.8.6 Notwithstanding section 4.8.5, 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.

4.8.7 The Director of Planning may vary section 4.8.4 for buildings existing prior to October 8, 1996 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) the Director of Planning considers the advice of the City Engineer; and
(c) the Director of Planning considers all applicable policies and guidelines adopted by Council.

4.9 to (Reserved)

4.15

4.16 Building Depth

4.16.1 For the purpose of this section, building depth shall mean the distance from the required front yard, measured in a straight line to a point directly opposite thereto along the exterior wall, including projections, facing the rear yard, except that where an existing building encroaches into the required front yard, the distance shall be measured from the front exterior wall rather than the required front yard.

4.16.2 The maximum building depth shall not exceed 40 percent of the depth of the site for all uses.

4.16.3 Projections into front and rear yards permitted under Sections 4.4.5, 4.4.6 and 4.6.3 shall not be included in the calculation of building depth.

4.17 External Design

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 facing a side yard and located 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; 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 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 on a corner site, one main entrance must face the front street and one main entrance must face the flanking street.

4.17.8 In two-family dwellings and two-family dwellings with secondary suite, there must be an ~~covered~~ entry, porch or verandah at each main entrance, with a minimum width and depth of 1.8 m.

4.17.9 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 shall have a minimum slope of 7:12 and a maximum slope of 12:12 and shall be either hip or gable or a combination of both, and shall intersect at its lower portion with the exterior wall face of the building or the vertical projection thereof at a line no higher than the lesser of 7.9 m above the base surface or the floor level of a half-storey or attic above the second storey;
(b) dormer roofs shall be gable, hip or shed in form and shall have a minimum slope of 4:12;
(c) the maximum total width of dormers provided on a half storey above the second storey must not exceed 50% of the width of the elevation of the storey below;
(d) all exterior dormer walls shall be set back a minimum of 0.6 m from the exterior face of the wall of the storey below; and
(e) notwithstanding section 4.17.9(d), one dormer, which faces an interior side yard and which provides headroom over a stair and any intermediate and top landings which provide access from the second storey to the half-storey above may have its face wall flush or continuous with the second storey exterior wall face below.

4.17.10 Exterior windows in a secondary suite or lock off unit 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.

4.17.11 The Director of Planning may vary the requirements of section 4.17 for two-family dwellings and two-family dwellings with secondary suite if, in the opinion of the Director of Planning, the design meets the intent of the regulations for quality and durability of design and architectural expression.

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.~~

5.1~~**2**~~ The Director of Planning may relax the provisions of Sections 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) the Director of Planning first considers the submission of any advisory group, property owner or tenant;
(b) the Director of Planning considers the intent of this Schedule and all applicable policies and guidelines adopted by Council; and
(c) in no case shall 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 m²~~

~~5.4 The Director of Planning may relax Section 4.8.4 for buildings existing prior to October 8, 1996 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) the Director of Planning considers the advice of the City Engineer; and~~
~~(c) the Director of Planning considers all applicable policies and guidelines adopted by Council.~~

5.2~~5~~ The Director of Planning may relax the requirements of Section 4.8.4 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) the Director of Planning considers all applicable guidelines and policies adopted by Council; and
(b) the Director of Planning 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.~~

RS-6 District Schedule

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.

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 this 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 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 10.27 of this By-law;

  (c) for all uses except for two-family dwellings and two-family dwellings with secondary suite, the total floor area, measured to the extreme outer limits of the building, of all accessory buildings is not greater than 30 percent of the minimum rear yard prescribed in this Schedule, or 48 m² whichever is the greater, except that the floor area of a laneway house shall be deducted from the total allowable accessory building floor area;

  (d) for two-family dwellings and two-family dwellings with secondary suite, the total floor area, measured to the extreme outer limits of the building, of all accessory buildings is not greater than 48 m^2;

  (e) not more than 67 percent of the width of the rear yard of any lot is occupied by accessory buildings;

  (f) roof ~~garden~~decks and ~~sun~~ decks are not located on an accessory building located beyond the permitted building depth as regulated by section 4.16 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^2 in area.

2.2.I [Institutional]

- Community Care Facility – Class A, subject to the regulations, variations 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 Council policies and guidelines; and
(b) the submission of any advisory group, property owner or tenant.

3.2 Uses

3.2.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.AG [Agricultural]

- Urban Farm - Class A.

3.2.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.

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

3.2.DW [Dwelling]

- Dwelling Unit in conjunction with a neighbourhood grocery store existing as of July 29, 1980.
- 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 10.27 of this By-law shall not apply; and
  (c) its floor area shall not exceed 75 m² and shall be also counted in the accessory building area.
- One-Family Dwelling with Secondary Suite.
- Seniors Supportive or Assisted Housing.
- Laneway House.
- 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.

- 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.
- Two-Family Dwelling with Secondary Suite, provided that there is no more than one secondary suite for each dwelling unit.

3.2.I [Institutional]

- Ambulance Station.
- Child Day Care Facility.
- Church.
- Hospital.
- Public Authority Use essential in this District.
- School - Elementary or Secondary
- Community Care Facility – Class B.
- Group Residence.

3.2.O [Office]

- Temporary Sales Office.

3.2.P [Parking]

- Parking Area ancillary to a principal use on an adjacent site.

3.2.R [Retail]

- Farmers' Market. *Compatibility with nearby sites, parking, traffic, noise, hours of operation, size of facility, pedestrian amenity*.
- Neighbourhood Grocery Store existing as of July 29, 1980.
- Public Bike Share.

3.2.S [Service]

- Bed and Breakfast Accommodation.
- Short Term Rental Accommodation.

3.2.U [Utility]

- 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, two-family dwelling with secondary suite, or multiple conversion dwelling, is 334 m^2, 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.

4.1.2 Where the site is less than 9.8 m in width or less than 334 m² 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 m².

4.1.4 The maximum site area for a two-family dwelling, including a lock-off unit in conjunction with a two-family dwelling, is less than 511 m^2.

4.1.5 The Director of Planning may permit a reduction to 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; and
(e) infill or multiple conversion dwelling in conjunction with retention of a character house.

4.2 Frontage -- Not Applicable.

4.3 Height

4.3.1 The height of a building shall not exceed:

(a) 10.7 m above the horizontal datum plane; and
(b) 2 ½ storeys; and
(c) an envelope located in compliance with the side yard regulations and formed by planes vertically extended 9.2 m in height above the horizontal datum plane and then extending inward and upward at an angle of 45 degrees from the horizontal.

4.3.2 For a building, including any accessory building, located within the allowed building depth as described in section 4.16, height shall be measured from the horizontal datum plane.

4.3.3 For the purposes of this Schedule, the horizontal datum plane shall be a single horizontal, flat surface, the elevation of which shall be the average of the existing site elevations taken at the intersections of the required front and rear yard setback lines with the side property lines.

4.3.4 Notwithstanding section 4.3.3, the elevation of the horizontal datum plane shall not exceed an elevation of 1.5 m above the lowest of the elevations averaged to determine the elevation of this plane.

4.3.5 Notwithstanding sections 4.3.2 through 4.3.4 the height of an accessory building not within the allowed building depth as described in section 4.16 shall be measured from existing grade around the perimeter of the accessory building.

~~4.3.6 For sites where the average slope within the allowable building envelope as determined by yard setbacks exceeds 15 percent or for sites exceeding 30.5 m in width and 1 393 m² in area and where, due to conditions peculiar to the site, literal enforcement of sections 4.3.3 and 4.3.4 would result in an unnecessary hardship, the Director of Planning may permit the height to 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, the Director of Planning may instead require that height be measured from base surface.~~

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.

4.4.2 Notwithstanding the provisions of section 10.32.1(b) of this By-law, eaves, gutters or other similar projections as determined by the Director of Planning may project into the required front yard to a maximum of 1.0 m, measured horizontally.

4.4.3 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 40 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 40 percent of the depth of the site.

4.4.4 ~~Covered~~ Entries, porches and verandahs complying with the conditions of section 4.7.3(g) shall be permitted to project into the required front yard a maximum of ~~2.0~~1.8 m provided that:

(a) such a projection is limited to 30 percent of the width of the building; and
(b) no decks are directly above those portions of an ~~covered~~ entry, porch or verandah which project into a required front yard.

4.5 Side Yard

4.5.1 A side yard shall be provided on each side of the building with a minimum width equal to:

(a) 12 percent of the site width for sites less than or equal to 21.3 m in width; or
(b) for sites exceeding 21.3 m in width, the following formula shall be used, except that this percent need never be more than 20 percent:

% of site width = [(site width in metres - 21.3 m) x 0.66] + 12

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 10.27 of this By-law.

4.5.3 Notwithstanding the provisions of section 10.32.1(b) of this By-law, eaves, gutters or other similar projections as determined by the Director of Planning may project into the required side yard to a maximum of 1.0 m, measured horizontally, except that they shall not be less than 0.6 m from an interior side property line.

4.6 Rear Yard

4.6.1 A rear yard with a minimum depth of 40 percent of the depth of the site shall be provided, 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 40 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.

4.6.2 Notwithstanding the provisions of section 10.32.1(b) of this By-law, eaves, gutters or other similar projections as determined by the Director of Planning may project into the required rear yard to a maximum of 1.0 m, measured horizontally.

4.6.3 ~~Covered~~ Entries, porches and verandahs complying with the conditions of section 4.7.3 (g) shall be permitted to project into the required rear yard a maximum of 2.0 m provided that:

(a) such a projection is limited to 30 percent of the width of the building; and
(b) no decks are directly above those portions of an ~~covered~~entry, porch or verandah which project into a required rear yard; and
(c) such a projection shall not be permitted to extend more than 2.0 m beyond the allowable building depth.

4.6.4 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.

4.6.5 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.

4.6.6 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 40 percent of the depth of the site. The floor of a roof ~~garden~~deck or ~~sun~~ deck 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.

4.7 Floor Space Ratio

4.7.1 The floor space ratio for all uses except for two-family dwelling or two-family dwelling with secondary suite 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 of this Schedule, shall not exceed a floor space ratio of 0.20 plus 130 m²;
(b) for buildings existing prior to March 26, 1996 but not before 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 1.8 m or more above finished

grade, all of which floors are located within the building depth as defined by section 4.16 of this Schedule shall not exceed a floor space ratio of 0.20 plus 130 m²;

(c) 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 of this Schedule, shall not exceed a floor space ratio of 0.16 plus 130 m²;

(d) notwithstanding section 4.7.1, the Director of Planning may permit an increase of the floor space ratio to 0.64 provided that:

(i) the Director of Planning considers all applicable policies and guidelines adopted by Council; and

(ii) the increase is subject to the following:

(1) the first and second storeys of the building shall not exceed a floor space ratio of 0.20 plus 130 m²;

(2) where a half storey is provided above the second storey, the area of all floors on the first, second, and half storey above the second storey shall not exceed a floor space ratio of 0.24 plus 130 m²;

(3) the total floor space ratio may not exceed 0.60 plus the floor space ratio of the floor area counted above the second storey up to a maximum of 0.64;

(e) 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), (c), or (d) 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~~ entries, porches and verandahs,

an increase in the floor space ratio to 0.70 is permissible;

(f) 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~~ entries, porches and verandahs,

a basement or cellar is permissible;

(g) 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

(h) 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 adopted by Council.

4.7.1A The floor space ratio for two-family dwellings and two-family dwellings with secondary suite must not exceed 0.70, except that 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 371 m^2.

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;
(d) areas of basement or cellar below those decks, skylights or roofs which are greater than 1.8 m above the horizontal datum plane as described in 4.3.3 and 4.3.4 shall be included in the above-grade floor space ratio calculation as described in 4.7.1; and
(e) 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) ~~uncovered residential~~ balconies and ~~, uncovered~~ decks ~~at or below the first storey floor level~~ 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~~ these exclusions does not exceed ~~eight percent~~8% of the ~~permitted residential~~ floor area being provided;
(b) patios and ~~uncovered~~ roof decks ~~and roof gardens~~ provided that the Director of Planning first ~~approves the design of guards and privacy screening~~considers the effect on privacy and overlook;
(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 vehicular 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^2;
(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 above the highest storey and any half-storey and to which there is no permanent means of access other than a hatch;
(f) areas of floors existing, proposed or as may be extended over open-to-below space on a storey or a half-storey with a height of less than 1.2 m as measured to the underside of roof rafters or to the underside of the top member of a truss;
(g) ~~covered~~ entries, porches and verandahs, and covered porches above the first storey provided that:

(i) for all uses except for two-family dwellings and two-family dwellings with secondary suite, they face a street or a rear property line and entries, porches and verandahs are located at the basement or first storey,

(ii) for two-family dwellings and two-family dwellings with secondary suite, they face a street or rear property line,

(iii) ~~that~~ the side ~~portion~~ facing the street or rear property line is ~~shall be~~ open or protected by guards ~~rails the height of which shall~~ that do not exceed the required minimum height~~specified in the Building By-law~~,

~~(iv) for all uses except for two-family dwellings and two-family dwellings with secondary suite, the total area being excluded does not exceed 5 percent of the permitted floor area,~~

(iv) ~~for two-family dwellings and two-family dwellings with secondary suite,~~ the total area being excluded, when combined with the balcony and deck exclusions under subsection 4.7.3(a), does not exceed 13% ~~percent~~ of the ~~permitted floor area~~floor area being provided,

(v~~i~~) for two-family dwellings and two-family dwellings with secondary suite, the depth of the total area being excluded for covered porches above the first storey does not exceed 1.83 m,

(vi~~i~~) for two-family dwellings and two-family dwellings with secondary suite, the ceiling height, excluding roof structure, of the total area being excluded does not exceed 3.1 m measured from the entry, porch or verandah~~-~~ floor, and

(vii~~i~~) for all uses except for two-family dwellings and two-family dwellings with secondary suite, the maximum height must comply with section 4.17.32;

(h) floors located below the first storey as defined in section 4.7.5 (a) with a height of less than 1.2 m measured to the underside of floor joists;

(i) areas of floors existing, proposed or as may be extended over open-to-below space located directly below sloping roof rafters or a sloping ceiling where the ceiling is directly attached to the underside of sloping roof rafters, and where the roof joists have a minimum 6:12 pitch and the related ceiling maintains the same pitch as the roof joists, provided that:

(i) the distance from the floor to any part of the ceiling or underside of roof rafters is no higher than 2.3 m and no lower than 1.2 m, both measured vertically; and

(ii) the floor area excluded under 4.7.3 (i) does not exceed 10 percent of the permitted floor area above the basement or cellar level; ~~and~~

(j) unconditioned floor areas with a ceiling height or height to the underside of joists of less than 2.0 m, located below the floors of entries, porches and verandahs complying with subsection 4.7.3(g), to which there is no access from the interior of the building; and

(~~j~~k) the floor area of a laneway house.

4.7.4 Notwithstanding the provisions of section 2 of this By-law regarding the maximum permitted floor area contained in a half-storey, the floor areas excluded in section 4.7.3 (i) shall not be counted in this half-storey calculation.

4.7.5 For the purposes of this Schedule:

(a) the first storey shall be the storey with an average floor elevation at or below:

(i) 2.0 m above existing grade for houses existing prior to April 12, 1988; and

(ii) 1.8 m above existing grade for all other houses; and

(b) the second storey shall be the next storey above the first storey, but no portion of the second storey floor level shall be more than 3.7 m above the first storey floor level.

4.7.6 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 vary

the provisions of section 4.7 to permit the exclusion of floor space used for off-street parking in the principal building up to a maximum of 42 m².

4.7.7 The Director of Planning may vary section 4.7.1 (d)(ii)(2) for new buildings located in a flood plain to allow a floor space ratio on the first and second storey not exceeding 0.24 plus 130 m2 where the development of a half-storey above an existing second storey is not possible due to designated flood construction levels.

4.7.8 The Director of Planning may vary section 4.7.1 (d)(ii)(2) for buildings existing prior to March 26, 1996 to allow a floor space ratio on the first and second storey not exceeding 0.24 plus 130 m² where the development of a half-storey above an existing second storey is not possible due to the structural incapability of the existing building or because of height, access or view blockage concerns.

4.8 Site Coverage and Impermeability

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.

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 ~~sun~~decks.

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 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 approveable parking space times 3.1 m; and
(b) for each additional parking space, 67 m² to accommodate vehicular access and maneuvering.

4.8.5 For the purposes of section 4.8.4, the following materials shall be considered impermeable: the projected area of the outside of the outermost walls of all buildings, including carports, ~~covered~~ entries, porches and ~~entrie~~verandahs; asphalt, concrete, brick, stone, and wood.

4.8.6 Notwithstanding section 4.8.5, 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.

4.8.7 The Director of Planning may vary section 4.8.4 for buildings existing prior to March 26, 1996 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) the Director of Planning considers the advice of the City Engineer; and

(c) the Director of Planning considers all applicable policies and guidelines adopted by Council.

4.9 to 4.15 **(Reserved.)**

4.16 Building Depth

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 width	40 percent
20% of maximum allowable building width as measured from both side yard setback lines	35 percent

4.16.1A The maximum permitted building depth for two-family dwelling or two-family dwelling with secondary suite shall not exceed 40 percent of the depth of the site depth.

4.16.2 For the purpose of section 4.16.1, building depth shall mean the distance from, and perpendicular to, the required front yard, measured in a straight line to a point directly opposite thereto at the furthest extent of the building, including decks, except that where an existing building encroaches into the required front yard, the distance shall be measured from the front exterior wall rather than the required front yard.

4.16.3 For the purposes of section 4.16.1, the maximum building width shall be that determined by the site width less the required side yard setbacks required under section 4.5 and, where applicable, section 10.27 of this By-Law.

4.16.4 For corner sites, the maximum building depth for the 20 percent portion of the maximum building width as described in section 4.16.1 which faces a flanking street or lane shall be 40 percent.

4.16.5 Where a 20 percent portion of the maximum building width as indicated in section 4.16.1 is adjacent to a site fronting the same street, and that site has a principal building, the projected rear of which (excluding any decks at or below the first storey floor level) extends further back than the 35 percent building depth of the subject site, the building depth for this portion of the subject site may be increased to match the adjacent site's principal building's projected depth but shall not exceed 40 percent.

4.16.6 Notwithstanding section 4.16.1 regarding the 20 percent of the maximum allowable building width as measured from both side yard setback lines permitting a maximum building depth of 35 percent, open and covered decks, at or below the first storey floor level, and basements and cellars may project to a maximum 40 percent building depth.

4.16.7 Projections into front and rear yards permitted under section 4.4.2, 4.4.4, 4.6.2, 4.6.3 and 4.17.4 shall not be included in the calculation of building depth.

4.17 External Design

4.17.1 Sections 4.17.2 through 4.17.4 and 4.17.6 through 4.17.39 apply to all uses except for two-family dwellings and two-family dwellings with secondary suite, sections 4.17.40 through 4.17.44 apply to two-family dwellings and two-family dwellings with secondary suite, and sections 4.17.5 and 4.17.45 apply to all uses.

4.17.2 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.

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

4.17.4 A side entrance to a one-family dwelling or one-family dwelling with secondary suite unit shall only be permitted where the side yard faces a street or lane or where the door is no less than 5.0 m from the side property line and no more than one side entrance shall be permitted facing each side yard, except two side doors may be permitted to face a side yard which abuts a street or lane.

4.17.5 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 floor elevation, provided that:

(a) the lowered surface does not extend into the required front yard nor more than 3.1 m into the required rear yard including access to the lowered surface; 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.

4.17.6 Notwithstanding section 4.17.3 or section 4.17.4, 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; 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.

4.17.7 For portions of a building more than 7.3 m above the horizontal datum plane as defined by 4.3.3 and 4.3.4:

(a) dormer roofs shall be gable, hip or shed in form and shall have a minimum slope of 4:12 and a maximum slope of 14:12 and no part shall exceed 9.1 m above the horizontal datum plane except for dormers described under section 4.17.10 (c); and
(b) all roofs other than dormer roofs shall have a minimum slope of 6:12 and a maximum slope of 14:12, shall be either hip or gable or a combination of both and shall intersect at its lower portion with the exterior wall face of the building or the vertical projection thereof at a line no higher than the lesser of 7.3 m above the horizontal datum plane or 0.6 m above the floor level of a half-storey or attic above the second storey.

4.17.8 Portions of a building conforming to section 10.18.5, clauses (a), (c) and (d) of this By-law shall not be considered for the determination of building height under section 4.17.7.

4.17.9 ~~Uncovered~~ Roof~~roof~~ decks ~~and roof gardens~~ are permitted above the second storey, provided that:

(a) the total area of the roof decks ~~or roof gardens~~ does not exceed 0.03 x site area;
(b) the base of the roof deck ~~or garden~~ shall not be more than 0.6 m above the floor level of a half-storey or attic above the second storey; and
(c) the roof deck ~~or garden~~ shall be entirely contained in the rear half of the permitted building depth and be set back a minimum of 0.6 m from the perimeter walls of the second storey.

4.17.10 Where a dormer or dormers are provided on a half-storey above the second storey:

(a) they shall be limited in total width to the percent of the total width of the elevation of the storey below according to the following table:

Orientation of Dormer	Maximum Width of all Dormers
facing a rear yard	40 percent
facing an interior side yard	25 percent
facing a street or flanking lane	one dormer 25 percent or two or more dormers, each separated by no less than 1.5 m, all totalling in width 30 percent

(b) all exterior dormer walls shall be set back a minimum of 0.6 m from the exterior face of the wall of the storey below;
(c) notwithstanding section 4.17.10(a) and (b), where a site is less than 13.7 m in width, one dormer, which faces an interior side yard and which provides headroom over a stair and any intermediate and top landings which provide access from the second storey to the half-storey above:
  (i) may have its face wall flush or continuous with the second storey exterior wall face below; and
  (ii) the width of this dormer need not be less than 4.6 m and no other dormers are permitted facing this interior side yard;
(d) they shall face only one side yard on lots less than 13.7 m in width, except where a lot is a corner lot, dormers may face both side yards.

4.17.11 Gable end walls shall be designed so that;

(a) a gable type roof, any portion of which is greater than 7.3 m above the horizontal datum plane, shall not have gable end walls with ridges more than 7.3 m above the horizontal datum plane on more than two building elevations; and
(b) no more than one gable end wall on a building elevation may exceed 9.1 m height above the horizontal datum plane.

4.17.12 A bay window projecting into a required yard, as permitted under section 10.32.1 (e) of this By-law, shall not exceed 2.4 m at its widest dimension and the total width of all bay windows projecting into a required yard, measured at their widest dimensions, shall not exceed 25 percent of the width of the storey on that elevation where they are located.

4.17.13 Where a basement or cellar horizontally projects beyond the first storey, the projecting area shall:

(a) face the rear property line or an interior side yard; or
(b) face the street towards which the front entry faces and be under an approved deck, planter or patio at or below the first storey floor level; or
(c) face, on a corner lot, a street other than as described in 4.17.13(b), and not be closer to the property line fronting this street than the closest portion of the first storey; or

(d) be below an ~~covered~~entry, porch or verandah as described in section 4.4.4 or 4.6.3;

except in no case shall a basement or cellar project into a required yard or exceed permitted building depth requirements.

4.17.14 to 4.17.30 (Reserved)

4.17.31 Metal chimney flues or vents shall be visually screened from view by a non-combustible enclosure except that this requirement shall not apply to through-wall-direct-vented gas fireplaces.

4.17.32 The maximum height of ~~covered~~ entries, porches and verandahs shall be governed by the following:

(a) the height above the entry, porch or verandah floor to the ceiling shall not exceed 3.1 m and the height above the entry, porch or verandah floor to the top of a flat roof covering the entry, porch or verandah shall not exceed 4.0 m; or

(b) the height above the entry, porch or verandah floor to the ridge or highest point of a gable, hip, or vaulted roof springing from no higher than 3.4 m above the entry, porch or verandah floor, shall not exceed 4.9 m.

4.17.33 Where a front entry, porch or verandah area includes columns, piers, pillars or posts or other similar elements, these shall not exceed the lesser of the first storey ceiling height or 3.1 m above the entry, porch or verandah ~~landing~~ floor and where they are used on a deck, balcony, or roof area directly above this first storey entry, porch or verandah area, no columns, piers, pillars, posts or other similar elements shall exceed 1.2 m in height above the second storey floor level.

4.17.34 Except for front door side lights to a total maximum of 2.3 m² and for transom lights over front doors to a maximum of 2.3 m², windows shall be of clear glass or leaded clear glass or leaded stained glass, except bevelled glass, frosted glass, sandblasted glass or glass block may be used for basement windows, windows at stairwells or any windows into lavatories, bathrooms or dressing rooms.

4.17.35 Exterior wall cladding materials shall:

(a) include wood, unglazed brick (minimum thickness 50 mm), non-polished stone (minimum thickness 76 mm), split-face stone, split-face concrete block, stone-dash stucco, pebble-dash stucco, acrylic stucco, paint, stain and similar coatings;

(b) include, in addition to these materials listed under (a) above, concrete or concrete block for foundation walls below the first storey and any material for architectural accents up to a maximum of 1.0 m² per building elevation;

(c) not be used so that more than two wall cladding materials appear on any single building elevation, except a third material is permitted above the second storey on gable ends or dormers;

(d) be used so that, where a building elevation includes a vertically continuous wall on the first and second storeys and this wall is also continuous to a gable end wall on a half-storey above the second storey, more than one wall cladding system shall be required above the basement level;

(e) be used so that, notwithstanding section 4.17.35 (c) and (d), materials on chimneys, basements, cellar or crawl space walls, entries, ~~y~~ porches, verandahs, entry, ~~-~~porch or verandah columns, guards, handrails, windows, doors, window and door trims, belt courses, facia boards, trim boards, gutters and drain pipes, architectural accents totalling less than 1.0 m² per building elevation, and entry, porch or verandah roof gable ends are not included when calculating the number of exterior wall cladding materials; and

(f) be used so that all wall cladding materials used on a front facade shall be continued in equal proportions no less than 2.0 m along adjacent side walls or 1.2 m where the

discontinuation of a material occurs at a change in the building wall plane such as at a bay or chimney projection.

4.17.36 Roofing materials shall:

(a) include wood shingles or wood shakes in natural finish, or asphalt shingles coloured black, blue, grey, green, brown, burgundy, tan, or beige; or
(b) include slate or slate composites coloured black, green, or grey; or
(c) include copper or baked enamel matte or flat finished metal roof systems coloured black, grey, brown, beige, or tan; or
(d) include flat profile concrete or clay roof tiles in matte or flat finished colours black, grey, brown, beige, or tan.

4.17.37 Notwithstanding sections 4.17.36 (a) to (d) the use of skylights or flashing shall not be precluded.

4.17.38 Roofs with a slope of less than 4:12 shall be exempt from the requirements of sections 4.17.36 (a) to (d) and the roof materials thereon are not regulated by this Schedule.

4.17.39 Except where a window or door is recessed no less than 100 mm behind the adjacent exterior wall faces, all doors and windows shall have a minimum 75 mm wide trim all around except door sill trim may be omitted.

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

4.17.41 In two-family dwellings and two-family dwellings with secondary suite on a corner site, one main entrance must face the front street and one main entrance must face the flanking street.

4.17.42 In two-family dwellings and two-family dwellings with secondary suite, there must be an ~~covered~~ entry, porch or verandah at each main entrance, with a minimum width and depth of 1.8 m.

4.17.43 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 shall have a minimum slope of 7:12 and a maximum slope of 12:12 and shall be either hip or gable or a combination of both, and shall intersect at its lower portion with the exterior wall face of the building or the vertical projection thereof at a line no higher than the lesser of 7.9 m above the base surface or the floor level of a half-storey or attic above the second storey;
(b) dormer roofs shall be gable, hip or shed in form and shall have a minimum slope of 4:12;
(c) the maximum total width of dormers provided on a half storey above the second storey must not exceed 50% of the width of the elevation of the storey below;
(d) all exterior dormer walls shall be set back a minimum of 0.6 m from the exterior face of the wall of the storey below; and
(e) notwithstanding section 4.17.43(d), one dormer, which faces an interior side yard and which provides headroom over a stair and any intermediate and top landings which provide access from the second storey to the half-storey above may have its face wall flush or continuous with the second storey exterior wall face below

4.17.44 The Director of Planning may vary the requirements of section 4.17 for two-family dwellings and two-family dwellings with secondary suite if, in the opinion of the Director of Planning, the design meets the intent of the regulations for quality and durability of design and architectural expression.

4.17.45 Exterior windows in a secondary suite or lock-off unit 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

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

4.17.46 The Director of Planning may vary the requirements of sections 4.17.7 roof form, 4.17.9 roof decks, 4.17.10 dormers, 4.17.11 gables, 4.17.12 bay windows, 4.17.13 basements, 4.17.31 chimneys, 4.17.32 and 4.17.33 entries, porches or verandahs, 4.17.34 windows, 4.17.35 exterior wall cladding, 4.17.36 roofing materials, and 4.17.39 window trim provided that:

(a) the Director of Planning considers the intent of this Schedule and all applicable policies and guidelines adopted by Council;

(b) the Director of Planning considers the effects on adjacent properties with regard to shadowing and loss of privacy;

(c) the Director of Planning considers the proposed development's design in relationship to neighbourhood character;

(d) the Director of Planning may require submission of photographs or drawings showing the subject property and surrounding properties; and

(e) the Director of Planning may consider the submission or any advisory group, property owner or tenant.

4.17.47 Where renovations and additions are proposed to a building existing prior to March 26, 1996, the Director of Planning may vary the requirements of sections 4.17.7 roof form, 4.17.9 roof decks, 4.17.10 dormers, 4.17.11 gables, 4.17.12 bay windows, 4.17.13 basements, 4.17.31 chimneys, 4.17.32 and 4.17.33 entries, porches and verandahs, 4.17.34 windows, 4.17.35 exterior wall cladding, 4.17.36 roofing materials, and 4.17.39 window trim where the Director of Planning considers these requirements to be unduly restrictive, and provided that:

(a) the Director of Planning considers the intent of this Schedule and all applicable policies and guidelines adopted by Council;

(b) the Director of Planning considers the effects on neighbouring properties with particular regard to shadowing and loss of privacy;

(c) the Director of Planning considers the presence of original materials and detailing and their architectural merit;

(d) the Director of Planning considers the extent and exterior design of the proposed new work as related to the existing buildings character and design;

(e) the Director of Planning may require submission of photographs and drawings showing the existing property and surrounding properties; and

(f) the Director of Planning may consider the submission or any advisory group, property owner or tenant.

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; and~~

~~(e) infill or multiple conversion dwelling in conjunction with retention of a character house.~~

5.1 For sites where the average slope within the allowable building envelope as determined by yard setbacks exceeds 15 percent or for sites exceeding 30.5 m in width and 1 393 m² in area and where, due to conditions peculiar to the site, literal enforcement of sections 4.3.3 and 4.3.4 would result in an unnecessary hardship, the Director of Planning may relax the provisions of section 4.3 to permit the height to 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, the Director of Planning may instead require that height be measured from base surface.

5.2 The Director of Planning may relax the height and yard and building depth provisions of sections 4.4, 4.5, 4.6, 4.16, and 4.17.6 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) the Director of Planning first considers the submission of any advisory group, property owner or tenant; and
(b) the Director of Planning considers all applicable policies and guidelines adopted by Council; and
(c) in no case shall 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 m².~~

~~**5.4 Relaxations for New Buildings**~~

~~5.4.1 The Director of Planning may relax the requirements of sections 4.17.6 roof form, 4.17.8 roof decks, 4.17.9 dormers, 4.17.10 gables, 4.17.11 bay windows, 4.17.12 basements, 4.17.30 chimneys, 4.17.31 and 4.17.32 entry porches, 4.17.33 windows, 4.17.34 exterior wall cladding, 4.17.35 roofing materials, and 4.17.38 window trim provided that:~~

~~(a) the Director of Planning considers the intent of this Schedule and all applicable policies and guidelines adopted by Council;~~
~~(b) the Director of Planning considers the effects on adjacent properties with regard to shadowing and loss of privacy;~~
~~(c) the Director of Planning considers the proposed development's design in relationship to neighbourhood character;~~
~~(d) the Director of Planning may require submission of photographs or drawings showing the subject property and surrounding properties; and~~
~~(e) the Director of Planning may consider the submission or any advisory group, property owner or tenant.~~

~~5.4.2 The Director of Planning may relax section 4.7.1 (d)(ii)(2) for new buildings located in a flood plain to allow a floor space ratio on the first and second storey not exceeding 0.24 plus 130 m² where the development of a half-storey above an existing second storey is not possible due to designated flood construction levels.~~

~~**5.5 Relaxations for Renovations and Additions**~~

~~5.5.1 Where renovations and additions are proposed to a building existing prior to March 26, 1996, the Director of Planning may relax the requirements of sections 4.17.6 roof form, 4.17.8 roof decks, 4.17.9 dormers, 4.17.10 gables, 4.17.11 bay windows, 4.17.12 basements, 4.17.30 chimneys, 4.17.31 and 4.17.32 entry porches, 4.17.33 windows, 4.17.34 exterior wall cladding, 4.17.35 roofing materials, and 4.17.38 window trim where the Director of Planning considers these requirements to be unduly restrictive, and provided that:~~

~~(a) the Director of Planning considers the intent of this Schedule and all applicable policies and guidelines adopted by Council;~~
~~(b) the Director of Planning considers the effects on neighbouring properties with particular regard to shadowing and loss of privacy;~~
~~(c) the Director of Planning considers the presence of original materials and detailing and their architectural merit;~~
~~(d) the Director of Planning considers the extent and exterior design of the proposed new work as related to the existing buildings character and design;~~
~~(e) the Director of Planning may require submission of photographs and drawings showing the existing property and surrounding properties; and~~
~~(f) the Director of Planning may consider the submission or any advisory group, property owner or tenant.~~

~~5.5.2 The Director of Planning may relax section 4.7.1 (d)(ii)(2) for buildings existing prior to March 26, 1996 to allow a floor space ratio on the first and second storey not exceeding 0.24 plus 130 m² where the development of a half-storey above an existing second storey is not possible due to the structural incapability of the existing building or because of height, access or view blockage concerns.~~

~~5.5.3 The Director of Planning may relax section 4.8.4 for buildings existing prior to March 26, 1996 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) the Director of Planning considers the advice of the City Engineer; and~~
~~(c) the Director of Planning considers all applicable policies and guidelines adopted by Council.~~

5.3~~6~~ Relaxation of Impermeable Materials Regulation

5.3~~6~~.1 The Director of Planning may relax the requirements of section 4.8.4 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) the Director of Planning considers all applicable guidelines and policies adopted by Council; and
(b) the Director of Planning considers the advice of the City Engineer.

~~**5.7** The Director of Planning may relax the provisions of this district schedule regarding height, required yards, maximum site coverage and impermeability, 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.~~

RS-7 District Schedule

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.

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 of this Schedule shall be permitted in this 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 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 10.27 of this By-law;
  - (c) for all uses except for two-family dwellings and two-family dwellings with secondary suite, the total floor area, measured to the extreme outer limits of the building, of all accessory buildings is not greater than 45 percent of the minimum rear yard prescribed in this Schedule, or 48 m², whichever is the greater, except that floor area previously excluded from existing development pursuant to section 4.7.4(c) of this Schedule and the floor area of a laneway house, shall be deducted from the total allowable accessory building floor area;
  - (d) for two-family dwellings and two-family dwellings with secondary suite, the total floor area, measured to the extreme outer limits of the building, of all accessory buildings is not greater than 48 m^2
  - (e) not more than 80 percent of the width of the rear yard of any lot is occupied by accessory buildings; and
  - (f) roof decks~~gardens~~ and ~~sun~~ decks are not located on an accessory building located beyond the permitted building depth as regulated by section 4.16 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^2 in area.

2.2.I [Institutional]

- Community Care Facility – Class A, subject to the regulations, variations 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 Council policies and guidelines; and
(b) the submission of any advisory group, property owner or tenant.

3.2 Uses

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.

3.2.1.C [Cultural and Recreational]

- Community Centre or Neighbourhood House.
- Library in conjunction with a Community Centre.
- Park or Playground.

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

3.2.1.DW [Dwelling]

- Dwelling Units, up to a maximum of two, in conjunction with a neighbourhood grocery store existing as of July 29, 1980.
- Infill.
- Infill in conjunction with retention of a character house existing on the site as of January 16, 2018.
- Multiple Conversion Dwelling, provided that:
  (a) before making a decision the Director of Planning shall consider the quality and livability of the resulting units, and the effect of the conversion on adjacent properties and the character of the area;
  (b) no development permit shall be issued unless the Director of Planning is satisfied that the dwelling will comply with the relevant provisions of other by-laws that relate to the design, construction and safety of buildings and until the requisite permits required by such by-laws are issuable.
- Multiple Dwelling.
- One-Family Dwelling with Secondary Suite.
- 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.
- 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.
- Laneway House.
- 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.

3.2.1.I [Institutional]

- Ambulance Station.
- Child Day Care Facility.
- Church.
- Hospital.
- Public Authority Use essential in this District.
- School - Elementary or Secondary.
- Social Service Centre.
- Community Care Facility – Class B.
- Group Residence.

3.2.1.O [Office]

- Temporary Sales Office.

3.2.1.P [Parking]

- Parking Area ancillary to a principal use on an adjacent site.

3.2.1.R [Retail]

- Farmers' Market. *Compatibility with nearby sites, parking, traffic, noise, hours of operation, size of facility, pedestrian amenity*.
- Neighbourhood Grocery Store existing as of July 29, 1980.
- Public Bike Share.

3.2.1.S [Service]

- Bed and Breakfast Accommodation.
- Short Term Rental Accommodation.

3.2.1.U [Utility and Communication]

- Public Utility.

4 Regulations

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

4.1 Site Area

4.1.1 The minimum site area shall be:

(a) 334 m² for a one family-dwelling, one-family dwelling with secondary suite, multiple conversion dwelling, two-family dwelling, or two-family dwelling with secondary suite; and

(b) 929 m² for a multiple dwelling, infill, or two or more principal residential buildings.

4.1.2 Where the site is less than 9.8 m in width or less than 334 m² in area, the design of any new building shall first require the approval of the Director of Planning.

4.1.3 The maximum site area for a two-family dwelling, including a lock-off unit in conjunction with a two-family dwelling, is less than 511 m^2.

4.1.4 The Director of Planning may permit a reduction to the minimum site area requirements 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;
(g) multiple conversion dwelling; and
(h) infill or multiple conversion dwelling in conjunction with retention of a character house.

4.2 Frontage -- Not Applicable.

4.3 Height

4.3.1 The height of a building shall not exceed:

(a) 10.7 m; and
(b) 2 ½ storeys; and
(c) an envelope located in compliance with the side yard regulations and formed by planes vertically extended 9.2 m in height and then extending inward and upward at an angle of 45 degrees from the horizontal.

4.4 Front Yard

4.4.1 The front yard shall be 20 percent of the depth of the site, 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; and
  (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 40 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 40 percent of the depth of the site;
(d) ~~covered~~entries, porches and decks complying with the conditions of section 4.7.4(g) of this Schedule 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; and
(e) notwithstanding the provisions of section 10.32.1(b) of this By-law, eaves, gutters or other similar projections as determined by the Director of Planning may project into the required front yard to a maximum of 1.0 m, measured horizontally.

4.5 Side Yards

4.5.1 For a one-family dwelling, one-family dwelling with secondary suite, two-family dwelling, two-family dwelling with secondary suite, multiple conversion dwelling, two-family house, Community Care Facility – Class A, and infill, a side yard width of 10 percent of the width of the site shall be provided on each side of the building, except that it need not be more than 1.5 m in width.

4.5.2 For a multiple dwelling and all other uses other than those listed in section 4.5.1 of this Schedule, a side yard with a minimum width of 2.1 m shall be provided on each side of a principal building.

4.5.3 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 10.27 of this By-law.

4.5.4 Notwithstanding the provisions of section 10.32.1(b) of this By-law, eaves and gutters or other similar projections as determined by the Director of Planning may project into a required side yard to a maximum of 1.0 m, measured horizontally, except that they must not be closer than 0.7 m to a side property line.

4.5.5 The Director of Planning may vary the yard provisions of section 4.5.2 for a multiple dwelling.

4.5.6 The Director of Planning may vary the provisions of section 4.5 in the case of infill or the placement of more than one principal building on a site, provided that:

(a) any building not within the building depth specified for a one-family, two-family, or multiple conversion dwelling under section 4.16 of this Schedule shall have a height not exceeding 7.3 m 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 the building may exceed 8.5 m in height; and

(b) the Director of Planning first considers:

(i) all applicable policies and guidelines adopted by Council;

(ii) the height, bulk, location, and overall design of buildings and their effect on the site, surrounding buildings, adjacent properties, and the streetscape; and

(iii) the amount of open space and the effect of the overall design on the general amenity of the area.

4.6 Rear Yard

4.6.1 A rear yard with a minimum depth of 30 percent of the depth of the site, measured from the rear property line, shall be provided but it need not be more than 10.67 m in depth.

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 Notwithstanding the provisions of section 10.32.1(b) of this By-law, eaves, gutters or other similar projections as determined by the Director of Planning may project into a required rear yard to a maximum of 1.0 m measured horizontally.

4.6.4 The Director of Planning may vary the provisions of section 4.6 in the case of infill or the placement of more than one principal building on a site, provided that:

(a) any building not within the building depth specified for a one-family, two-family, or multiple conversion dwelling under section 4.16 of this Schedule shall have a height not exceeding 7.3 m 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 the building may exceed 8.5 m in height; and

(b) the Director of Planning first considers:

(i) all applicable policies and guidelines adopted by Council;

(ii) the height, bulk, location, and overall design of buildings and their effect on the site, surrounding buildings, adjacent properties, and the streetscape; and
(iii) the amount of open space and the effect of the overall design on the general amenity of the area.

4.7 Floor Space Ratio

4.7.1 The floor space ratio for all uses except for two-family dwelling or two-family dwelling with secondary suite shall not exceed 0.60, except that:

(a) for a single-family house, a two-family house and a multiple conversion dwelling the Director of Planning may increase the floor space ratio to a maximum of 0.64, provided the Director of Planning first considers the intent of this Schedule and the applicable policies and guidelines adopted by Council;

(b) if:
(i) the area of all floors at or above finished grade does not exceed a floor space ratio of 0.45,
(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~~entries, ~~-~~porches and verandahs,
an increase in the floor space ratio to 0.70 is permissible;

(c) 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~~ entries, porches and verandahs,
a basement or cellar is permissible;

(d) 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

(e) 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 adopted by Council.

4.7.1A The floor space ratio for two-family dwellings and two-family dwellings with secondary suite must not exceed 0.70, except that 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 371 m^2.

4.7.2 Notwithstanding section 4.7.1 of this Schedule, on a site with two or more principal residential buildings, a multiple dwelling or an infill the Director of Planning may increase the maximum floor space ratio to 0.75 provided the Director of Planning first considers the intent of this Schedule and all applicable policies and guidelines adopted by Council and the submission of any advisory group, property owner, or tenant.

4.7.3 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; 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.

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

(a) ~~open residential~~ balconies ~~or~~ and ~~sun~~decks, 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~~ these exclusions does not exceed ~~eight percent~~8% of the ~~permitted residential~~ floor area being provided;

(b) patios and roof decks ~~gardens~~, provided that the Director of Planning first considers the effect on privacy and overlook~~approves the design of sunroofs and walls~~;

(c) where floors are used for off-street parking with parking spaces not exceeding 7.3 m in length, off-street 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 of this Schedule, up to a maximum of 42 m²; or

(iii) where the site is less than 307 m² in area, are located in a principal building, located within the building depth regulated by the provisions of section 4.16 of this Schedule, up to a maximum of 42 m²; or

(iv) provide parking for a multiple dwelling and are within a structure which is wholly below finished grade except for the vehicular access ramp and pedestrian stairs;

(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~~entries, ~~–~~porches and verandahs, and covered porches above the first storey provided that:

(i) for all uses except for two-family dwellings and two-family dwellings with secondary suite, they face a street or a rear property line and entries, porches and verandahs are located at the basement or first storey,

(ii) for two-family dwellings and two-family dwellings with secondary suite, they face a street or rear property line,

(iii) ~~that portion~~the side facing the street or rear property line shall be open or protected by guards ~~rails the height of which shall~~ that do not exceed the required minimum height ~~specified in the Building By-law~~,

~~(iv) for all uses except for two-family dwellings and two-family dwellings with secondary suite, the total area being excluded does not exceed 7 percent of the permitted floor area,~~

(iv) ~~for two-family dwellings and two-family dwellings with secondary suite,~~ the total area being excluded, when combined with the balcony and deck exclusions under

subsection 4.7.3(a), does not exceed 13% ~~percent~~ of the ~~permitted floor area~~floor area being provided,

(v~~i~~) for two-family dwellings and two-family dwellings with secondary suite, the depth of the total area being excluded for covered porches above the first storey does not exceed 1.83 m,

(vi~~i~~) for two-family dwellings and two-family dwellings with secondary suite, ceiling height, excluding roof structure, of the total area being excluded does not exceed 3.1 m measured from the entry, porch or verandah floor, and

(vii~~i~~) for all uses except for two-family dwellings and two-family dwellings with secondary suite, the maximum height must comply with section 4.17.32;

(h) ~~floor areas with a ceiling height or height to the under side of joists less than 2.0 m located below the floors of covered porches complying with section 4.7.4(g), up to a maximum of 7 percent of the permitted floor area~~ unconditioned floor areas with a ceiling height or height to the underside of joists of less than 2.0 m, located below the floors of entries, porches and verandahs complying with subsection 4.7.3(g), to which there is no access from the interior of the building;~~;~~

(i) areas of floors existing, proposed or as may be extended over open-to-below space located directly below sloping roof rafters or a sloping ceiling where the ceiling is directly attached to the underside of sloping roof rafters, and where the roof joists have a minimum 7:12 pitch and the related ceiling maintains the same pitch as the roof joists, provided that:

(i) the distance from the floor to any part of the roof rafters or ceiling is no higher than 2.3 m and no lower than 1.2 m, both measured vertically; and

(ii) the excluded floor area does not exceed 10 percent of the permitted total floor area; and

(j) the floor area of a laneway house.

4.7.5 Notwithstanding the definition of "half-storey" in section 2 of this By-law, for the purposes of this Schedule the maximum permitted floor area contained in a half-storey shall not include floor area excluded in section 4.7.4(i) of this Schedule.

4.7.6 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 vary the provisions of section 4.7 to permit the exclusion of floor space used for off-street parking in the principal building up to a maximum of 42 m².

4.8 Site Coverage and Impermeability

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.

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 ~~sun~~decks.

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 Except for multiple dwellings, 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 m² to accommodate vehicular access and manoeuvring.

4.8.5 For the purposes of section 4.8.4 of this Schedule, the following materials shall be considered impermeable: the projected area of the outside of the outermost walls of all buildings including carports, garages, accessory buildings, ~~covered~~ entries, porches and ~~entries~~verandahs; asphalt; concrete; brick; stone; and wood.

4.8.6 Notwithstanding section 4.8.5 of this Schedule, 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.

4.8.7 The Director of Planning may vary the site coverage and impermeability provisions of section 4.8 in the case of a multiple dwelling, infill, or a development with two or more principal buildings.

4.8.8 The Director of Planning may, for buildings existing prior to January 9, 2001, vary the area of impermeable materials specified in section 4.8.4 to a maximum of 70 percent of the total site area provided that:
(a) the percentage of the site covered by existing impermeable materials is not increased by the proposed development;
(b) the Director of Planning considers the advice of the City Engineer; and
(c) the Director of Planning considers all applicable policies and guidelines adopted by Council.

4.9 [Parking – see Parking By-law.]

4.10 to 4.15 (Reserved)

4.16 Building Depth

4.16.1 For the purpose of this section, building depth shall be the distance measured from the minimum required front yard setback line along a straight line perpendicular to the front yard line to the point on the exterior rear wall of the principle building or the rear of any decks more than 0.6 m above grade, farthest from the front yard setback line except that where an existing building encroaches into the required front yard, the distance shall be measured from the front exterior wall rather than the required front yard setback line.

4.16.2 The maximum building depth shall not exceed 40 percent of the depth of the site for all uses.

4.16.3 Projections into the required yards permitted under section 4.4.1 (d) and (e) and section 4.6.3 of this Schedule shall not be included in the calculation of building depth.

4.17 External Design

4.17.1 Sections 4.17.2 through 4.17.5 and 4.17.7 through 4.17.39 apply to all uses except for two-family dwellings and two-family dwellings with secondary suite, sections 4.17.40 through 4.17.44 apply to two-family dwellings and two-family dwellings with secondary suite, and sections 4.17.6 and 4.17.45 apply to all uses.

4.17.2 For the purpose of section 4.17 of this Schedule, a front entrance means a door facing the front yard and located at or within 2.0 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 2.0 m of grade or connected to grade by stairs, a ramp or other means.

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

4.17.4 A side entrance to a dwelling shall only be permitted where the side yard faces a street or lane or where the door is no less than 5.0 m from the side property line and no more than one side entrance shall be permitted facing each side yard, except where the side yard faces a street or lane.

4.17.5 Notwithstanding section 4.17.3 or section 4.17.4 of this Schedule, 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; 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 On sites less than 307 m² in area, a vehicular driveway access ramp to parking in a basement or cellar may be provided and the surface of the ground adjoining the principle building may be lowered without affecting the calculation of the first storey floor elevation, provided that:

(a) the lowered surface is no wider than 6.1 m; and
(b) the portion of the building abutting the lowered surface faces a street or lane.

4.17.7 For portions of a building more than 7.3 m in height:

(a) dormer roofs shall be gable, hip or shed in form and shall have a minimum slope of 4:12 and a maximum slope of 14:12 and no part shall exceed a height of 9.1 m except for dormers described under section 4.17.10 (c)of this Schedule; and
(b) all roofs other than dormer roofs shall have a minimum slope of 6:12 and a maximum slope of 14:12, shall be either hip or gable or a combination of both and shall intersect at its lower portion with the exterior wall face of the building or the vertical projection thereof at a line no higher than the lesser of 7.3 m above the base surface or 0.6 m above the floor level of a half-storey or attic above the second storey.

4.17.8 The items described in section 10.18.5 (a), (c) and (d) of this By-law shall not be considered in the determination of building height for the purpose of section 4.17.7 of this Schedule.

4.17.9 ~~Uncovered r~~Roof decks ~~and roof gardens~~ are permitted above the second storey, provided that:

(a) the total area of the roof decks ~~or roof gardens~~ does not exceed 0.03 times the site area;
(b) the base of the roof deck ~~or garden~~ shall not be more than 0.6 m above the floor level of a half-storey or attic above the second storey; and
(c) the roof deck ~~or garden~~ shall be entirely contained in the rear half of the permitted building depth and be set back a minimum of 0.6 m from the perimeter walls of the second storey.

4.17.10 Where one or more dormers are provided on a half-storey above the second storey:

(a) they shall be limited in total width to the percent of the total width of the elevation of the storey below according to the following table:

Orientation of Dormer	Maximum Width of all Dormers
facing a rear yard	40 percent
facing an interior side	25 percent
facing a street or flanking lane	• one dormer 25 percent • two or more dormers, each separated by no less than 1.5 m, all totalling in width 30 percent

(b) all exterior dormer walls shall be set back a minimum of 0.6 m from the exterior face of the wall of the storey below;

(c) notwithstanding section 4.17.10(a) and (b) of this Schedule, where a site is less than 13.7 m in width, one dormer, which faces an interior side yard and which provides headroom over a stair and any intermediate and top landings which provide access from the second storey to the half-storey above

(i) may have its face wall flush or continuous with the second storey exterior wall face below; and

(ii) need not be less than 4.6 m in width, and

no other dormers are permitted facing this interior side yard;

(d) they shall face only one side yard on lots less than 13.7 m in width, except that where a lot is a corner lot dormers may face both side yards.

4.17.11 Gable end walls shall be designed so that:

(a) a gable type roof, any portion of which is greater than 7.3 m in height shall not have gable end walls with ridges more than 7.3 m in height on more than two building elevations; and

(b) no more than one gable end wall on a building elevation may exceed 9.1 m in height.

4.17.12 A bay window projecting into a required yard, as permitted under section 10.32.1 (e) of this By-law, shall not exceed 2.4 m at its widest dimension and the total width of all bay windows projecting into a required yard, measured at their widest dimensions, shall not exceed 25 percent of the width of the storey on the elevation where they are located.

4.17.13 Where a basement or cellar horizontally projects beyond the first storey, the projecting area shall:

(a) face the rear property line or an interior side yard; or

(b) face the street towards which the front entry faces and be under a deck approved under section 4.7.4(a) of this schedule, a planter or a patio all of which are at or below the first storey floor level; or

(c) face, on a corner lot, a street other than as determined by clause (b), and not be closer to the property line fronting this street than the closest portion of the first storey; or

(d) be below an ~~covered~~entry, porch or verandah as described in section 4.4.4 or 4.6.3 of this Schedule;

except in no case shall a basement or cellar project into a required yard or exceed permitted building depth requirements.

4.17.14 to 4.17.30 (Reserved)

4.17.31 Metal chimney flues or vents shall be visually screened from view by a non-combustible enclosure except that this requirement shall not apply to though-wall-direct-vented gas fireplaces.

4.17.32 The maximum height of ~~covered~~ entries, porches and verandahs shall be governed by the following:

(a) the height above the entry, porch or verandah floor to the ceiling shall not exceed 3.1 m and the height above the entry, ~~-~~porch or verandah floor to the top of a flat roof covering the entry, porch or verandah shall not exceed 4.0 m; or

(b) the height above the entry, porch or verandah floor to the ridge or highest point of a gable, hip, or vaulted roof springing from no higher than 3.4 m above the entry, porch or verandah floor, shall not exceed 4.9 m.

4.17.33 Where a front entry, porch or verandah area includes columns, piers, pillars or posts or other similar elements, these shall not exceed the lesser of the first storey ceiling height or 3.1 m above the entry, porch or verandah ~~landing~~ floor and where they are used on a deck, balcony, or roof area directly above this first storey entry, porch or verandah area, no columns, piers, pillars, posts or other similar elements shall exceed 1.2 m in height above the second storey floor level.

4.17.34 Except for front door side lights to a total maximum of 2.3 m² and for transom lights over front doors to a maximum of 2.3 m², windows shall be of clear glass or leaded clear glass or leaded stained glass, except bevelled glass, frosted glass, sandblasted glass or glass block may be used for basement windows, windows at stairwells or any windows into lavatories, bathrooms or dressing rooms.

4.17.35 Exterior wall cladding materials:

(a) may include wood, unglazed brick (minimum thickness 50 mm), non-polished stone (minimum thickness 76 mm), split-face stone, split-face concrete block, stone-dash stucco, pebble-dash stucco, acrylic stucco, paint, stain and similar coatings;

(b) may include, in addition to these materials listed under section 4.17.35(a) of this Schedule, concrete or concrete block for foundation walls below the first storey, and any material may be used for architectural accents up to a maximum of 1.0 m² per building elevation;

(c) shall not be used so that more than two wall cladding materials appear on any single building elevation, except a third material is permitted above the second storey on gable ends or dormers;

(d) shall be used so that, where a building elevation includes a vertically continuous wall on the first and second storeys and this wall is also continuous to a gable end wall on a half-storey above the second storey, more than one wall cladding system shall be required above the basement level;

(e) may be used so that, notwithstanding section 4.17.35(c) and (d) of this Schedule, materials on chimneys, basements, cellar or crawl space walls, entries, ~~y~~ porches, verandahs, entry, ~~–~~porch or verandah columns, guards, handrails, windows, doors, window and door trims, belt courses, facia boards, trim boards, gutters and drain pipes, architectural accents totalling less than 1.0 m² per building elevation, and entry, porch or verandah roof gable ends are not included when calculating the number of exterior wall cladding materials; and

(f) shall be used so that all wall cladding materials used on a front facade shall be continued in equal proportions for no less than 2.0 m along adjacent side walls or 1.2 m where the discontinuation of a material occurs at a change in the building wall plane such as at a bay or chimney projection.

4.17.36 Roofing materials shall consist of:

(a) wood shingles or wood shakes in natural finish, or asphalt shingles coloured black, blue, grey, green, brown, burgundy, tan, or beige; or
(b) slate or slate composites coloured black, green, or grey; or
(c) copper or baked enamel matte or flat finished metal roof systems coloured black, grey, brown, beige, or tan; or
(d) flat profile concrete or clay roof tiles in matte or flat finished colours black, grey, brown, beige, or tan.

4.17.37 Nothing in section 4.17.36 of this Schedule precludes the use of skylights or flashing.

4.17.38 Roofs with a slope of less than 4:12 shall be exempt from the requirements of sections 4.17.36(a) to (d) of this Schedule and the roof materials thereon are not regulated by this Schedule.

4.17.39 Except where a window or door is recessed no less than 100 mm behind the adjacent exterior wall faces, all doors and windows shall have a minimum 75 mm wide trim all around, except door sill trim may be omitted.

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

4.17.41 In two-family dwellings and two-family dwellings with secondary suite on a corner site, one main entrance must face the front street and one main entrance must face the flanking street.

4.17.42 In two-family dwellings and two-family dwellings with secondary suite, there must be an ~~covered~~ entry, porch or verandah at each main entrance, with a minimum width and depth of 1.8 m.

4.17.43 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 shall have a minimum slope of 7:12 and a maximum slope of 12:12 and shall be either hip or gable or a combination of both, and shall intersect at its lower portion with the exterior wall face of the building or the vertical projection thereof at a line no higher than the lesser of 7.9 m above the base surface or the floor level of a half-storey or attic above the second storey;
(b) dormer roofs shall be gable, hip or shed in form and shall have a minimum slope of 4:12;
(c) the maximum total width of dormers provided on a half storey above the second storey must not exceed 50% of the width of the elevation of the storey below;(d) all exterior dormer walls shall be set back a minimum of 0.6 m from the exterior face of the wall of the storey below; and
(e) notwithstanding section 4.17.43(d), one dormer, which faces an interior side yard and which provides headroom over a stair and any intermediate and top landings which provide access from the second storey to the half-storey above may have its face wall flush or continuous with the second storey exterior wall face below

4.17.44 The Director of Planning may vary the requirements of section 4.17 for two-family dwellings and two-family dwellings with secondary suite if, in the opinion of the Director of Planning, the design meets the intent of the regulations for quality and durability of design and architectural expression.

4.17.45 Exterior windows in a secondary suite or lock-off unit 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
(a) a minimum total glazing area of 5% of the total floor area of the room, in all other rooms, except bathrooms and laundry rooms.

4.17.46 Where renovations and additions are proposed to a building existing prior to January 9, 2001, the Director of Planning may vary the requirements of sections 4.17.7 (roof form), 4.17.9 (roof decks), 4.17.10 (dormers), 4.17.11 (gables), 4.17.12 (bay windows), 4.17.13 (basements), 4.17.31 (chimneys), 4.17.32 and 4.17.33 (entries, porches or verandahs), 4.17.34 (windows), 4.17.35 (exterior wall cladding), 4.17.36 (roofing materials), and 4.17.39 (window trim) where the Director of Planning considers these requirements to be unduly restrictive, and provided that:

(a) the Director of Planning considers the effects on neighbouring properties with particular regard to shadowing and loss of privacy;
(b) the Director of Planning considers the presence of original materials and detailing and their architectural merit;
(c) the Director of Planning considers the extent and exterior design of the proposed new work as related to the existing buildings character and design; and
(d) the Director of Planning may consider the submission or any advisory group, property owner or tenant.

4.17.47 For a multiple dwelling, an infill, a dwelling on a site with two or more principal buildings and, except for Community Care Facility – Class A, a building for non-residential use, the Director of Planning may vary any of the requirements of section 4.17 provided that:

(a) the Director of Planning first considers all applicable Council adopted policies and guidelines;
(b) the Director of Planning considers the effects on neighbouring properties with particular regard to shadowing and loss of privacy;
(c) the Director of Planning considers the neighbourhood character and the general compatibility therewith;
(d) for infill, the Director of Planning considers the design of the infill in relationship to the existing principal building including its retention of original materials and detailing, and its architectural merit; and
(e) the Director of Planning may consider the submission or any advisory group, property owner or tenant.

4.18 Dwelling Unit Density

4.18.1 For a multiple conversion dwelling, multiple dwelling, infill, and one-family or two-family dwellings on a site with two or more principal residential buildings, the total number of units on a site shall not exceed 62 units per hectare except it need not be less than two units and fractional units shall be rounded down.

4.19 Number of Buildings on Site

4.19.1 The Director of Planning may permit more than one principal building on a site, provided the Director of Planning first considers:

(a) all applicable policies and guidelines adopted by Council;
(b) the height, bulk, location and overall design of the buildings and their effect on the site, surrounding buildings, streets and existing views;
(c) the amount of open space and the effects of overall design on the general amenity of the area; and
(d) the preservation of the architectural character and general amenity desired for the area.

5 Relaxation of Regulations

~~**5.1** The Director of Planning may relax the minimum site area requirements of section 4.1 of this Schedule 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;~~
~~(g) multiple conversion dwelling; and~~
~~(h) infill or multiple conversion dwelling in conjunction with retention of a character house.~~

5.1~~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 of this Schedule, and the floor space ratio exclusions for parking in accessory buildings of section 4.7.4(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) the Director of Planning 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 m².~~

~~**5.4** Where renovations and additions are proposed to a building existing prior to January 9, 2001, the Director of Planning may relax the requirements of sections 4.17.6 (roof form), 4.17.8 (roof decks), 4.17.9 (dormers), 4.17.10 (gables), 4.17.11 (bay windows), 4.17.12 (basements), 4.17.30 (chimneys), 4.17.31 and 4.17.32 (entry porches), 4.17.33 (windows), 4.17.34 (exterior wall cladding), 4.17.35 (roofing materials), and 4.17.38 (window trim) of this Schedule where the Director of Planning considers these requirements to be unduly restrictive, and provided that:~~

~~(a) the Director of Planning considers the effects on neighbouring properties with particular regard to shadowing and loss of privacy;~~
~~(b) the Director of Planning considers the presence of original materials and detailing and their architectural merit;~~
~~(c) the Director of Planning considers the extent and exterior design of the proposed new work as related to the existing buildings character and design; and~~
~~(d) the Director of Planning may consider the submission or any advisory group, property owner or tenant.~~

~~**5.5** For a multiple dwelling, an infill, a dwelling on a site with two or more principal buildings and, except for Community Care Facility – Class A, a building for non-residential use, the Director of Planning may relax any of the requirements of section 4.17 of this Schedule provided that:~~

~~(a) the Director of Planning first considers all applicable Council adopted policies and guidelines;~~
~~(b) the Director of Planning considers the effects on neighbouring properties with particular regard to shadowing and loss of privacy;~~
~~(c) the Director of Planning considers the neighbourhood character and the general compatibility therewith;~~

~~(d) for infill, the Director of Planning considers the design of the infill in relationship to the existing principal building including its retention of original materials and detailing, and its architectural merit; and~~

~~(e) the Director of Planning may consider the submission or any advisory group, property owner or tenant.~~

~~**5.6** The Director of Planning may relax the yard provisions of section 4.5.2 of this Schedule for a multiple dwelling, and the site coverage and impermeability provisions of section 4.8 of this Schedule in the case of a multiple dwelling, infill, or a development with two or more principal buildings.~~

~~**5.7** The Director of Planning may, for buildings existing prior to January 9, 2001, relax the area of impermeable materials specified in section 4.8.4 of this Schedule to a maximum of 70 percent of the total site area provided that:~~

~~(a) the percentage of the site covered by existing impermeable materials is not increased by the proposed development;~~

~~(b) the Director of Planning considers the advice of the City Engineer; and~~

~~(c) the Director of Planning considers all applicable policies and guidelines adopted by Council.~~

5.2~~8~~ The Director of Planning may relax any of the requirements of section 4.8.4 of this Schedule whe`re, 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) the Director of Planning considers the advice of the City Engineer; and

(b) the Director of Planning considers all applicable guidelines and policies adopted by Council.

~~**5.9** The Director of Planning may relax the provisions of sections 4.5 and 4.6 of this Schedule in the case of infill or the placement of more than one principal building on a site, provided that:~~

~~(a) any building not within the building depth specified for a one-family, two-family, or multiple conversion dwelling under section 4.16 of this Schedule shall have a height not exceeding 7.3 m 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 the building may exceed 8.5 m in height; and~~

~~(b) the Director of Planning first considers:~~

~~(i) all applicable policies and guidelines adopted by Council;~~

~~(ii) the height, bulk, location, and overall design of buildings and their effect on the site, surrounding buildings, adjacent properties, and the streetscape; and~~

~~(iii) the amount of open space and the effect of the overall design on the general amenity of the area.~~

~~**5.10** The Director of Planning may relax the provisions of this District Schedule regarding minimum site area, height, required yards, maximum site coverage and impermeability, building depth, external design and dwelling unit density 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.~~

RA-1 District Schedule

1 Intent

The intent of this Schedule is to maintain and encourage the semi-rural, equestrian and limited agricultural nature of this District, to permit one-family dwellings and in specific circumstances to permit infill one-family dwellings.

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 this 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) not applicable;
  (c) the total floor area, measured to the extreme outer limits of the building, of all accessory buildings is not greater than 48 m².

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

2.2.AG [Agricultural]

- Nursery, Field Crop or Fruit Farm.

2.2.DW [Dwelling]

- One-Family Dwelling, provided the floor area does not exceed 280 m².

2.2.I [Institutional]

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

3 Conditional Approval Uses

3.1 Subject to all other provisions of this By-law, compliance with section 3.3 and the provisions and regulations of this Schedule, 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 Council policies and guidelines; and
(b) the submission of any advisory group, property owner or tenant.

3.2 Uses

3.2.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.AG [Agricultural]

- Greenhouse.
- Stable which, notwithstanding section 10.5, may involve an additional principal building on a site.

3.2.C [Cultural and Recreational]

- Golf Course or Driving Range.
- Marina.
- Park or Playground.
- Riding Ring or similar use.

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

3.2.DW [Dwelling]

- Dwelling Unit for a Caretaker in conjunction with a One-Family Dwelling.
- Infill One-Family Dwelling.
- One-Family Dwelling, the floor area of which exceeds 280 m².
- Seniors Supportive or Assisted Housing.

3.2.I [Institutional]

- Public Authority Use essential in this District.
- Community Care Facility – Class B.
- Group Residence.

3.2.P [Parking]

- Parking Area ancillary to a principal use on an adjacent site.

3.2.R [Retail]

- Farmers' Market. *Compatibility with nearby sites, parking, traffic, noise, hours of operation, size of facility, pedestrian amenity*.
- Public Bike Share.
- Retail Store, in conjunction with a Greenhouse, Nursery, Field Crop or Fruit Farm, or Stable.

3.2.S [Service]

- Bed and Breakfast Accommodation.
- Short Term Rental Accommodation.

3.2.U [Utility and Communication]

- Public Utility.

3.3 Conditions of Use

3.3.1 The stabling of horses shall be limited to a maximum of one horse for every 232 m² of site area, excluding the site area of those items listed in section 4.8.2 of this Schedule.

3.3.2 A dwelling unit for a caretaker in conjunction with a one-family dwelling or an infill one-family dwelling for a caretaker may be permitted provided that:

(a) the site area is 2 020 m² or greater;
(b) the size of the one-family dwelling or site, or the nature of the uses on the site warrants the need for a caretaker's unit;
(c) there is only one caretaker's unit per site;
(d) on sites between 2 020 m² and 4 045 m², the floor area of the caretaker's unit shall not exceed 70 m² and on sites greater than 4 045 m², the floor area of the caretaker's unit shall not exceed 140 m²;
(e) a covenant is registered ensuring that the dwelling unit will be occupied and maintained as a caretaker's quarters for a person whose occupation is a full-time caretaker on the subject site;
(f) on sites less than 9 100 m², the caretaker's unit is attached to or within 6.1 m of the one-family dwelling.

3.3.3 An infill one-family dwelling may be permitted provided that:

(a) the site area is 9 100 m² or greater;
(b) the maximum number of dwelling units per site including dwelling unit for a caretaker, shall not exceed two;
(c) the floor area of the infill one-family dwelling unit shall not exceed 186 m²;
(d) boarding facilities for at least ten horses are maintained on the site and these facilities shall include the provision of one stall for each horse and storage areas for feed, tack, bedding, and manure.

3.3.4 Retail store, in conjunction with a greenhouse, nursery, field crop or fruit farm may be permitted provided that:

(a) it is limited to the display and sale of plants, fertilizers, insecticides, herbicides, seeds, soils and small garden hand tools; and
(b) the floor area, including covered outdoor storage areas and ancillary office areas, shall not exceed 186 m².

3.3.5 Retail store, in conjunction with a stable may be permitted provided that:

(a) it is limited to a tack shop serving the day-to-day equestrian needs of the local community;
(b) the retail floor area shall not exceed 93 m²;
(c) there are no outdoor displays or display windows; and
(d) it does not include the sale of feed or bedding products.

4 Regulations

For the purposes of sections 4.7, 4.8 and 4.16, dwelling use and a community care facility or group residence shall include accessory buildings customarily ancillary to these uses including but not limited to garages, covered swimming pools and covered tennis courts.

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

4.1 Site Area

4.1.1 The minimum site area shall be 9 100 m².

4.1.2 The Director of Planning may permit a reduction in the minimum site area requirements of section 4.1.1 with respect to any developments if the lot was on record in the Land Title Office for Vancouver prior to October 4, 1955.

4.2 Frontage -- Not Applicable.

4.3 Height

4.3.1 A building shall not:

(a) at any point protrude above an envelope located in compliance with the side yard regulation and formed by planes vertically extending 6.4 m in height and then extending inward and upward at an angle of 45 degrees from the horizontal to the line where the planes intersect;
(b) exceed 9.2 m in height; and
(c) have more than 2½ storeys.

4.3.2 The Director of Planning may permit an increase in the maximum height of a building with respect to any development provided that:

(a) the Director of Planning first considers all applicable policies and guidelines adopted by Council, and 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.

4.4 Front Yard

4.4.1 A front yard with a minimum depth of 7.3 m shall be provided.

4.4.2 Entries, porches and verandahs complying with the conditions of subsection 4.7.3(c) are permitted to project a maximum of 1.8 m into the required front yard, provided that such a projection is limited to 30 % of the width of the building.

4.5 Side Yards

4.5.1 A side yard with a minimum width of 4.5 m shall be provided.

4.6 Rear Yard

4.6.1 A rear yard with a minimum depth of 4.5 m shall be provided.

4.7 Floor Space Ratio

4.7.1 The floor space ratio and floor area shall not exceed the maximums specified as follows:

(a) the greater of 0.1 or 334 m², but in no case to exceed 836 m², for dwelling use and a community care facility or group residence;
(b) 0.12 for riding rings;
(c) 0.12 for all other uses.

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

(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.

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

(a) ~~open residential~~ balconies ~~or~~ and ~~sun~~decks and any other appurtenances which, in the opinion of the Director of Planning, are similar to the foregoing, provided that the total area of these exclusions does not exceed 8% of the floor area being provided;

(b) patios and roof ~~gardens~~decks, provided that the Director of Planning first~~-~~ considers the effect on privacy and overlook~~approves the design of sunroofs and walls~~;

~~(c) not applicable~~

(c) entries, porches and verandas and covered porches above the first storey, provided that:~~;~~

(i) they face a street or a rear property line and are located at the basement or first storey;

(ii) the side facing the street or rear property line is open or protected by guards that do not exceed the required minimum height;

(iii) the total area being excluded, when combined with the balcony and deck exclusions under subsection 4.7.3 (a), does not exceed 13 % of the floor area being provided; and

(iv) the ceiling height, excluding roof structure, of the total area being excluded does not exceed 3.1 m measured from the entry, porch or verandah floor;

~~(d) not applicable~~

(d) unconditioned floor areas with a ceiling height or height to the underside of joists of less than 2.0 m, located below the floors of entries, porches and verandahs complying with subsection 4.7.3(c), to which there is no access from the interior of the building;

(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; and

(f) floor located at or below finished grade with a ceiling height of less than 1.2 m.

4.8 Site Coverage

4.8.1 The maximum site coverage for buildings shall not exceed the maximums specified as follows:

(a) the greater of 8 percent of the site area or 242 m² for dwelling use and a community care facility or group residence;

(b) 12 percent of the site area for riding rings;

(c) 12 percent of the site area for all other uses.

4.8.2 The maximum aggregate site coverage for all dwelling uses and yard areas within 6.4 m of dwelling uses, community care facilities or group residences, open swimming pools and tennis courts, parking spaces, manoeuvring aisles and driveways accessory to dwelling uses shall be:

(a) 30 percent of the site area for sites greater than 9 070 m²;

(b) 40 percent of the site area for sites between 4 045 m² and 9 070 m²;

(c) 50 percent of the site area for sites less than 4 045 m².

4.9 to 4.15 (Reserved)

4.16 Building Width and Depth

4.16.1 The total width of all buildings used for dwelling use or community care facility or group residence shall not exceed the lesser of 30.5 m or 75 percent of the width of the site, as viewed from and projected upon the front property line.

4.16.2 The total depth of all buildings used for dwelling use or a community care facility or group residence shall not exceed the lesser of 36.6 m or 65 percent of the depth of the site, as viewed from and projected upon the side property lines.

5 Relaxation of Regulations

~~**5.1** The Director of Planning may relax the minimum site area requirements of section 4.1 with respect to any developments if the lot was on record in the Land Title Office for Vancouver prior to October 4, 1955.~~

5.1~~2~~ The Director of Planning may relax the yard provisions of sections 4.4, 4.5 and 4.6 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 the Director of Planning first considers all applicable policies and guidelines adopted by Council, and the submission of any advisory group, property owner or tenant.

RT-1 District Schedule

1 Intent

The intent of this Schedule is primarily to permit side-by-side two family dwellings.

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 this 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 located in the rear yard and in no case are 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 10.27 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 35 percent of the minimum rear yard prescribed in this Schedule, or 48 m², whichever is the greater;
  (d) not more than 80 percent of the width of the rear yard of any lot is occupied by accessory buildings.

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

2.2.DW [Dwelling]

- Multiple Conversion Dwelling, provided that:

  (a) no additions shall be permitted;
  (b) no housekeeping or sleeping units shall be created;
  (c) the number of dwelling units is limited to two; and
  (d) no development permit shall be issued until the requisite permits required by other by-laws that relate to design, construction and safety of buildings are issuable.

- One-Family Dwelling.
- Two-Family Dwelling, provided the units are side by side.

2.2.I [Institutional]

- Community Care Facility – Class A, subject to the regulations, variations 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 Council policies and guidelines; and
(b) the submission of any advisory group, property owner or tenant.

3.2 Uses

3.2.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.AG [Agricultural]

- Urban Farm - Class A.

3.2.C [Cultural and Recreational]

- Community Centre or Neighbourhood House.
- Library in conjunction with a Community Centre.
- Park or Playground.

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

3.2.DW [Dwelling]

- Dwelling Units, up to a maximum of two, in conjunction with a neighbourhood grocery store existing as of July 29, 1980.
- Multiple Conversion Dwelling, resulting from the conversion of a building existing as of June 18, 1956, provided that:
  (a) before making a decision the Director of Planning shall consider the quality and livability of the resulting units, the suitability of the building for conversion in terms of age and size, and the effect of the conversion on adjacent properties and the character of the area;
  (b) where the Multiple Conversion Dwelling will contain more than two units, building additions shall not be permitted; and
  (c) no housekeeping or sleeping units shall be created.
- One-Family Dwelling with Secondary Suite.
- Seniors Supportive or Assisted Housing.

3.2.I [Institutional]

- Ambulance Station.
- Child Day Care Facility.
- Church.
- Hospital.
- Public Authority Use essential in this District.
- School - Elementary or Secondary.
- Social Service Centre.
- Community Care Facility – Class B.
- Group Residence.

3.2.O [Office]

- Temporary Sales Office.

3.2.P [Parking]

- Parking Area ancillary to a principal use on an adjacent site.

3.2.R [Retail]

- Farmers' Market. *Compatibility with nearby sites, parking, traffic, noise, hours of operation, size of facility, pedestrian amenity*.
- Neighbourhood Grocery Store existing as of July 29, 1980.
- Public Bike Share.

3.2.S [Service]

- Bed and Breakfast Accommodation.
- Short Term Rental Accommodation.

3.2.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 shall be:

(a) 445 m² for a one-family dwelling;
(b) 445 m² for a one-family dwelling with secondary suite;
(c) 780 m² for a two-family dwelling.

4.1.2 The Director of Planning may permit a reduction to the minimum site area requirements 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) two-family dwelling.

4.2 Frontage -- Not Applicable.

4.3 Height

4.3.1 A building shall not exceed 6.1 m in height and shall not have more than one storey.

4.4 Front Yard

4.4.1 A front yard with a minimum depth of 7.3 m shall be provided.

4.4.2 In the case of a site having an average depth of less than 36.5 m, the required front yard may be reduced in accordance with section 10.29 of this By-law.

4,4,3 Entries, porches and verandahs complying with the conditions of subsection 4.7.3(g) are permitted to project a maximum of 1.8 m into the required front yard.

4.5 Side Yards

4.5.1 A side yard with a minimum width of 10 percent of the width of the site shall be provided on each side of the building, except that it need not be more than 1.5 m in width.

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 10.27 of this By-law.

4.6 Rear Yard

4.6.1 A rear yard with a minimum depth of 10.7 m shall be provided, except that where the rear of the site abuts a lane, this required minimum depth shall be decreased by the lane width between the rear property line and the ultimate centre line of the lane.

4.6.2 In the case of a site having an average depth of less than 36.5 m, the required rear yard may be reduced in accordance with section 10.29 of this By-law.

4.7 Floor Space Ratio

4.7.1 The floor space ratio shall not exceed 0.60.

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; and
(c) 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~~ and ~~sun~~decks, 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~~ these exclusions does not exceed ~~eight percent~~8% of the ~~permitted residential~~ floor area being provided;
(b) patios and roof ~~gardens~~decks, provided that the Director of Planning first ~~approves the design of sunroofs and walls~~considers the effect on privacy and overlook;
(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 for-egoing, those floors or portions thereof so used, which:
    (i) are at or below the base surface, provided that the maximum exclusion for a parking space shall not exceed 7.3 m in length; or
    (ii) are above the base surface and where developed as off-street parking are located in an accessory building situated in the rear yard, provided that the maximum exclusion for a parking space shall not exceed 7.3 m in length.
(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; ~~and~~
(f) floors located at or below finished grade with a ceiling height of less than 1.2 m~~.~~;
(g) entries, porches and verandahs, and covered porches above the first storey, provided that:

(i) the side facing the street or rear property line is open or protected by guards that do not exceed the required minimum height, and

(ii) the total area being excluded, when combined with the balcony and deck exclusions under section 4.7.3(a), does not exceed 13% of the floor area being provided; and

(h) unconditioned floor areas with a ceiling height or height to the underside of joists of less than 2.0 m, located below the floors of entries, porches and verandahs complying with subsection 4.7.3(g), to which there is no access from the interior of the building.

4.8 Site Coverage

4.8.1 The maximum site coverage for buildings shall be 45 percent of the site area.

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 ~~sun~~decks.

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.

4.9 [Deleted — see Parking By-law.]

~~5 Relaxation of Regulations~~

~~**5.1** The Director of Planning may relax the minimum site area requirements 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) two-family dwelling.~~

RT-2 District Schedule

1 Intent

The intent of this Schedule is to permit two-family dwellings and to conditionally permit, in some instances, low density multiple-family housing.

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 this 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 located in the rear yard and in no case are 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 10.27 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 35 percent of the minimum rear yard prescribed in this Schedule, or 48 m², whichever is the greater;
  (d) not more than 80 percent of the width of the rear yard of any lot is occupied by accessory buildings.

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

2.2.DW [Dwelling]

- Multiple Conversion Dwelling, provided that:

  (a) no additions shall be permitted;
  (b) no housekeeping or sleeping units shall be created;
  (c) the number of dwelling units is limited to two; and
  (d) no development permit shall be issued until the requisite permits required by other by-laws that relate to design, construction and safety of buildings are issuable.

- One-Family Dwelling.
- Two-Family Dwelling.

2.2.I [Institutional]

- Community Care Facility – Class A, subject to the regulations, variations 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 Council policies and guidelines; and
(b) the submission of any advisory group, property owner or tenant.

3.2 Uses

3.2.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.AG [Agricultural]

- Urban Farm - Class A.

3.2.C [Cultural and Recreational]

- Club, provided that no commercial activities are carried on and the use does not adversely impact adjacent residential premises.
- Community Centre or Neighbourhood House.
- Library in conjunction with a Community Centre.
- Park or Playground.

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

3.2.DW [Dwelling]

- Dwelling Units, up to a maximum of two, in conjunction with a neighbourhood grocery store existing as of July 29, 1980.
- Multiple Conversion Dwelling, resulting from the conversion of a building existing as of June 18, 1956, provided that:
  (a) before making a decision the Director of Planning shall consider the quality and livability of the resulting units, the suitability of the building for conversion in terms of age and size, and the effect of the conversion on adjacent properties and the character of the area; and
  (b) where the Multiple Conversion Dwelling will contain more than two units, building additions shall not be permitted.
- Multiple Dwelling.
- One-Family Dwelling with Secondary Suite.
- Seniors Supportive or Assisted Housing.

3.2.I [Institutional]

- Ambulance.
- Child Day Care Facility.
- Church.
- Hospital.
- Public Authority Use essential in this District.
- School - Elementary or Secondary.
- Community Care Facility – Class B.
- Group Residence.

3.2.O [Office]

- Temporary Sales Office.

3.2.P [Parking]

- Parking Area ancillary to a principal use on an adjacent site.

3.2.R [Retail]

- Farmers' Market. *Compatibility with nearby sites, parking, traffic, noise, hours of operation, size of facility, pedestrian amenity*.
- Neighbourhood Grocery Store existing as of July 29, 1980.
- Public Bike Share.

3.2.S [Service]

- Bed and Breakfast Accommodation.
- Short Term Rental Accommodation.

3.2.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 shall be:

(a) 445 m² for a two-family dwelling;
(b) 668 m² for a multiple dwelling.

4.1.2 The Director of Planning may permit a reduction to the minimum site area requirements of section 4.1 with respect to any of the following developments if the lot was on record in the Land Title Office for Vancouver prior to September 7, 1965, and has an area of not less than the minimum noted:
(a) two-family dwelling, with a minimum lot area of 353 m².

4.2 Frontage -- Not Applicable.

4.3 Height

4.3.1 A building shall not exceed 9.2 m in height and shall not have more than two storeys plus a cellar or one storey plus a basement.

4.4 Front Yard

4.4.1 A front yard with a minimum depth of 7.3 m shall be provided.

4.4.2 In the case of a site having an average depth of less than 36.5 m, the required front yard may be reduced in accordance with section 10.29 of this By-law.

4,4,3 Entries, porches and verandahs complying with the conditions of subsection 4.7.3(g) are permitted to project a maximum of 1.8 m into the required front yard.

4.5 Side Yards

4.5.1 A side yard with a minimum width of 10 percent of the width of the site shall be provided on each side of the building, except that it need not be more than 1.5 m in width.

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 10.27 of this By-law.

4.5.3 For a multiple dwelling, a side yard with a minimum width of 2.1 m shall be provided on each side of any principal building, but the minimum width shall be increased so that the outer walls of the building are contained within a 135 degree angle extended horizontally and measured inwardly from any and all points on the side property lines.

4.6 Rear Yard

4.6.1 A rear yard with a minimum depth of 10.7 m shall be provided, except that where the rear of the site abuts a lane, this required minimum depth shall be decreased by the lane width between the rear property line and the ultimate centre line of the lane.

4.6.2 In the case of a site having an average depth of less than 36.5 m, the required rear yard may be reduced in accordance with section 10.29 of this By-law.

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.

4.7 Floor Space Ratio

4.7.1 The floor space ratio shall not exceed 0.60, except for multiple dwellings or seniors supportive or assisted housing in which case the floor space ratio shall not exceed 0.75.

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; and
(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; and
(c) 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~~ and ~~sun~~decks, 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~~ these exclusions does not exceed ~~eight percent~~8% of the ~~permitted residential~~ floor area being provided;
(b) patios and roof ~~garden~~decks, provided that the Director of Planning first ~~approves the design of sunroofs and walls~~considers the effect on privacy and overlook;
(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 so used, which:

(i) are at or below the base surface, provided that the maximum exclusion for a parking space shall not exceed 7.3 m in length; or

(ii) are above the base surface and where developed as off-street parking are located in an accessory building situated in the rear yard, provided that the maximum exclusion for a parking space shall not exceed 7.3 m in length.

(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; ~~and~~

(f) floors located at or below finished grade with a ceiling height of less than 1.2 m; ~~.~~

(g) entries, porches and verandahs, and covered porches above the first storey, provided that:

(i) the side facing the street or rear property line is open or protected by guards that do not exceed the required minimum height, and

(ii) the total area of these exclusions, when combined with the balcony and deck exclusions under section 4.7.3(a), does not exceed 13% of the floor are being provided; and

(h) unconditioned floor areas with a ceiling height or height to the underside of joists of less than 2.0 m, located below the floors of entries, porches and verandahs complying with subsection 4.7.3(g), to which there is no access from the interior of the building.

4.8 Site Coverage

4.8.1 The maximum site coverage for buildings shall be 45 percent of the site area.

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 ~~sun~~decks.

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 For a multiple dwelling or seniors supportive or assisted housing, the maximum coverage of the site by surface parking, accessory buildings, manoeuvring aisles, driveways, loading areas, other vehicular facilities and all principal buildings shall be 40 percent where no principal building exceeds 9.2 m, two storeys plus a cellar or one storey plus a basement in height, or 55 percent where no principal building exceeds 6.1 m or one storey plus a cellar in height.

4.8.5 For a multiple dwelling or seniors supportive or assisted housing, in the case of a sloping site where a structure is located in or beneath a yard, the structure shall be excluded from the site coverage calculation provided that it does not, except for required earth cover, permitted fences and similar items, project above the average elevation of the portions of the streets, lanes or sites located adjacent to such structure, and does not, in any event, project more than 1.0 m above the actual elevation of adjoining streets, lanes and sites.

4.9 [Deleted -- see Parking By-law.]

4.10 Horizontal Angle of Daylight

4.10.1 Each habitable room must have at least one window on an exterior wall of a building.

4.10.2 Each exterior window must be located so that a plane or planes extending from the window and formed by an angle of 50 degrees, or two angles with a sum of 70 degrees, will encounter no obstruction over a distance of 24.0 m.

4.10.3 The plane or planes referred to in section 4.10.2 must be measured horizontally from the centre of the bottom of each window.

4.10.4 The Director of Planning may ~~relax~~ vary the horizontal angle of daylight requirement, if:

(a) the Director of Planning first considers all the applicable policies and guidelines adopted by Council; and
(b) the minimum distance of unobstructed view is not less than 3.7 m.

4.10.5 An obstruction referred to in section 4.10.2 means:

(a) any part of the same building including permitted projections; or
(b) the largest building permitted under the zoning on any adjoining site.

4.10.6 A habitable room referred to in section 4.10.1 does not mean:

(a) a bathroom; or
(b) a kitchen whose floor area is the lesser of:
  (i) 10% or less of the total floor area of the dwelling unit, or
  (ii) 9.3 m^2.

~~5 Relaxation of Regulations~~

~~**5.1** The Director of Planning may relax the minimum site area requirements of section 4.1 with respect to any of the following developments if the lot was on record in the Land Title Office for Vancouver prior to September 7, 1965, and has an area of not less than the minimum noted:~~

~~(a) two-family dwelling, with a minimum lot area of 353 m^2.~~

RT-3 District Schedule

1 Intent

The intent of this Schedule is to encourage the retention of neighbourhood and streetscape character, particularly through the retention, renovation and restoration of existing character buildings. Redevelopment is encouraged on sites with existing buildings of style and form which are inconsistent with the area's pre-1920 architecture. Emphasis is placed on the external design of additions to existing buildings and new buildings to encourage the preservation of the historic architectural character of the area. Floor area incentives are included to achieve the creation of affordable housing and the rehabilitation of original buildings which are important to the neighbourhood's character.

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 this 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 located in the rear yard and in no case are 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 10.27 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 35 percent of the minimum rear yard prescribed in this Schedule, or 48 m², whichever is the greater;
  (d) not more than 80 percent of the width of the rear yard of any lot is occupied by accessory buildings.

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

- The Director of Planning may vary the area and site coverage limitations for accessory buildings, provided that in developments where a carport or garage is planned the Director of Planning also has regard to the effect on neighbouring sites of building height, shadow, open space and landscaping.

2.2.DW [Dwelling]

- Multiple Conversion Dwelling, provided that:

  (a) no additions or exterior alterations shall be permitted, except as required under clause (c);
  (b) the number of dwelling units is limited to two; and
  (c) no development permit shall be issued until the requisite permits required by other by-laws that relate to design, construction and safety of buildings are issuable.

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 Council policies and guidelines; and
(b) the submission of any advisory group, property owner or tenant.

3.2 Uses

3.2.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.AG [Agricultural]

- Urban Farm - Class A.

3.2.C [Cultural and Recreational]

- Artist Studio.
- Club, provided that no commercial activities are carried on and the use does not adversely impact adjacent residential premises.
- Community Centre or Neighbourhood House.
- Library in conjunction with a Community Centre.
- Park or Playground.

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

3.2.DW [Dwelling]

- Dwelling Units, up to a maximum of two, in conjunction with a neighbourhood grocery store existing as of July 29, 1980.
- Infill Multiple Dwelling.
- Infill One-Family Dwelling.
- Infill Two-Family Dwelling.
- Micro dwelling.
- Multiple Conversion Dwelling, resulting from the conversion of a building existing as of November 3, 1992, provided that:

  (a) before making a decision the Director of Planning shall consider the quality and livability of the resulting units, the suitability of the building for conversion in terms of age and size, and the effect of the conversion on adjacent properties and the character of the area.

- Multiple Dwelling.
- One-Family Dwelling.
- One-Family Dwelling with Secondary Suite.
- Residential Unit associated with and forming an integral part of an artist studio.
- Rooming House.
- Two-Family Dwelling.
- Seniors Supportive or Assisted Housing.

3.2.I [Institutional]

- Ambulance Station.
- Child Day Care Facility.
- Church.
- Hospital, except that in the case of a specifically designed facility not being a conversion, the minimum site area shall be 1 850 m² and the maximum floor space ratio shall be 0.75.
- Public Authority Use essential in this District.
- School - Elementary or Secondary.
- Social Service Centre.
- Community Care Facility – Class A, subject to the regulations, variations and relaxations that apply to a one-family dwelling.
- Community Care Facility – Class B.
- Group Residence.

3.2.O [Office]

- Temporary Sales Office.

3.2.P [Parking]

- Parking Area ancillary to a principal use on an adjacent site.

3.2.R [Retail]

- Farmers' Market. *Compatibility with nearby sites, parking, traffic, noise, hours of operation, size of facility, pedestrian amenity*.
- Neighbourhood Grocery Store existing as of July 29, 1980.
- Public Bike Share.

3.2.S [Service]

- Bed and Breakfast Accommodation.
- Short Term Rental Accommodation.

3.2.U [Utility and Communication]

- Public Utility.

3.2.Z

- Any other use which is not specifically listed in this district schedule but which was existing as of November 3, 1992, and either has a valid development permit or existed prior to June 18, 1956.

4 Regulations

~~All uses approved under sections 2 and 3 of this District Schedule shall be subject to the following regulations, except that section 4.17 shall apply only to uses approved under section 3.~~

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

(a) section 4.17 shall apply only to uses approved under section 3;
(b) the Director of Planning may vary any of the regulations of this Schedule for the following developments where it is demonstrated that the variation will serve to accomplish the provision of affordable housing, having regard to the intent of this Schedule and all applicable policies and guidelines adopted by Council:
(i) multiple dwelling or seniors supportive or assisted housing, provided that:

a. a minimum of 25 percent of total units within any building shall be owned or leased by a government or non-profit housing society, for housing handicapped persons or individuals or families of low income or providing housing for mixed-income groups; and

b. the maximum floor space ratio shall not exceed 1.0;

(c) in order to maintain the pre-1920 building character of the neighbourhood and to recognize that some existing buildings exceed regulations established under this Schedule, the Director of Planning may vary any of the regulations of this Schedule for any existing building to allow for minor alterations to provide for increased efficiency and livability of the building;

(d) the Director of Planning may vary any regulation of this Schedule for multiple conversion dwellings and infill on a corner site, for the purpose of preserving pre-1920 buildings important to the character of the neighbourhood, having regard to the intent of this Schedule and all applicable policies and guidelines adopted by City Council; and

(e) the Director of Planning may vary any of any regulation of this Schedule involving an existing one- or two-family dwelling, provided that:

(i) the building is consistent with the pre-1920 character of the neighbourhood;

(ii) the building replicates a previously existing or existing building on the site, including restoration of a building's original form, features, materials, and decoration; and

(iii) the Director of Planning has regard to the intent of this Schedule and all applicable policies and guidelines adopted by City Council.

4.1 Site Area

4.1.1 The minimum site area shall be:

(a) 260 m² for a one-family dwelling, one-family dwelling with secondary suite, or two-family dwelling;

(b) 510 m² for a multiple dwelling or rooming house; or

(c) 418 m² for infill.

4.1.2 The Director of Planning may permit a reduction to the minimum site area provisions of section 4.1 with respect to any of the following developments if the lot was on record in the Land Title Office for Vancouver prior to November 3, 1992:

(a) one-family dwelling;

(b) one-family dwelling with secondary suite;

(c) two-family dwelling.

4.2 Frontage

4.2.1 The maximum frontage for a site for a multiple dwelling or a community care facility or group residence, except Community Care - Class A, shall be 15.3 m, provided that such frontage shall not consist of more than two adjoining lots which were on record in the Land Title Office for Vancouver prior to November 3, 1992.

4.3 Height

4.3.1 A building shall not exceed 10.7 m in height and shall not have more than 2½ storeys.

4.3.2 The Director of Planning may permit an increase in the maximum height of a building with respect to any development:

(a) where the height of the adjacent building on each side of the site exceeds the height prescribed in section 4.3.1, provided that the maximum height shall not exceed the average of the two adjacent buildings; or
(b) where the natural grade is substantially below the grade of the street or the lane adjoining the site, provided that the maximum height shall be the least of 11.9 m or 2½ storeys.

4.3.3 Where more than one principal building is permitted on a site, any of those buildings or any portion thereof which will be situated closer to the rear property line than the distance of the rear yard required by section 4.6 of this Schedule shall have a height not exceeding the lesser of 8.5 m, 2½ storeys not including a basement or 1½ storeys including a basement.

4.3.4 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, the Director of Planning may instead require that height be measured from base surface.

4.4 Front Yard

4.4.1 A front yard shall be provided with a depth of the average depth of the two adjacent sites on each side of the site, subject to the following:

(a) where an adjacent site is vacant, it shall be deemed to have a front yard depth of 3.7 m;

(b) 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;
(c) where the site is adjacent to a flanking street or lane, the average depth shall be computed using the remainder of the adjacent sites; and
(d) the front yard shall not exceed 3.7 m in depth.

4.4.2 The Director of Planning may permit an increase in the maximum front yard prescribed in section 4.4.1 where adjoining buildings already exceed the maximum front yard and the increase would provide for a consistent setback.

4.5 Side Yards

4.5.1 A side yard with a minimum width of 10 percent of the width of the site shall be provided on each side of the building, except that it need not be more than 1.5 m in width.

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 10.27 of this By-law.

4.5.3 The Director of Planning may vary the yard provisions of section 4.5 in the case of multiple conversion dwellings, infill and the placement of more than one principal building on a site, provided that the Director of Planning first considers:
(a) all applicable policies and guidelines adopted by Council;
(b) the height, bulk, location and overall design of the building or buildings and their effect on the site, surrounding buildings, streets and existing views;
(c) the amount of open space; and
(d) the preservation of the character and general amenity desired for the area.

4.6 Rear Yard

4.6.1 A rear yard with a minimum depth of 20.0 m shall be provided, except that where the rear of the site abuts a lane, this required minimum depth shall be decreased by the lane width between the rear property line and the ultimate centre line of the lane.

4.6.2 In the case of a site having an average depth of less than 36.5 m, the required rear yard may be reduced in accordance with section 10.29 of this By-law.

4.6.3 The Director of Planning may permit a reduced rear yard where adjoining existing buildings do not meet the minimum rear yard prescribed in section 4.6.1.

4.6.4 The Director of Planning may vary the yard provisions of section 4.6 in the case of multiple conversion dwellings, infill and the placement of more than one principal building on a site, provided that the Director of Planning first considers:

(a) all applicable policies and guidelines adopted by Council;
(b) the height, bulk, location and overall design of the building or buildings and their effect on the site, surrounding buildings, streets and existing views;
(c) the amount of open space; and
(d) the preservation of the character and general amenity desired for the area.

4.7 Floor Space Ratio

4.7.1 The floor space ratio shall not exceed 0.60. The Director of Planning may permit an increase in this maximum floor space ratio for multiple conversion dwellings, multiple dwellings or seniors supportive or assisted housing, rooming houses, development with more than one principal building, or one- and two-family dwellings to 0.75 and for infill to 0.95, provided that the Director of Planning first considers:

(a) the intent of this Schedule and all applicable policies and guidelines adopted by Council;
(b) the height, bulk, location and overall design of the building or buildings and their effect on the site, surrounding buildings, streets and existing views;
(c) the amount of open space; and
(d) the preservation of the architectural character and general amenity desired for the area.

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; and
(c) 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 ~~sun~~decks, 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 these exclusions does not exceed ~~eight percent~~8% of the ~~permitted residential~~ floor area being provided;
(b) patios and roof ~~garden~~decks, provided that the Director of Planning first ~~approves the design of sunroofs and walls~~considers the effect on privacy and overlook;

(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, artist studios, residential units associated with and forming an integral part of an artist studio, or uses which in the opinion of the Director of Planning are similar to the foregoing, those floors or portions thereof so used, which:
  (i) are at or below the base surface, provided that the maximum exclusion for a parking space shall not exceed 7.3 m in length; or
  (ii) are above the base surface and where developed as off-street parking are located in an accessory building situated in the rear yard, provided that the maximum exclusion for a parking space shall not exceed 7.3 m in length.

(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~~ entries, ~~verandas,~~ porches and verandahs ~~or inset balconies~~ and covered porches above the first storey, provided that the side facing the street or the rear property line ~~is not enclosed~~is open or protected by guards that do not exceed the required minimum height,
  , ~~; with the exception of guard rails the height of which shall not exceed the minimum specified in the Building By-law~~; ~~and~~

(h) fire escapes, on a building existing as of November 3, 1992, which are designed to meet City requirements for secondary egress~~.~~; and

(i) unconditioned floor areas with a ceiling height or height to the underside of joists of less than 2.0 m, located below the floors of entries, porches and verandahs complying with subsection 4.7.3(g), to which there is no access from the interior of the building.

4.8 Site Coverage

4.8.1 The maximum site coverage for buildings shall be 45 percent of the site area.

4.8.2 The Director of Planning may ~~relax~~ permit an increase to the maximum site coverage for infill and development involving more than one principal building, to a maximum of 50 percent of the site area.

4.8.3 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 ~~sun~~decks.

4.8.4 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.

4.9 to 4.16 (Reserved)

4.17 External Design

4.17.1 For the purpose of section 4.17.2 and 4.17.3 the principal facade means the building face that is situated closest to the front property line.

4.17.2 The principal facade shall have:

(a) a maximum width of 6.1 m;

(b) a principal access by means of a straight staircase at right angle to the street, leading to a first-storey entry, porch or ~~open-sided~~ verandah; and
(c) a single principal entrance with single or double doors.

4.17.3 Except for the principal facade, all facades facing the front property line shall be set back at least 3.0 m from the required front yard.

4.17.4 Exterior design, materials and details shall be subject to the following considerations:

(a) all building facades shall be characterized by the following:
  (i) the style and form of architecture, external finishes and details to be consistent with those residential buildings in this District listed in the Vancouver Heritage Register, dated August 1986; and
  (ii) the floor of the first storey to be a minimum of 0.9 m and a maximum of 2.0 m above grade; and
(b) the Director of Planning may ~~relax~~ vary these requirements where a facade is not visible from a street or a lane; and
(c) the Director of Planning may ~~relax~~ vary these requirements for additions and new construction involving a rear facade, to allow for ~~sun~~decks, roof decks, solariums and similar building features, provided the overall design, materials and detail are compatible with the principle building and consistent with the overall intent of this by-law.

4.17.5 Windows and doors shall be characterized by the following:

(a) for renovations or additions to existing buildings and for new construction, window openings and proportions and doors shall approximate windows and doors on the majority of residential buildings in this District listed in the Vancouver Heritage Register, dated August 1986.

4.17.6 Roofs shall be characterized by the following:

(a) gable, multiple gable, hip-on-gable or “classic box” low-pitch hipped style; and
(b) shingle finish.

4.17.7 The Director of Planning may permit a development which varies from any of the regulations of sections 4.17.1 to 4.17.6 inclusive, provided that:

(a) it is consistent with residential buildings in this District listed in the Vancouver Heritage Register dated August 1986;
(b) a consistent form is achieved for every building on the site; and
(c) it reflects the character of the streetscape or lane and is compatible with the design of buildings on adjoining sites.

4.17.8 The Director of Planning may require the retention of any one or more of the following architectural or ornamental features involving existing buildings:

(a) window, door and roof decoration;
(b) bay windows;
(c) tower or turret features;
(d) hand rails, balusters;
(e) wood tracery or bargeboard.

4.19 Number of Buildings On Site

4.19.1 The Director of Planning may permit more than one principal building on a site, provided the Director of Planning first considers:

(a) all applicable policies and guidelines adopted by Council;

(b) the height, bulk, location and overall design of the buildings and their effect on the site, surrounding buildings, streets and existing views;
(c) the amount of open space; and
(d) the preservation of the architectural character and general amenity desired for the area.

~~5 Relaxation of Regulations~~

~~**5.1** The Director of Planning may relax the minimum site area provisions of section 4.1 with respect to any of the following developments if the lot was on record in the Land Title Office for Vancouver prior to November 3, 1992:~~

~~(a) one-family dwelling;~~
~~(b) one-family dwelling with secondary suite;~~
~~(c) two-family dwelling.~~

~~**5.2** The Director of Planning may relax the area and site coverage limitations for accessory buildings, provided that in developments where a carport or garage is planned the Director of Planning also has regard to the effect on neighbouring sites of building height, shadow, open space and landscaping.~~

~~**5.3** The Director of Planning may relax the yard provisions of sections 4.5 and 4.6 of this Schedule in the case of multiple conversion dwellings, infill and the placement of more than one principal building on a site, provided that the Director of Planning first considers:~~

~~(a) all applicable policies and guidelines adopted by Council;~~
~~(b) the height, bulk, location and overall design of the building or buildings and their effect on the site, surrounding buildings, streets and existing views;~~
~~(c) the amount of open space; and~~
~~(d) the preservation of the character and general amenity desired for the area.~~

~~**5.4** The Director of Planning may relax any of the regulations of this Schedule for the following developments where it is demonstrated that the relaxation will serve to accomplish the provision of affordable housing, having regard to the intent of this Schedule and all applicable policies and guidelines adopted by Council:~~

~~(a) multiple dwelling or seniors supportive or assisted housing, provided that:~~
~~(i) a minimum of 25 percent of total units within any building shall be owned or leased by a government or non-profit housing society, for housing handicapped persons or individuals or families of low income or providing housing for mixed-income groups; and~~
~~(ii) the maximum floor space ratio shall not exceed 1.0.~~

~~**5.5** In order to maintain the pre-1920 building character of the neighbourhood and to recognize that some existing buildings exceed regulations established under this Schedule, the Director of Planning may relax any of the regulations of this Schedule for any existing building to allow for minor alterations to provide for increased efficiency and livability of the building.~~

~~**5.6** The Director of Planning may relax any regulation of this Schedule for multiple conversion dwellings and infill on a corner site, for the purpose of preserving pre-1920 buildings important to the character of the neighbourhood, having regard to the intent of this Schedule and all applicable policies and guidelines adopted by City Council.~~

~~**5.7** The Director of Planning may allow the relaxation of any regulation of this Schedule involving an existing one- or two-family dwelling, provided that:~~

~~(a) the building is consistent with the pre-1920 character of the neighbourhood;~~

~~(b) the building replicates a previously existing or existing building on the site, including restoration of a building's original form, features, materials, and decoration; and~~

~~(c) the Director of Planning has regard to the intent of this Schedule and all applicable policies and guidelines adopted by City Council.~~

RT-4, RT-4A, RT-4N and RT-4AN Districts Schedule

1 Intent

The intent of this Schedule is to encourage the retention of existing residential structures and to encourage and maintain a family emphasis. In the RT-4 and RT-4N Districts emphasis is placed on the external design of all new buildings and additions being compatible with the historical character of the area, and on being neighbourly in scale and placement. In the RT-4A and RT-4AN Districts this emphasis is limited to certain uses. The RT-4N and RT-4AN Districts differ from the RT-4 and RT-4A Districts, respectively, in that they require evidence of noise mitigation for residential development.

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 and shall be issued a permit in these Districts.

2.2 Uses

2.2.1 The uses listed in section 2.2.1 shall be permitted in the RT-4, RT-4A, RT-4N, and RT-4AN Districts.

2.2.1.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 located in the rear yard and in no case are 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 10.27 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 35 percent of the minimum rear yard prescribed in this Schedule, or 48 m², whichever is the greater;
  - (d) not more than 80 percent of the width of the rear yard of any lot is occupied by accessory buildings; and
  - (e) roof decks and ~~sun~~decks are not located on an accessory building.
- Accessory Uses customarily ancillary to any of the uses listed in this section.
- The Director of Planning may vary the area and site coverage limitations for accessory buildings and sections 4.7 and 4.8 of the Parking By-law where the Director of Planning is satisfied that adequate off-street parking on any site less than 36.5 m in depth cannot otherwise be accommodated, provided that in developments where a carport or garage is planned the Director of Planning also has regard to the effect on neighbouring sites of building height, shadow, open space and landscaping.

2.2.1.DW [Dwelling]

- Multiple Conversion Dwelling, provided that:

(a) no additions shall be permitted;
(b) no housekeeping or sleeping units shall be created;
(c) the number of dwelling units is limited to two; and
(d) no development permit shall be issued until the requisite permits required by other by-laws that relate to design, construction and safety of buildings are issuable.

2.2.1.I [Institutional]

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

2.2.2 The uses listed in section 2.2.2 shall be permitted in the RT-4A and RT-4AN Districts.

2.2.2.DW [Dwelling]

- One-Family Dwelling.
- Two-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 Council policies and guidelines; 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 RT-4, RT-4A, RT-4N, and RT-4AN Districts.

3.2.1.A
- Accessory Buildings customarily ancillary to any of the uses listed in this Schedule, other than as provided for in section 2.2.1.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.

3.2.1.C [Cultural and Recreational]

- Community Centre or Neighbourhood House.
- Library in conjunction with a Community Centre.
- Park or Playground.

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

3.2.1.DW [Dwelling]

- Dwelling Units, up to a maximum of two, in conjunction with a neighbourhood grocery store existing as of July 29, 1980.
- Infill.
- Multiple Conversion Dwelling (other than as provided for in section 2.2.1.DW of this Schedule), resulting from the conversion of a building existing as of December 6, 1977, provided that:

  (a) before making a decision the Director of Planning shall consider the quality and livability of the resulting units, the suitability of the building for conversion in terms of age and size, and the effect of the conversion on adjacent properties and the character of the area;
  (b) building additions shall be in keeping with the character of the building; and

(c) no housekeeping or sleeping units shall be created.

- One-Family Dwelling with Secondary Suite.
- Seniors Supportive or Assisted Housing.

3.2.1.I [Institutional]

- Ambulance Station.
- Child Day Care Facility.
- Church.
- Hospital.
- Public Authority Use essential in this District.
- School - Elementary or Secondary.
- Social Service Centre.
- Community Care Facility – Class B.
- Group Residence.

3.2.1.O [Office]

- Temporary Sales Office.

3.2.1.R [Retail]

- Farmers' Market. *Compatibility with nearby sites, parking, traffic, noise, hours of operation, size of facility, pedestrian amenity*.
- Neighbourhood Grocery Store existing as of July 29, 1980.
- Public Bike Share.

3.2.1.S [Service]

- Bed and Breakfast Accommodation.
- Short Term Rental Accommodation.

3.2.1.U [Utility and Communication]

- Public Utility.

3.2.2 The uses listed in section 3.2.2 may be permitted in the RT-4 and RT-4N Districts.

3.2.2.DW [Dwelling]

- One-Family Dwelling.
- Two-Family Dwelling.

4 Regulations

All uses approved under sections 2 and 3 of this District Schedule shall be subject to the following regulations, except section 4.15 which shall apply only in the RT-4N and RT-4AN Districts.

4.1 Site Area

4.1.1 The minimum site area for a one-family dwelling, a one-family dwelling with secondary suite, or a two-family dwelling shall be 306 m².

4.1.2 The Director of Planning may permit a reduction to the minimum site area provisions of section 4.1 with respect to any of the following developments if the lot was on record in the Land Title Office for Vancouver prior to August 10, 1976, or if the lot is consistent in width and area with parcels in the established blockface and development would be consistent with established lawful development in the blockface:

(a) one-family dwelling;
(b) one-family dwelling with secondary suite;
(c) two-family dwelling.

4.2 Frontage -- Not Applicable.

4.3 Height

4.3.1 A building shall not exceed 10.7 m in height and shall not have more than 2½ storeys.

4.4 Front Yard

4.4.1 A front yard with a minimum depth of 7.3 m shall be provided.

4.4.2 In the case of a site having an average depth of less than 36.5 m, the required front yard may be reduced in accordance with section 10.29 of this By-law.

4.4.3 The Director of Planning may ~~relax~~ reduce the minimum depth of the required front yard provided the Director of Planning first considers the depths of the adjacent front yards and all applicable Council policies and guidelines.

4.4.4 Entries, porches and verandahs complying with the conditions of subsection 4.7.3(g) may be permitted to project a maximum of 1.8 m into the required front yard.

4.5 Side Yards

4.5.1 A side yard with a minimum width of 10 percent of the width of the site shall be provided on each side of the building, except that it need not be more than 1.5 m in width.

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 10.27 of this By-law.

4.5.3 In order to maintain the character of the neighbourhood, including where possible the retention of existing buildings, the Director of Planning may vary the provisions of section 4.5 in the case of infill, provided the Director of Planning first considers all applicable policies and guidelines adopted by Council.

4.6 Rear Yard

4.6.1 A rear yard with a minimum depth of 10.7 m shall be provided.

4.6.2 In the case of a site having an average depth of less than 36.5 m, the depth of the required rear yard may be decreased in accordance with section 10.29 of this By-law.

4.6.3 Where the rear of a site abuts a lane, the depth of the required rear yard may be decreased by the width of that portion of the lane lying between the rear of the site and the ultimate centre line of the lane.

4.6.4 In order to maintain the character of the neighbourhood, including where possible the retention of existing buildings, the Director of Planning may vary the provisions of section 4.6 in the case

of infill, provided the Director of Planning first considers all applicable policies and guidelines adopted by Council.

4.7 Floor Space Ratio

4.7.1 The floor space ratio shall not exceed 0.60.

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; and

(c) 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~~ and ~~sun~~decks, 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~~ these exclusions does not exceed ~~eight percent~~8% of the ~~permitted residential~~ floor ~~area~~area being provided;

(b) patios and roof ~~garden~~decks, provided that the Director of Planning first ~~approves the design of sunroofs and walls~~considers the effect on privacy and overlook;

(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 so used, which:

(i) are at or below the base surface, provided that the maximum exclusion for a parking space shall not exceed 7.3 m in length; or

(ii) are above the base surface and where developed as off-street parking are located in an accessory building situated in the rear yard, provided that the maximum exclusion for a parking space shall not exceed 7.3 m in length;

(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~~;~~; ~~and~~

(g) ~~covered verandahs or~~ entries, ~~-~~porches and verandahs, and covered porches above the first storey, provided that:

(i) the ~~portion~~ side facing the street or rear property line ~~shall be~~ is open or protected by ~~-~~guards ~~rails, the height of which shall~~ that do not exceed the required minimum height ~~specified in the Building By-law~~; and

(ii) the total area of these exclusions, when combined with the balcony and deck exclusions under section 4.7.3(a), does not exceed 13% ~~percent~~ of the ~~permitted floor space~~floor area being provided~~.~~; and

(h) unconditioned floor areas with a ceiling height or height to the underside of joists of less than 2.0 m, located below the floors of entries, porches and verandahs complying with subsection 4.7.3(g), to which there is no access from the interior of the building.

4.8 Site Coverage

4.8.1 The maximum site coverage for buildings shall be 45 percent of the site area.

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 ~~sun~~decks.

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.

4.9 to 4.14 (Reserved)

4.15 Acoustics

4.15.1 A development permit application for dwelling uses in the RT-4N and RT-4AN Districts shall require evidence in the form of a report and recommendations prepared by persons trained in acoustics and current techniques of noise measurements demonstrating that the noise levels in those portions of the dwelling units listed below shall not exceed the noise levels expressed in decibels set opposite such portions of the dwelling units. For the purposes of this section the noise level is the A-weighted 24-hour equivalent (Leq) sound level and will be defined simply as noise level in decibels.

Portions of dwelling units	Noise levels (Decibels)
bedrooms	35
living, dining, recreation rooms	40
kitchen, bathrooms, hallways	45

~~5 Relaxation of Regulations~~

~~**5.1** The Director of Planning may relax the minimum site area provisions of section 4.1 with respect to any of the following developments if the lot was on record in the Land Title Office for Vancouver prior to August 10, 1976, or if the lot is consistent in width and area with parcels in the established blockface and development would be consistent with established lawful development in the blockface:~~

~~(a) one-family dwelling;~~
~~(b) one-family dwelling with secondary suite;~~
~~(c) two-family dwelling.~~

~~**5.2** The Director of Planning may relax the area and site coverage limitations for accessory buildings and sections 4.7 and 4.8 of the Parking By-law where the Director of Planning is satisfied that adequate off-street parking on any site less than 36.5 m in depth cannot otherwise be accommodated, provided that in developments where a carport or garage is planned the Director of Planning also has regard to the effect on neighbouring sites of building height, shadow, open space and landscaping.~~

~~**5.3** In order to maintain the character of the neighbourhood, including where possible the retention of existing buildings, the Director of Planning may relax the provisions of sections 4.5 and 4.6 of this Schedule in the case of infill, provided the Director of Planning first considers all applicable policies and guidelines adopted by Council.~~

RT-5 and RT-5N Districts Schedule

1 Intent

The intent of this District Schedule is to strongly encourage the retention and renovation of existing character houses by providing incentives such as increased floor area, additional dwelling units, and additional relaxation provisions. New development has an emphasis on preserving consistency with existing lot patterns, and compatibility with neighbourhood character while also providing variety in housing choices.

RT-5N requires noise mitigation measures but is otherwise the same as RT-5. Conditional approval uses in RT-5 and RT-5N should also comply with the Design Guidelines.

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 and shall be issued a permit in these Districts.

2.2 Uses

2.2.1 The uses listed in section 2.2.1 shall be permitted in the RT-5 and RT-5N Districts.

2.2.1.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 located in the rear yard and in no case are 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 10.27 of this By-law;
  - (c) for all uses except for two-family dwellings and two-family dwellings with secondary suite, the total floor area, measured to the extreme outer limits of the building, of all accessory buildings is not greater than 35 percent of the minimum rear yard prescribed in this Schedule, or 48 m^2, whichever is the greater;
  - (d) for two-family dwellings and two-family dwellings with secondary suite, the total floor area, measured to the extreme outer limits of the building, of all accessory buildings is not greater than 48 m^2
  - (e) not more than 80 percent of the width of the rear yard of any lot is occupied by accessory buildings; and
  - (f) roof decks and ~~sun~~decks are not located on an accessory building.
- Accessory Uses customarily ancillary to any of the uses listed in this section.
- The Director of Planning may vary the area and site coverage limitations for accessory buildings and sections 4.7 and 4.8 of the Parking By-law where the Director of Planning is satisfied that adequate off-street parking on any site less than 36.5 m in depth cannot otherwise be accommodated, provided that in developments where a carport or garage is

planned the Director of Planning also has regard to the effect on neighbouring sites of building height, shadow, open space and landscaping.

2.2.1.DW [Dwelling]

- One-Family Dwelling.
- Two-Family Dwelling.
- Multiple Conversion Dwelling, provided that:

  (a) no additions shall be permitted;
  (b) no housekeeping or sleeping units shall be created;
  (c) the number of dwelling units is limited to two; and
  (d) no development permit shall be issued until the requisite permits required by other by-laws that relate to design, construction and safety of buildings are issuable.

2.2.1.I [Institutional]

- Community Care Facility – Class A, subject to the regulations, variations 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 Council policies and guidelines; 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 RT-5 and RT-5N Districts.

3.2.1.A
- Accessory Buildings customarily ancillary to any of the uses listed in this Schedule, other than as provided for in section 2.2.1.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.

3.2.1.C [Cultural and Recreational]

- Club, provided that no commercial activities are carried on and the use does not adversely impact residential uses.
- Community Centre or Neighbourhood House.
- Library in conjunction with a Community Centre.
- Park or Playground.

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

3.2.1.DW [Dwelling]

- Dwelling Units, up to a maximum of two, in conjunction with a neighbourhood grocery store existing as of July 29, 1980.

- Infill in conjunction with retention of a Character House existing on the site as of January 16, 2018.
- Infill existing on the site as of January 16, 2018.
- Multiple Conversion Dwelling (other than as provided for in section 2.2.1.DW of this Schedule), in conjunction with retention of a Character House existing on the site as of January 16, 2018, that contains no housekeeping or sleeping units.
- Multiple Conversion Dwelling (other than as provided for in section 2.2.1.DW of this Schedule) existing on the site as of January 16, 2018, provided that:

  (a) additions shall be in keeping with the character of the building, and,
  (b) no housekeeping or sleeping units shall be created.
- Multiple Dwelling.
- One-Family Dwelling with Secondary Suite.
- One-Family Dwelling or One-Family Dwelling with Secondary Suite on sites with more than one principal building, in accordance with section 4.19 of this Schedule, provided that there is no more than one Secondary Suite on the site.
- Laneway House.
- Lock-off Unit in conjunction with a One-Family Dwelling or Two-Family Dwelling, provided that there is no more than one Lock-off Unit for each dwelling unit.
- 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.

3.2.1.I [Institutional]

- Ambulance Station.
- Child Day Care Facility.
- Church.
- Hospital.
- Public Authority Use essential in this District.
- School - Elementary or Secondary.
- Social Service Centre.
- Community Care Facility – Class B.
- Group Residence.

3.2.1.O [Office]

- Temporary Sales Office.

3.2.1.R [Retail]

- Farmers' Market. *Compatibility with nearby sites, parking, traffic, noise, hours of operation, size of facility, pedestrian amenity*.
- Neighbourhood Grocery Store existing as of July 29, 1980.
- Public Bike Share.

3.2.1.S [Service]

- Bed and Breakfast Accommodation.
- Short Term Rental Accommodation.

3.2.1.U [Utility and Communication]

- Public Utility.

4 Regulations

All approved uses are subject to the following regulations, except for Laneway House, which is only permitted in combination with a One-Family Dwelling and One-Family Dwelling with Secondary Suite, and is subject to section 4.15 of this Schedule if located in the RT-5N District.

4.1 Site Area

4.1.1 The minimum site area for a One-Family Dwelling, a One-Family Dwelling with Secondary Suite, a Two-Family Dwelling, a Two-Family Dwelling with Secondary Suite, or a One-Family Dwelling or One-Family Dwelling with Secondary Suite on sites with more than one principal building, shall be 306 m².

4.1.2 The minimum site area for a Multiple Dwelling shall be 511 m².

4.1.3 Notwithstanding section 4.1.2, the Director of Planning may permit a Multiple Dwelling on sites smaller than 511 m², provided that consideration is first given to all applicable policies and guidelines adopted by Council.

4.1.4 The Director of Planning may permit a reduction to the minimum site area provisions of section 4.1 with respect to any of the following developments if the lot was on record in the Land Title Office for Vancouver prior to August 10, 1976, or if the lot is consistent in width and area with parcels in the established blockface and development would be consistent with established lawful development in the blockface:

(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 or Lock-off Unit; or
(g) One-Family Dwelling on sites with more than one principal building.

4.2 Frontage

4.2.1 The maximum frontage for a site for a Multiple Dwelling shall be a single lot, or two adjoining lots, on record in the Land Title Office for Vancouver prior to January 16, 2018, provided the combined frontage of the adjoining lots does not exceed 15.6 m.

4.3 Height

4.3.1 A principal building shall not exceed 10.7 m in height and a second principal building located in the rear yard shall not exceed 7.7 m.

4.3.2 A principal building shall not have more than 2½ 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.

4.4 Front Yard

4.4.1 The required front yard shall be a minimum depth of 7.3 m or 20% of the lot depth, whichever is less.

4.4.2 In the case of a site having an average depth of less than 36.5 m, the required front yard may be reduced in accordance with section 10.29 of this By-law.

4.4.3 ~~Covered~~Entries, ~~-~~porches and verandahs complying with the conditions of section 4.7.6(f) may be permitted to project a maximum of 1.8 m into the required front yard.

4.4.4 The Director of Planning may ~~relax~~ reduce the minimum depth of the required front yard provided that consideration is first given to the depths of the adjacent front yards and all applicable policies and guidelines adopted by Council.

4.5 Side Yards

4.5.1 A side yard with a minimum width of 10 percent of the width of the site shall be provided on each side of the building, except that it need not be more than 1.5 m in width.

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 10.27 of this By-law.

4.5.3 The Director of Planning may vary the yard provisions of section 4.5 in the case of multiple dwellings or seniors supportive or assisted housing, provided that:

(a) consideration is first given to all applicable policies and guidelines adopted by Council;

(b) no fewer than 50 percent of the dwelling units within any building contain two or more bedrooms except in the case of a building designed solely for senior citizen housing or other similar use.

4.6 Rear Yard

4.6.1 A rear yard with a minimum depth of 10.7 m shall be provided, or 30% of lot depth for lots with an average depth exceeding 36.5 m.

4.6.2 In the case of a site having an average depth of less than 36.5 m, the depth of the required rear yard may be decreased in accordance with section 10.29 of this By-law.

4.6.3 Where the rear of a site abuts a lane, the depth of the required rear yard may be decreased by the width of that portion of the lane lying between the rear of the site and the ultimate centre line of the lane.

4.6.4 Any second principal building must be located in the rear yard.

4.6.5 The Director of Planning may vary the yard provisions of section 4.6 in the case of multiple dwellings or seniors supportive or assisted housing, provided that:

(a) consideration is first given to all applicable policies and guidelines adopted by Council;

(b) no fewer than 50 percent of the dwelling units within any building contain two or more bedrooms except in the case of a building designed solely for senior citizen housing or other similar use.

4.7 Floor Space Ratio

4.7.1 On a site without a Character House, the floor space shall not exceed:

(a) 0.60 for One-Family Dwelling and One-Family Dwelling with Secondary Suite;

(b) 0.75 for Two-Family Dwelling and Two-Family Dwelling with Secondary Suite or Lock-off Unit; or

(c) 0.60 for all other uses, except, if consideration is first given to the intent of this Schedule and all applicable policies and guidelines adopted by Council, the Director of Planning may permit an increase in floor area, as follows:

(i) 0.75 for One-Family Dwelling or One-Family Dwelling with Secondary Suite on a site with more than one principal building, provided that the floor space ratio for the second principal building located in the rear yard does not exceed 0.25;
(ii) 0.75 for Multiple Dwelling; or
(iii) 0.75 for Seniors Supportive or Assisted Housing.

4.7.2 On a site with a Character House, if consideration is first given to the intent of this Schedule and all applicable policies and guidelines adopted by Council, the Director of Planning may permit a maximum floor space ratio, as follows:

(a) 0.75 to facilitate an addition to a Character House; or
(b) 0.85 for Infill in conjunction with retention of a Character House.

4.7.3 Notwithstanding section 4.7.2, where a Character House is demolished in order to allow for new development, the floor space ratio shall not exceed 0.50 and the use is limited to a One-Family Dwelling or a One-Family Dwelling with Secondary Suite, and Laneway House.

4.7.4 Notwithstanding section 4.7.3, where a Character House is demolished in order to allow for new development on an under-utilized lot, the floor space ratio shall be governed by section 4.7.1.

4.7.5 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; and
(c) 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 times 0.01.

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

(a) ~~open residential~~ balconies ~~or~~ and ~~sun~~decks, 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~~ these exclusions does not exceed ~~eight percent~~8% of the ~~permitted residential~~ floor area being provided;
(b) patios and roof ~~garden~~decks, provided the Director of Planning first considers the effect on privacy and overlook ~~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 so used, which:
(i) are at or below the base surface, provided that the maximum exclusion for a parking space shall not exceed 7.3 m in length; or
(ii) are above the base surface and where developed as off-street parking are located in an accessory building or a second principal building located in the rear yard, provided that the maximum exclusion for a parking space shall not exceed 42 m^2 and 7.3 m in length;
(d) 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;

(e) floors located at or below finished grade with a ceiling height of less than 1.2 m;

(f) ~~covered~~ entries, porches and verandahs, and covered porches above the first storey provided that:

(i) the ~~portion~~side facing the street or rear property line ~~shall be~~is open or protected by guards ~~rails, the height of which shall~~ that do not exceed the required minimum height ~~specified in the Building By-law~~,

(ii) the total area of these exclusions, when combined with the balcony and deck exclusions under section 4.7.6(a), does not exceed 13% ~~percent~~ of the ~~permitted~~ floor ~~space~~area being provided,

(iii) for two-family dwellings and two-family dwellings with secondary suite, the depth of the total area being excluded for covered entries, porches and verandahs above the first storey does not exceed 1.83 m, and

(iv) ~~for two-family dwellings and two-family dwellings with secondary suite,~~ ceiling height, excluding roof structure, of the total area being excluded does not exceed 3.1 m measured from the entry, porch or verandah floor~~;~~; ~~and~~

(g) unconditioned floor areas with a ceiling height or height to the underside of joists of less than 2.0 m, located below the floors of entries and porches complying with subsection 4.7.6(f), to which there is no access from the interior of the building; and

(h) for two-family dwellings and two-family dwellings with secondary suite, areas of floors existing, proposed or as may be extended over open-to-below space located directly below sloping roof rafters or a sloping ceiling where the ceiling is directly attached to the underside of sloping roof rafters, and where the roof joists have a minimum 7:12 pitch and the related ceiling maintains the same pitch as the roof joists, provided that:

(i) the distance from the floor to any part of the roof rafters or ceiling is no higher than 2.3 m and no lower than 1.2 m, both measured vertically, and

(ii) the excluded floor area does not exceed 10 percent of the permitted total floor area.

4.7.7 Notwithstanding the definition of "half-storey" in section 2 of this By-law, for the purposes of this Schedule the maximum permitted floor area contained in a half-storey shall not include floor area excluded in section 4.7.6(h) of this Schedule.

4.8 Site Coverage

4.8.1 The maximum site coverage for buildings shall be 45 percent of the site area.

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 ~~sun~~decks.

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.

4.9 to 4.14 (Reserved)

4.15 Acoustics

4.15.1 A development permit application for dwelling uses in the RT-5N District shall require evidence in the form of a report and recommendations prepared by persons trained in acoustics and current techniques of noise measurements demonstrating that the noise levels in those portions of the dwelling units listed below shall not exceed the noise levels expressed in decibels set opposite such portions of the dwelling units. For the purposes of this section the noise level is the A-weighted 24-hour equivalent (Leq) sound level and will be defined simply as the noise level in decibels.

Portions of dwelling units	Noise levels (Decibels)
bedrooms	35
living, dining, recreation rooms	40
kitchen, bathrooms, hallways	45

4.16 Building Depth

4.16.1 For One-Family Dwellings or One-Family Dwellings with Secondary Suite, the maximum distance between the required minimum front yard and the rear of the principal building is 35% of the site depth.

4.16.2 In all other cases, the maximum distance between the required minimum front yard and the rear of the principal building is 45% of the site depth.

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 on a corner site, one main entrance must face the front street and one main entrance must face the flanking street.

4.17.4 There must be an ~~covered~~ entry, porch or verandah at each main entrance, with a minimum width and depth of 1.8 m.

4.17.5 In one-family dwellings and one-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:

Dormer Orientation	Maximum Total Dormer Width
Rear yard, street or flanking lane	50% of width of elevation of storey below
Interior side yard	25% of width of elevation of storey below

4.17.6 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 shall have a minimum slope of 7:12 and a maximum slope of 12:12 and shall be either hip or gable or a combination of both, and shall intersect at its lower portion with the exterior wall face of the building or the vertical projection thereof at a line no higher than the lesser of 7.9 m above the base surface or the floor level of a half-storey or attic above the second storey;
(b) dormer roofs shall be gable, hip or shed in form and shall have a minimum slope of 4:12;
(c) the maximum total width of dormers provided on a half storey above the second storey must not exceed 50% of the width of the elevation of the storey below;

(d) all exterior dormer walls shall be set back a minimum of 0.6 m from the exterior face of the wall of the storey below; and
(e) notwithstanding section 4.17.6(d), one dormer, which faces an interior side yard and which provides headroom over a stair and any intermediate and top landings which provide access from the second storey to the half-storey above may have its face wall flush or continuous with the second storey exterior wall face below.

4.17.7 Exterior windows in a Secondary Suite or Lock-off Unit 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.

4.17.8 The Director of Planning may vary the requirements of section 4.17 for two-family dwellings and two-family dwellings with secondary suite if, in the opinion of the Director of Planning, the design meets the intent of the regulations for quality and durability of design and architectural expression, or to facilitate a building designed for certification under the Passive House standard or International Living Future Institute's Zero Energy standard, or an equivalent to the satisfaction of the Director of Planning.

4.17.9 The Director of Planning may vary any of the external design regulations under section 4.17 if consideration is first given to:
(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.

4.18 Dwelling Unit Density

4.18.1 For a site which meets the minimum site area requirement for a Multiple Dwelling, or a site with a Character House, the total number of dwelling units shall not exceed 74 units per hectare, including lock-off units and secondary suites, except where the calculation of dwelling units per hectare results in a fractional number, in which case, the nearest whole number shall be taken and one-half shall be rounded up to the next nearest whole number.

4.18.2 For all other sites, the total number of dwelling units shall not exceed 2, excluding lock-off units and secondary suites.

4.19 Number of Buildings On Site

4.19.1 The Director of Planning may permit more than one principal building on a site, provided that consideration is first given to:

(a) all applicable policies and guidelines adopted by Council;
(b) the height, bulk, location and overall design of the buildings and their effect on the site, surrounding buildings, streets and existing views;
(c) the amount of open space and the effects of overall design on the general amenity of the area; and
(d) the preservation of the architectural character and general amenity desired for the area.

5 Relaxation of Regulations

~~**5.1** The Director of Planning may relax the minimum site area provisions of section 4.1 with respect to any of the following developments if the lot was on record in the Land Title Office for Vancouver prior to August 10, 1976, or if the lot is consistent in width and area with parcels~~

~~in the established blockface and development would be consistent with established lawful development in the blockface:~~

~~(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 or Lock-off Unit; or~~
~~(g) One-Family Dwelling on sites with more than one principal building.~~

~~**5.2** The Director of Planning may relax the area and site coverage limitations for accessory buildings and sections 4.7 and 4.8 of the Parking By-law where the Director of Planning is satisfied that adequate off-street parking on any site less than 36.5 m in depth cannot otherwise be accommodated, provided that in developments where a carport or garage is planned he also has regard to the effect on neighbouring sites of building height, shadow, open space and landscaping~~.

~~**5.3** The Director of Planning may relax the yard provisions of sections 4.5 and 4.6 of this Schedule in the case of multiple dwellings or seniors supportive or assisted housing, provided that:~~

~~(a) consideration is first given to all applicable policies and guidelines adopted by Council;~~
~~(b) no fewer than 50 percent of the dwelling units within any building contain two or more bedrooms except in the case of a building designed solely for senior citizen housing or other similar use.~~

5.14 The Director of Planning may relax due to unnecessary hardship the yard provisions of sections 4.5 and 4.6 of this Schedule in the case of the placement of more than one principal building on a site, provided that consideration is first given to:

(a) all applicable policies and guidelines adopted by Council;
(b) the height, bulk, location and overall design of the building or buildings and their effect on the site, surrounding buildings, streets and existing views;
(c) the amount of open space and the effect of overall design on the general amenity of the area; and
(d) the preservation of the character and general amenity desired for the area.

~~**5.5** The Director of Planning may relax any of the external design regulations under section 4.17 if consideration is first given to:~~

~~(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.~~

~~**5.6** The Director of Planning may relax the provisions of this District Schedule regarding site area, frontage, height, required yards, site coverage, building depth, and dwelling unit density when a Character House is retained, if consideration is first given to the intent of this Schedule and all applicable Council policies and guidelines.~~

RT-6 District Schedule

1 Intent

The intent of this Schedule is to encourage the retention, renovation and restoration of existing residential buildings which maintain the historic architectural style and building form consistent with the area. New development has an emphasis on preserving consistency with existing lot patterns, and compatibility with neighbourhood character while also providing variety in housing choices. Emphasis is placed on requiring the external design of buildings and additions to buildings to follow the proportions, rhythm and details of historic architectural features of the area.

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 this 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 shall be located in the rear yard and 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 10.27 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 35 percent of the minimum rear yard prescribed in this Schedule, or 48 m², whichever is the greater;
  (d) not more than 80 percent of the width of the rear yard of any lot shall be occupied by accessory buildings; and
  (e) roof decks and ~~sun~~decks are not located on an accessory building.

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

- The Director of Planning may vary the area and site coverage limitations for accessory buildings and sections 4.7 and 4.8 of the Parking By-law where the Director of Planning is satisfied that adequate off-street parking on any site less than 36.5 m in depth cannot otherwise be accommodated, provided that in developments where a carport or garage is planned the Director of Planning also has regard to the effect on neighbouring sites of building height, shadow, open space and landscaping.

2.2.DW [Dwelling]

- Multiple Conversion Dwelling, provided that:

  (a) no additions shall be permitted;
  (b) no housekeeping or sleeping units shall be created; and
  (c) the number of dwelling units is limited to two.

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 Council policies and guidelines; and
(b) the submission of any advisory group, property owner or tenant.

3.2 Uses

3.2.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.AG [Agricultural]

- Urban Farm - Class A.

3.2.C [Cultural and Recreational]

- Community Centre or Neighbourhood House.
- Library in conjunction with a Community Centre.
- Park or Playground.

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

3.2.DW [Dwelling]

- Dwelling Units, up to a maximum of two, in conjunction with a neighbourhood grocery store which was existing as of July 29, 1980.
- Infill in conjunction with retention of a Character House existing on the site as of January 16, 2018.
- Infill existing on the site as of January 16, 2018.
- Multiple Conversion Dwelling (other than as provided for in section 2.2.DW of this Schedule), in conjunction with retention of a Character House existing on the site as of January 16, 2018, that contains no housekeeping or sleeping units.
- Multiple Conversion Dwelling (other than as provided for in section 2.2.DW of this Schedule) existing on the site as of January 16, 2018, provided that:

  (a) additions shall be in keeping with the character of the building, and,
  (b) no housekeeping or sleeping units shall be created.

- Multiple Dwelling.
- One-Family Dwelling.
- One-Family Dwelling with Secondary Suite.
- One-Family Dwelling or One-Family Dwelling with Secondary Suite on sites with more than one principal building, in accordance with section 4.19 of this Schedule, provided that there is no more than one Secondary Suite on the site.
- Laneway House.
- Lock-off Unit in conjunction with a One-Family Dwelling or Two-family Dwelling, provided that there is no more than one Lock-off Unit for each dwelling unit.
- 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.

3.2.I [Institutional]

- Child Day Care Facility.
- Church.
- Public Authority Use essential in this District.
- School - Elementary or Secondary.
- Social Service Centre.
- Community Care Facility – Class A, subject to the regulations, variations and relaxations that apply to a One-Family Dwelling.

- Community Care Facility – Class B.
- Group Residence.

3.2.O [Office]

- Temporary Sales Office.

3.2.R [Retail]

- Farmers' Market. *Compatibility with nearby sites, parking, traffic, noise, hours of operation, size of facility, pedestrian amenity*.
- Neighbourhood Grocery Store existing as of July 29, 1980.
- Public Bike Share.

3.2.S [Service]

- Bed and Breakfast Accommodation.
- Short Term Rental Accommodation.

3.2.U [Utility and Communication]

- Public Utility.

4 Regulations

All approved uses are subject to the following regulations, except for Laneway House, which is only permitted in combination with a One-Family Dwelling or One-Family Dwelling with Secondary Suite, except that section 4.17 shall apply only to uses approved under section 3.

4.1 Site Area

4.1.1 The minimum site area for a One-Family Dwelling, a One-Family Dwelling with Secondary Suite, a Two-Family Dwelling, a Two-Family Dwelling with Secondary Suite, or a One-Family Dwelling or One-Family Dwelling with Secondary Suite on sites with more than one principal building, shall be 306 m².

4.1.2 The minimum site area for a Multiple Dwelling shall be 511 m².

4.1.3 Notwithstanding section 4.1.2, the Director of Planning may permit a Multiple Dwelling on sites smaller than 511 m², provided that consideration is first given to all applicable policies and guidelines adopted by Council.

4.1.4 The Director of Planning may permit a reduction to the minimum site area provisions of section 4.1 with respect to any of the following developments if the lot was on record in the Land Title Office for Vancouver prior to August 10, 1976:

(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 or Lock-off Unit; or
(g) One-Family Dwelling on sites with more than one principal building.

4.2 Frontage

4.2.1 The maximum frontage for a site for a Multiple Dwelling shall be a single lot, or two adjoining lots, on record in the Land Title Office for Vancouver prior to January 16, 2018, provided the combined frontage of the adjoining lots does not exceed 15.6 m.

4.3 Height

4.3.1 A principal building shall not exceed 10.7 m in height, and a second principal building located in the rear yard shall not exceed 7.7 m.

4.3.2 A building shall not have more than 2½ storeys, except that the Director of Planning may permit a building to 3 storeys provided that consideration is first given to all applicable policies and guidelines adopted by Council.

4.4 Front Yard

4.4.1 The required front yard shall be a minimum depth of 7.3 m or 20% of the lot depth, whichever is less.

4.4.2 In the case of a site having an average depth of less than 36.5 m, the required front yard may be reduced in accordance with section 10.29 of this By-law.

4.4.3 ~~Covered~~ Entries, porches and verandahs complying with the conditions of section 4.7.6(b) may be permitted to project a maximum of 1.8~~6~~ m into the required front yard.

4.4.4 The Director of Planning may ~~relax~~ reduce the minimum depth of the required front yard provided consideration is first given to the depths of the adjacent front yards and all applicable policies and guidelines adopted by Council.

4.5 Side Yards

4.5.1 A side yard with a minimum width of 10 percent of the width of the site shall be provided on each side of the building, except that a side yard need not exceed 1.5 m in width.

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 10.27 of this By-law.

4.5.3 The Director of Planning may vary the yard provisions of section 4.5 in the case of Multiple Dwellings or seniors supportive or assisted housing, provided that consideration is first given to all applicable policies and guidelines adopted by Council.

4.6 Rear Yard

4.6.1 A rear yard with a minimum depth of 10.7 m shall be provided.

4.6.2 In the case of a site having an average depth of less than 36.5 m, the depth of the required rear yard may be decreased in accordance with section 10.29 of this By-law.

4.6.3 Where the rear of a site abuts a lane, the depth of the required rear yard may be decreased by the width of that portion of the lane lying between the rear of the site and the ultimate centre line of the lane.

4.6.4 Any second principal building must be located in the rear yard.

4.6.5 The Director of Planning may vary the yard provisions of section 4.6 in the case of Multiple Dwellings or seniors supportive or assisted housing, provided that consideration is first given to all applicable policies and guidelines adopted by Council.

4.7 Floor Space Ratio

4.7.1 On a site without a Character House, the floor space ratio shall not exceed 0.60, except, if consideration is first given to the intent of this Schedule and all applicable policies and guidelines adopted by Council, the Director of Planning may permit an increase to the maximum floor space ratio, as follows:

(a) 0.75 for Two-Family Dwelling or Two-Family Dwelling with Secondary Suite or Lock-off Unit;
(b) 0.75 for One-Family Dwelling or One-Family Dwelling with Secondary Suite on a site with more than one principal building, provided that the floor space ratio for the second principal building located in the rear yard does not exceed 0.25; or
(c) 0.75 for Multiple Dwelling.

4.7.2 On a site with a Character House, if consideration is first given to the intent of this Schedule and all applicable policies and guidelines adopted by Council, the Director of Planning may permit an increase to the maximum floor space ratio, as follows:

(a) 0.75 to facilitate an addition to a Character House; or
(b) 0.85 for Infill in conjunction with retention of a Character House.

4.7.3 Notwithstanding section 4.7.2, where a Character House is demolished in order to allow for new development, the floor space ratio shall not exceed 0.50 and the use is limited to a One-Family Dwelling or a One-Family Dwelling with Secondary Suite, and Laneway House.

4.7.4 Notwithstanding section 4.7.3, where a Character House is demolished in order to allow for new development on an under-utilized lot, the floor space ratio shall be governed by section 4.7.1.

4.7.5 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, elevator shafts, and other features which the Director of Planning considers similar, measured by their gross cross-sectional areas and included in the measurements for each floor at which they are located; and
(c) the floor area of bay windows, regardless of seat height, location on building or relationship to yard setbacks, in excess of the product of the total floor area permitted times 0.01.

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

(a) ~~open residential~~ balconies ~~or~~ and ~~sun~~decks, 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~~ these exclusions does not exceed ~~eight percent~~8% of the ~~permitted residential~~ floor area being provided;
(b) ~~covered verandahs~~ entries, ~~,~~ porches and verandahs and covered porches above the first storey ~~or inset balconies~~, provided that:

(i) the side facing ~~a~~the street or ~~the~~ rear property line is open ~~and that~~or protected by ~~the height of the~~ guard~~s rails do~~ that do not exceed the required minimum height ~~specified in the Vancouver Building By-law~~, and

(ii) the total area of these exclusions, when combined with the balcony and deck exclusions under subsection 4.7.6(a), does not exceed 13% of the floor area being provided~~;~~

(c) patios and roof ~~garden~~decks, provided the Director of Planning first considers the effect on privacy and overlook ~~approves the design of sunroofs and walls~~;

(d) 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 so used, which:

(i) are at or below the base surface, provided that the maximum exclusion for a parking space shall not exceed 7.3 m in length; or

(ii) are above the base surface and where developed as off-street parking are located in an accessory building or a second principal building located in the rear yard, provided that the maximum exclusion for a parking space shall not exceed 42 m^2 and 7.3 m in length.

(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;~~; and~~

(g) fire escapes which are designed to meet City requirements for secondary egress~~.~~; and

(h) unconditioned floor areas with a ceiling height or height to the underside of joists less of than 2.0 m, located below the floors of entries, porches, and verandahs complying with subsection 4.7.6(h), to which there is no access from the interior of any dwelling unit..

4.8 Site Coverage

4.8.1 The maximum site coverage for buildings shall be 45 percent of the site area.

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 ~~sun~~decks.

4.8.3 The maximum site coverage for any portion of the site used for parking shall be 30 percent.

4.9 to 4.15 (Reserved)

4.16 Building Depth

4.16.1 For a One-Family Dwelling or a One-Family Dwelling with Secondary Suite, the maximum distance between the required minimum front yard and the rear of the principal building is 35% of the site depth.

4.16.2 In all other cases, the maximum distance between the required minimum front yard and the rear of the principal building is 45% of the site depth.

4.17 External Design [These regulations apply only to conditional approval uses]

4.17.1 For the purpose of sections 4.17.2 and 4.17.3 the principal facade means the building face that is situated closest to the front property line.

4.17.2 The principal facade shall have:

(a) a maximum height computed on a ratio of 1.3 to 1 with the width of the principal facade;
(b) a maximum width of 9.2 m;
(c) a principal access by means of a straight staircase at right angle to the street, leading to a first-storey porch or open-sided verandah; and
(d) a single principal entrance with single or double doors.

4.17.3 Except for the principal facade, all facades facing the front property line shall be set back at least 3.0 m from the front yard.

4.17.4 All building facades shall be characterized by the following:

(a) the style and form of architecture and exterior finishes to be consistent with those residential buildings in this District listed in the Vancouver Heritage Register; and
(b) the floor of the first storey to be a minimum of .9 m and a maximum of 2.0 m above grade.

4.17.5 Windows shall be characterized by the following:

(a) for renovations or additions to existing buildings and for new construction, windows shall approximately replicate windows on the residential buildings in this District listed in the Vancouver Heritage Register.

4.17.6 Roofs shall be characterized by the following:

(a) gable or hip-on-gable style; and
(b) shingle finish.

4.17.7 The Director of Planning may permit a development which varies from any of the regulations of sections 4.17.1 to 4.17.6 inclusive, provided that:

(a) it is consistent with residential buildings in this District listed in the Vancouver Heritage Register;
(b) a consistent architectural style and form is achieved for every building on the site; and
(c) it reflects the character of the streetscape and is compatible with the design of buildings on adjoining sites.

4.17.8 The Director of Planning may require the retention of any one or more of the following architectural or ornamental features:

(a) window, door and roof decoration;
(b) bay windows;
(c) tower or turret features;
(d) hand rails, balusters;
(e) wood tracery or bargeboard.

4.17.9 The Director of Planning may vary any of the external design regulations under section 4.17 if consideration is first given to:

(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.

4.18 Dwelling Unit Density

4.18.1 For a site which meets the minimum site area requirement for a Multiple Dwelling, or a site with a Character House, the total number of dwelling units shall not exceed 74 units per hectare, including lock-off units and secondary suites, except where the calculation of dwelling

units per hectare results in a fractional number, in which case, the nearest whole number shall be taken and one-half shall be rounded up to the next nearest whole number.

4.18.2 For all other sites, the total number of dwelling units shall not exceed 2, excluding lock-off units and secondary suites.

4.19 Number of Buildings On Site

4.19.1 The Director of Planning may permit more than one principal building on a site, provided that consideration is first given to:

(a) all applicable policies and guidelines adopted by Council;
(b) the height, bulk, location and overall design of the buildings and their effect on the site, surrounding buildings, streets and existing views;
(c) the amount of open space and the effects of overall design on the general amenity of the area; and
(d) the preservation of the architectural character and general amenity desired for the area.

5 Relaxation of Regulations

~~**5.1** The Director of Planning may relax the minimum site area provisions of section 4.1 with respect to any of the following developments if the lot was on record in the Land Title Office for Vancouver prior to August 10, 1976:~~

~~(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;~~
~~(a) Two-Family Dwelling with Secondary Suite or Lock-off Unit; or~~
~~(b) One-Family Dwelling on sites with more than one principal building.~~

~~**5.2** The Director of Planning may relax the area and site coverage limitations for accessory buildings and sections 4.7 and 4.8 of the Parking By-law where the Director of Planning is satisfied that adequate off-street parking on any site less than 36.5 m in depth cannot otherwise be accommodated, provided that in developments where a carport or garage is planned he also has regard to the effect on neighbouring sites of building height, shadow, open space and landscaping.~~

~~**5.3** The Director of Planning may relax the yard provisions of sections 4.5 and 4.6 of this Schedule in the case of Multiple Dwellings or seniors supportive or assisted housing, provided that consideration is first given to all applicable policies and guidelines adopted by Council.~~

5.1~~4~~ The Director of Planning may relax due to unnecessary hardship the yard provisions of sections 4.5 and 4.6 of this Schedule in the case of the placement of more than one principal building on a site, provided that consideration is first given to:

(a) all applicable policies and guidelines adopted by Council;
(b) the height, bulk, location and overall design of the building or buildings and their effect on the site, surrounding buildings, streets and existing views;
(c) the amount of open space and the effect of overall design on the general amenity of the area; and
(d) the preservation of the character and general amenity desired for the area.

~~**5.5** The Director of Planning may relax any of the external design regulations under section 4.17 if consideration is first given to:~~

~~(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.~~

~~**5.6** The Director of Planning may relax the provisions of this District Schedule regarding site area, frontage, height, required yards, site coverage, building depth, external design regulations, and dwelling unit density when a Character House is retained, if consideration is first given to the intent of this Schedule and all applicable Council policies and guidelines.~~

RT-7 District Schedule

1 Intent

The intent of this Schedule is to encourage the retention and renovation of existing buildings which maintain an architectural style and building form consistent with the historical character of the area. Redevelopment will be encouraged on sites where existing buildings are smaller, or do not contribute to this character. For renovations and additions, emphasis is placed on maintaining existing external architectural character; for new development, on compatibility in external character. In all cases, neighbourly building scale and placement is emphasized. The regulations reflect the smaller size of buildings relative to surrounding districts.

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 this 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:
    - (i) 3.1 m in height measured to the highest point of the roof if a flat roof; or
    - (ii) 3.5 m measured 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, except under clause (b) below, no portion of an accessory building may exceed 4.0 m in height;
  - (b) in the case of an accessory building which contains a roof deck or ~~sun~~deck, the Director of Planning may permit an increase in height to allow guards ~~railings the height of which shall~~ that do ~~-~~not exceed the required minimum height~~specified in the Building By-law~~;
  - (c) all accessory buildings are located:
    - (i) within 6.7 m of the ultimate rear property line, or located within the permitted building depth as regulated by section 4.16 of this Schedule, but subject to clause (ii);
    - (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 10.27 of this By-law;
  - (d) the total floor area, measured to the extreme outer limits of the building, of all accessory buildings is not greater than 42 m²;
  - (e) not more than 80 percent of the width of the site at the rear property line of any lot is occupied by accessory buildings;
  - (f) in the case of a site more than 30.5 m in depth, the accessory building does not include a roof deck or ~~sun~~deck.

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

- The Director of Planning may vary the area and site coverage limitations for accessory buildings and sections 4.7 and 4.8 of the Parking By-law where the Director of Planning is satisfied that adequate off-street parking on any site less than 36.5 m in depth cannot otherwise be accommodated, provided that in developments where a carport or garage is

planned the Director of Planning also has regard to the effect on neighbouring sites of building height, shadow, open space and landscaping.

- If the Director of Planning first considers all applicable policies and guidelines adopted by Council, the Director of Planning may increase, for multiple conversion dwellings having three or more units, the floor area of an accessory building permitted under section 2.2A(d), to a maximum of 48 m^2.

2.2.DW [Dwelling]

- Multiple Conversion Dwelling, provided that:

  (a) no additions shall be permitted;
  (b) no housekeeping or sleeping units shall be created;
  (c) the number of dwelling units is limited to two; and
  (d) no development permit shall be issued until the requisite permits required by other by-laws that relate to design, construction and safety of buildings are issuable.

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 Council policies and guidelines; and
(b) the submission of any advisory group, property owner or tenant.

3.2 Uses

3.2.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.AG [Agricultural]

- Urban Farm - Class A.

3.2.C [Cultural and Recreational]

- Community Centre or Neighbourhood House.
- Library in conjunction with a Community Centre.
- Park or Playground.

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

3.2.DW [Dwelling]

- Dwelling Units, up to a maximum of two, in conjunction with a neighbourhood grocery store existing as of July 29, 1980.
- Infill.
- Multiple Conversion Dwelling (other than as provided for in section 2.2.DW of this Schedule,) resulting from the conversion of a building existing as of May 17, 1994, provided that:

  (a) before making a decision, Director of Planning shall consider the quality and livability of the resulting units, the suitability of the building for conversion in terms of age and size, and the effect of the conversion on adjacent properties and the character of the area;
  (b) building additions shall be in keeping with the character of the building; and
  (c) no housekeeping or sleeping units shall be created.

- One-Family Dwelling.
- One-Family Dwelling with Secondary Suite.
- Two-Family Dwelling.
- Seniors Supportive or Assisted Housing.

3.2.I [Institutional]

- Ambulance Station.
- Child Day Care Facility.
- Church.
- Hospital.
- Public Authority Use essential in this District.
- School - Elementary or Secondary.
- Social Service Centre.
- Community Care Facility – Class A, subject to the regulations, variations and relaxations that apply to a one-family dwelling.
- Community Care Facility – Class B.
- Group Residence.

3.2.O [Office]

- Temporary Sales Office.

3.2.R [Retail]

- Farmers' Market. *Compatibility with nearby sites, parking, traffic, noise, hours of operation, size of facility, pedestrian amenity*.
- Neighbourhood Grocery Store existing as of July 29, 1980.
- Public Bike Share.

3.2.S [Service]

- Bed and Breakfast Accommodation.
- Short Term Rental Accommodation.

3.2.U [Utilities 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, a one-family dwelling with secondary suite, or a two-family dwelling shall be 306 m².

4.1.2 The Director of Planning may permit a reduction to the minimum site area provisions of section 4.1 with respect to any of the following developments if the lot was on record in the Land Title Office for Vancouver prior to August 10, 1976:
(a) one-family dwelling;
(b) one-family dwelling with secondary suite;
(c) two-family dwelling.

4.2 Frontage - Not Applicable.

4.3 Height

4.3.1 A building shall not exceed 10.7 m in height and shall not have more than 2 storeys.

4.3.2 The Director of Planning may permit a building to exceed 2 storeys provided the Director of Planning first considers all applicable policies and guidelines adopted by Council.

4.4 Front Yard

4.4.1 A front yard with a minimum depth equal to the average of the minimum front yard depths on the two adjacent sites shall be provided, except that:

(a) where an adjacent site is vacant, the next adjacent site that is not vacant should be used to determine the average;
(b) 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, or the Director of Planning is satisfied that one or more of the adjacent sites is an anomaly, then such adjacent sites shall not be used in computing the average;
(c) where the site is adjacent to a flanking street or lane, the depth shall equal the single adjacent site.

4.4.2 If the Director of Planning first considers all applicable policies and guidelines adopted by Council, the Director of Planning may permit a minimum front yard depth which differs from that required under section 4.4.1.

4.4.3 Entries, porches and verandahs complying with the conditions of subsection 4.7.3(g) are permitted to project a maximum of 1.8 m into the required front yard.

4.5 Side Yards

4.5.1 A side yard with a minimum width of 10 percent of the width of the site shall be provided on each side of the building, except that a side yard need not exceed 1.5 m in width.

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 10.27 of this By-law.

4.5.3 In the case of infill, or where the retention of an existing building is proposed, the Director of Planning may permit a decrease in side yards to no less than 60 percent of the required side yards, provided the Director of Planning first considers all applicable policies and guidelines adopted by Council.

4.6 Rear Yard - Not Applicable.

4.7 Floor Space Ratio

4.7.1 The floor space ratio must not exceed 0.40 except that if the Director of Planning first considers the intent of this District Schedule, all applicable policies and guidelines adopted by Council, and the submissions of all advisory groups, property owners, or tenants, the Director of Planning may permit:

(a) for one-family dwellings, two-family dwellings, infill dwellings, and multiple conversion dwellings:
  (i) an increase in the maximum floor space ratio to a maximum of 0.60;
  (ii) floor space beyond 0.60 provided that there are no building additions and the floor space to be permitted is within the lowest floor, walls, and roof of a building existing as of July 24, 1990, except for floor space additions up to a maximum of 5.0 m², which may be the result of meeting the exiting requirements of the Building By-law or providing additional daylight into existing attic space;
  (iii) a floor space increase up to 5.0 m² beyond the floor space permitted under subclauses (i) and (ii) above, where the proposed development includes the

retention of an existing building and the Director of Planning is satisfied the increase will assist in the retention;

(iv) on sites where the permitted floor space ratio under subclauses (i), (ii), and (iii) above does not result in at least 185 m² of floor space, permit a further increase in the floor space ratio to achieve 185 m²; and

(b) for other uses permitted by this District Schedule, an increase in the maximum floor space ratio to a maximum of 0.60.

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; and

(c) 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~~ and ~~sun~~decks, and any other appurtenances which, in the opinion of the Director of Planning, are similar to the foregoing, provided that the total area of these exclusions does not exceed ~~eight percent~~8% of the ~~permitted residential~~ floor area being provided;

(b) patios and roof decks~~gardens~~, provided the Director of Planning first ~~approves the design of sunroofs and walls;~~considers the effect on privacy and overlook;

(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 6.7 m in length so used, which:

(i) are located in an accessory building located on the site in accordance with section 2.2.A of this schedule or in an infill building, up to a maximum of 42 m²;

(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 area that the Director of Planning may determine, provided the Director of Planning first considers all applicable policies and guidelines adopted by Council;

(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~~;~~; ~~and~~

(g) ~~covered verandas or~~entries, ~~-~~porches and verandahs and covered porches above the first storey, provided that:

(i) the ~~portion~~side facing the street or rear property line ~~shall be~~is open or protected by guards ~~rails the height of which shall~~ that do not exceed the required minimum height ~~specified in the Building By-law~~; and

(ii) the total area of these exclusions, when combined with the balcony and deck exclusions under section 4.7.3(a), does not exceed 13% ~~percent~~ of the ~~permitted floor space~~floor area being provided~~.~~; and

(h) unconditioned floor areas with a ceiling height or height to the underside of joists of less than 2.0 m, located below the floors of entries, porches and verandahs complying with subsection 4.7.3(g), to which there is no access from the interior of the building.

4.7.4 If the rear property line of a corner site adjoins the side yard of a site in an R District, without a lane intervening, the Director of Planning may vary section 4.7 to permit the exclusion of floor space used for off-street parking in the principal building up to a maximum of 42 m².

4.7.5 If the Director of Planning first considers all applicable policies and guidelines adopted by Council, the Director of Planning may increase, for multiple conversion dwellings having three or more units, the excluded parking floor space of an accessory building permitted under section 4.7.3, to a maximum of 48 m².

4.7.6 If the Director of Planning first considers all applicable policies and guidelines adopted by Council, the Director of Planning may increase, for infill buildings, the excluded parking floor space, permitted under section 4.7.3, to a maximum of 48 m².

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4.8 Site Coverage

4.8.1 The maximum site coverage for buildings shall be 45 percent of the site area.

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 ~~sun~~decks.

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.

4.9 to 4.15 (Reserved)

4.16 Building Depth

4.16.1 The maximum distance between the required minimum front yard and the rear of the building shall be 35 percent of the site depth (measured prior to any required lane dedication).

4.16.2 The Director of Planning may permit the building depth measurement to be increased, provided the Director of Planning first considers all applicable policies and guidelines adopted by Council.

4.16.3 The Director of Planning may permit an infill building in the rear yard, provided the Director of Planning first considers all applicable policies and guidelines adopted by Council.

4.17 External Design

4.17.1 A portion of the surface of the ground adjoining a building may be lowered and excluded from the average elevation for the purpose of calculating finished grade, provided that:

(a) the purpose is to provide light or access to a basement or cellar;
(b) the lowered surface does not extend more than 3.1 m into the required front or rear yard; and
(c) 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.

4.18 Dwelling Unit Density

4.18.1 The total number of dwelling units shall not exceed:

(a) for infill: 62 units per hectare;
(b) for multiple conversion dwellings: 74 units per hectare;

and where the calculation of dwelling unit per hectare results in a fractional number, the number shall be rounded down to the nearest whole number.

~~5 Relaxation Of Regulations~~

~~**5.1** The Director of Planning may relax the minimum site area provisions of section 4.1 with respect to any of the following developments if the lot was on record in the Land Title Office for Vancouver prior to August 10, 1976:~~

~~(a) one family dwelling;~~
~~(b) one family dwelling with secondary suite;~~
~~(c) two family dwelling.~~

~~**5.2** The Director of Planning may relax the area and site coverage limitations for accessory buildings and sections 4.7 and 4.8 of the Parking By-law where the Director of Planning is satisfied that adequate off-street parking on any site less than 36.5 m in depth cannot otherwise be accommodated, provided that in developments where a carport or garage is planned the Director of Planning also has regard to the effect on neighbouring sites of building height, shadow, open space and landscaping.~~

~~**5.3** If the rear property line of a corner site adjoins the side yard of a site in an R District, without a lane intervening, the Director of Planning may relax section 4.7 of this District Schedule to permit the exclusion of floor space used for off-street parking in the principal building up to a maximum of 42 m².~~

~~**5.4** If the Director of Planning first considers all applicable policies and guidelines adopted by Council, the Director of Planning may relax:~~

~~(a) for multiple conversion dwellings having three or more units, the floor area of an accessory building, permitted under section 2.2A(d), to a maximum of 48 m²;~~
~~(b) for multiple conversion dwellings having three or more units, the excluded parking floor space of an accessory building, permitted under section 4.7.3, to a maximum of 48 m²;~~
~~(c) for infill buildings, the excluded parking floor space, permitted under section 4.7.3, to a maximum of 48 m².~~

RT-8 District Schedule

1 Intent

The intent of this Schedule is to encourage the retention and renovation of existing buildings which maintain an architectural style and building form consistent with the historical character of the area. Redevelopment will be encouraged on sites where existing buildings are smaller, or do not contribute to this character. For renovations and additions, emphasis is placed on maintaining existing external architectural character; for new development, on compatibility in external character. In all cases, neighbourly building scale and placement is emphasized.

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 this 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:
    - (i) 3.1 m in height measured to the highest point of the roof if a flat roof; or
    - (ii) 3.5 m measured 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 4.0 m in height;
  - (b) in the case of an accessory building which includes a roof deck or deck ~~or sundeck~~ in which case the Director of Planning may permit an increase in height to allow guards ~~railings the height of which shall~~ that do not exceed the required minimum height~~specified in the Building By-law~~;
  - (c) all accessory buildings are located:
    - (i) within 6.7 m of the ultimate rear property line, or located within the permitted building depth as regulated by section 4.16 of this Schedule, but subject to clause (ii);
    - (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 10.27 of this By-law;
  - (d) the total floor area, measured to the extreme outer limits of the building, of all accessory buildings is not greater than 42 m²;
  - (e) not more than 80 percent of the width of the site at the rear property line of any lot is occupied by accessory buildings;
  - (f) in the case of a site more than 30.5 m in depth, the accessory building does not include a roof deck or ~~sun~~deck.

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

- The Director of Planning may vary the area and site coverage limitations for accessory buildings and sections 4.7 and 4.8 of the Parking By-law where the Director of Planning is satisfied that adequate off-street parking on any site less than 36.5 m in depth cannot otherwise be accommodated, provided that in developments where a carport or garage is planned the Director of Planning also has regard to the effect on neighbouring sites of building height, shadow, open space and landscaping.

- If the Director of Planning first considers all applicable policies and guidelines adopted by Council, the Director of Planning may increase, for multiple conversion dwellings having three or more units, the floor area of an accessory building permitted under section 2.2A(d), to a maximum of 48 m^2.

2.2.DW [Dwelling]

- Multiple Conversion Dwelling, provided that:

  (a) no additions shall be permitted;
  (b) no housekeeping or sleeping units shall be created;
  (c) the number of dwelling units is limited to two; and
  (d) no development permit shall be issued until the requisite permits required by other by-laws that relate to design, construction and safety of buildings are issuable.

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 Council policies and guidelines; and
(b) the submission of any advisory group, property owner or tenant.

3.2 Uses

3.2.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.AG [Agricultural]

- Urban Farm - Class A.

3.2.C [Cultural and Recreational]

- Club, provided that no commercial activities are carried on and the use does not adversely impact residential uses.
- Community Centre or Neighbourhood House.
- Library in conjunction with a Community Centre.
- Park or Playground.

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

3.2.DW [Dwelling]

- Dwelling Units, up to a maximum of two, in conjunction with a neighbourhood grocery store existing as of July 29, 1980.
- Infill.
- Multiple Conversion Dwelling (other than as provided for in section 2.2.DW of this Schedule), resulting from the conversion of a building existing as of May 17, 1994, provided that:

  (a) before making a decision the Director of Planning shall consider the quality and livability of the resulting units, the suitability of the building for conversion in terms of age and size, and the effect of the conversion on adjacent properties and the character of the area;
  (b) building additions shall be in keeping with the character of the building; and
  (c) no housekeeping or sleeping units shall be created.

- Multiple Dwelling, subject to the following:
  (a) except in the case of buildings designed specifically for senior citizens' housing or similar use, a minimum of 50 percent of the dwelling units within any building shall contain two or more bedrooms.

- One-Family Dwelling.
- One-Family Dwelling with Secondary Suite.
- Two-Family Dwelling.
- Seniors Supportive or Assisted Housing.

3.2.I [Institutional]

- Ambulance Station.
- Child Day Care Facility.
- Church.
- Hospital.
- Public Authority Use essential in this District.
- School - Elementary or Secondary.
- Social Service Centre.
- Community Care Facility – Class A, subject to the regulations, variations and relaxations that apply to a one-family dwelling.
- Community Care Facility – Class B.
- Group Residence.

3.2.O [Office]

- Temporary Sales Office.

3.2.R [Retail]

- Farmers' Market. *Compatibility with nearby sites, parking, traffic, noise, hours of operation, size of facility, pedestrian amenity*.
- Neighbourhood Grocery Store existing as of July 29, 1980.
- Public Bike Share.

3.2.S [Service]

- Bed and Breakfast Accommodation.
- Short Term Rental Accommodation.

3.2.U [Utilities 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, a one-family dwelling with secondary suite, or a two-family dwelling shall be 306 m².

4.1.2 The Director of Planning may permit a reduction to the minimum site area provisions of section 4.1 with respect to any of the following developments if the lot was on record in the Land Title Office for Vancouver prior to August 10, 1976:

(a) one-family dwelling;

(b) one-family dwelling with secondary suite;

(c) two-family dwelling

4.2 Frontage

4.2.1 The maximum frontage for a site for a multiple dwelling shall be the existing frontage of a single lot which was on record in the Land Title Office for Vancouver prior to May 17, 1994.

4.3 Height

4.3.1 A building shall not exceed 10.7 m in height and shall not have more than 2 storeys.

4.3.2 The Director of Planning may permit a building to exceed 2 storeys provided the Director of Planning first considers all applicable policies and guidelines adopted by Council.

4.4 Front Yard

4.4.1 A front yard with a minimum depth equal to the average of the minimum front yard depths on the two adjacent sites shall be provided, except that:

(a) where an adjacent site is vacant, the next adjacent site that is not vacant should be used to determine the average;
(b) 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, or the Director of Planning is satisfied that one or more of the adjacent sites is an anomaly, then such adjacent sites shall not be used in computing the average;
(c) where the site is adjacent to a flanking street or lane, the depth shall equal the single adjacent site.

4.4.2 If the Director of Planning of Planning first considers all applicable policies and guidelines adopted by Council, the Director of Planning may permit a minimum front yard depth which differs from that required under section 4.4.1.

4,4,3 Entries, porches and verandahs complying with the conditions of subsection 4.7.3(g) are permitted to project a maximum of 1.8 m into the required front yard.

4.5 Side Yards

4.5.1 A side yard with a minimum width of 10 percent of the width of the site shall be provided on each side of the building, except that a side yard need not exceed 1.5 m in width.

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 10.27 of this By-law.

4.5.3 The Director of Planning may permit a decrease in side yards to no less than 60 percent of the required side yards, provided the Director of Planning first considers all applicable policies and guidelines adopted by Council, in the case of:

(a) infill;
(b) multiple dwellings, provided no fewer than 50 percent of the dwelling units within any building contain two or more bedrooms except in the case of a building designed solely for senior citizen housing or other similar use; or
(c) where the proposed development includes the retention of an existing building.

4.6 Rear Yard - Not Applicable.

4.7 Floor Space Ratio

4.7.1 The floor space ratio shall not exceed 0.50, except that if the Director of Planning first considers the intent of this District Schedule, all applicable policies and guidelines adopted by Council, and the submissions of all advisory groups, property owners, or tenants, the Director of Planning may permit:

(a) for one-family dwellings, two-family dwellings, infill dwellings, infill dwellings, multiple conversion dwellings, and multiple dwellings or seniors supportive or assisted housing:
   (i) an increase in the maximum floor space ratio to a maximum of 0.75
   (ii) floor space beyond 0.75 provided that there are no building additions and the floor space to be permitted is within the lowest floor, walls, and roof of a building existing as of July 24, 1990, except for floor space additions up to a maximum of 5.0 m², which may be the result of meeting the exiting requirements of the Building By-law or providing additional daylight into existing attic space,
   (iii) a floor space increase up to 5.0 m² beyond the floor space permitted under subclauses (i) and (ii) above, where the proposed development includes the retention of an existing building and the Director of Planning is satisfied the increase will assist in the retention,
   (iv) on sites where the permitted floor space ratio under subclauses (i), (ii), and does not result in at least 185 m² of floor space, permit a further increase in the floor space ratio to achieve 185 m²; and

(b) for other uses permitted by this District Schedule, an increase in the maximum floor space ratio to a maximum of 0.60.

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; and
(c) 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~~ and ~~sun~~decks, and any other appurtenances which, in the opinion of the Director of Planning, are similar to the foregoing, provided that the total area of these exclusions does not exceed ~~eight percent~~8% of the ~~permitted residential~~ floor area being provided;
(b) patios and roof ~~gardens~~decks, provided the Director of Planning first ~~approves the design of sunroofs and walls~~considers the effect on privacy and overlook;
(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 6.7 m in length so used, which:
   (i) are located in an accessory building located on the site in accordance with section 2.2.A of this schedule or in an infill building, up to a maximum of 42 m²;
   (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 area that the Director of Planning may determine, provided the Director of Planning first considers all applicable policies and guidelines adopted by Council;
(d) amenity areas in multiple conversion dwellings containing 3 or more dwelling units or in multiple dwellings, including child day care facilities, recreation facilities and meeting rooms, provided that:

(i) the total area being excluded shall not exceed 10 percent of the total permitted floor area; and

(ii) in the case of child day care facilities, 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~~;~~; ~~and~~

(g) ~~covered verandas or~~entries, ~~-~~porches and verandahs and covered porches above the first storey, provided that:

(i) the side ~~portion~~ facing the street or rear property line ~~shall be~~is open or protected by guards ~~rails the height of which shall~~ that do ~~-~~not exceed the required minimum height ~~specified in the Building By-law~~; and

(ii) the total area of these exclusions, when combined with the balcony and deck exclusions under section 4.7.3(a), does not exceed 13% ~~percent~~ of the ~~permitted floor space~~floor area being provided~~.~~; and

(h) unconditioned floor areas with a ceiling height or height to the underside of joists of less than 2.0 m, located below the floors of entries, porches and verandahs complying with subsection 4.7.3(g), provided there is no access from the interior of the building.

4.7.4 If the rear property line of a corner site adjoins the side yard of a site in an R District, without a lane intervening, the Director of Planning may vary section 4.7 to permit the exclusion of floor space used for off-street parking in the principal building up to a maximum of 42 m².

4.7.5 If the Director of Planning first considers all applicable policies and guidelines adopted by Council, the Director of Planning may increase, for multiple conversion dwellings having three or more units, the excluded parking floor space of an accessory building permitted under section 4.7.3, to a maximum of 48 m².

4.7.6 If the Director of Planning first considers all applicable policies and guidelines adopted by Council, the Director of Planning may increase, for infill buildings, the excluded parking floor space, permitted under section 4.7.3, to a maximum of 48 m².

4.8 Site Coverage

4.8.1 The maximum site coverage for buildings shall be 45 percent of the site area.

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 ~~sun~~decks.

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.

4.9 to 4.15 (Reserved)

4.16 Building Depth

4.16.1 The maximum distance between the required minimum front yard and the rear of the building shall be 35 percent of the site depth (measured prior to any required lane dedication).

4.16.2 The Director of Planning may permit the maximum building depth to be increased, provided the Director of Planning first considers all applicable policies and guidelines adopted by Council.

4.16.3 The Director of Planning may permit an infill building in the rear yard, after first considering all applicable policies and guidelines adopted by Council.

4.17 External Design

4.17.1 A portion of the surface of the ground adjoining a building may be lowered and excluded from the average elevation for the purpose of calculating finished grade, provided that:

(a) the purpose is to provide light or access to a basement or cellar;
(b) the lowered surface does not extend more than 3.1 m into the required front or rear yard; and
(c) 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.

4.18 Dwelling Unit Density

4.18.1 The total number of dwelling units shall not exceed:

(a)	for multiple conversion dwellings and infill:	74 units per hectare;
(b)	for multiple dwellings:	62 units per hectare;

except where the calculation of dwelling units per hectare results in a fractional number, in which case, the nearest whole number shall be taken and one-half shall be rounded up to the next nearest whole number.

~~5 Relaxation of Regulations~~

~~**5.1** The Director of Planning may relax the minimum site area provisions of section 4.1 with respect to any of the following developments if the lot was on record in the Land Title Office for Vancouver prior to August 10, 1976:~~

~~(a) one-family dwelling;~~
~~(b) one-family dwelling with secondary suite;~~
~~(c) two-family dwelling.~~

~~**5.2** The Director of Planning may relax the area and site coverage limitations for accessory buildings and sections 4.7 and 4.8 of the Parking By-law where the Director of Planning is satisfied that adequate off-street parking on any site less than 36.5 m in depth cannot otherwise be accommodated, provided that in developments where a carport or garage is planned the Director of Planning also has regard to the effect on neighbouring sites of building height, shadow, open space and landscaping.~~

~~**5.3** If the rear property line of a corner site adjoins the side yard of a site in an R District, without a lane intervening, the Director of Planning may relax section 4.7 of this District Schedule to permit the exclusion of floor space used for off-street parking in the principal building up to a maximum of 42 m².~~

~~**5.4** If the Director of Planning first considers all applicable policies and guidelines adopted by Council, the Director of Planning may relax:~~

~~(a) for multiple conversion dwellings having three or more units, the floor area of an accessory building, permitted under section 2.2A(d), to a maximum of 48 m²;~~

~~(b) for multiple conversion dwellings having three or more units, the excluded parking floor space of an accessory building, permitted under section 4.7.3, to a maximum of 48 m²;~~

~~(c) for infill buildings, the excluded parking floor space, permitted under section 4.7.3, to a maximum of 48 m².~~

RT-9 District Schedule

1 Intent

The intent this Schedule is to encourage new development with a diversity of character and neighbourly building scale and placement. The retention and renovation of existing buildings is also permitted on sites where buildings have historical or architectural merit.

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 this 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 3.1 m in height measured to the highest point of the roof if a flat roof, or 3.7 m measured 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 located:

  (i) within 6.7 m of the ultimate rear property line, or located within the permitted building depth as regulated by section 4.9 of this Schedule; but subject to clause (ii);

  (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 10.27 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 48 m²;

  (d) not more than 80 percent of the width of the site at the rear property line of any lot is occupied by accessory buildings;

  (e) roof decks ~~and sun~~decks are not located on an accessory building, unless the site depth is 30.5 m or less, in which case the Director of Planning may ~~also~~ permit an increase in height of a flat roof to allow guards ~~open deck railings the height of which shall~~ that do not exceed the required minimum height~~specified in the Building By-law~~.

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

- The Director of Planning may vary the area and site coverage limitations for accessory buildings and sections 4.7 and 4.8 of the Parking By-law where the Director of Planning is satisfied that adequate off-street parking on any site less than 36.5 m in depth cannot otherwise be accommodated, provided that in developments where a carport or garage is planned the Director of Planning also has regard to the effect on neighbouring sites of building height, shadow, open space and landscaping.

2.2.DW [Dwelling]

- Multiple Conversion Dwelling, provided that:

  (a) no additions shall be permitted;

  (b) no housekeeping or sleeping units shall be created;

(c) the number of dwelling units is limited to two; and
(d) no development permit shall be issued until the requisite permits required by other by-laws that relate to design, construction and safety of buildings is issuable.

- One-Family Dwelling.
- Two-Family Dwelling.

2.2.I [Institutional]

- Community Care Facility – Class A, subject to the regulations, variations 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 Council policies and guidelines; and
(b) the submission of any advisory group, property owner or tenant.

3.2 Uses

3.2.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.AG [Agricultural]

- Urban Farm - Class A.

3.2.C [Cultural and Recreational]

- Club, provided that no commercial activities are carried on and the use does not adversely impact residential uses.
- Community Centre or Neighbourhood House.
- Library in conjunction with a Community Centre.
- Park or Playground.

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

3.2.DW [Dwelling]

- Dwelling Units, up to a maximum of two, in conjunction with a neighbourhood grocery store existing as of July 29, 1980.
- Multiple Conversion Dwelling (other than as provided for in section 2.2.DW of this Schedule), resulting from the conversion of a building existing as of December 6, 1977, provided that:

  (a) before making a decision the Director of Planning shall consider the quality and livability of the resulting units, the suitability of the building for conversion in terms of age and size, and the effect of the conversion on adjacent properties and the character of the area;
  (b) building additions shall be in keeping with the character of the building; and
  (c) no housekeeping or sleeping units shall be created.

- One-Family Dwelling with Secondary Suite.
- Seniors Supportive or Assisted Housing.

3.2.I [Institutional]

- Ambulance Station.
- Child Day Care Facility.
- Church.
- Hospital.
- Public Authority Use essential in this District.

- School - Elementary or Secondary.
- Social Service Centre.
- Community Care Facility – Class B.
- Group Residence.

3.2.O [Office]

- Temporary Sales Office.

3.2.R [Retail]

- Farmers' Market. *Compatibility with nearby sites, parking, traffic, noise, hours of operation, size of facility, pedestrian amenity*.
- Neighbourhood Grocery Store existing as of July 29, 1980.
- Public Bike Share.

3.2.S [Service]

- Bed and Breakfast Accommodation.
- Short Term Rental Accommodation.

3.2.U [Utilities 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, a one-family dwelling with secondary suite, or a two-family dwelling shall be 306 m².

4.1.2 The Director of Planning may permit a reduction to the minimum site area provisions of section 4.1 with respect to any of the following developments if the lot was on record in the Land Title Office for Vancouver prior to August 10, 1976:

(a) one-family dwelling;

(b) one-family dwelling with secondary suite;

(c) two-family dwelling.

4.2 Frontage - Not applicable.

4.3 Height

4.3.1 A building shall not exceed 10.7 m in height and shall not have more than 2½ storeys.

4.4 Front Yard

4.4.1 A front yard with a minimum depth equal to the average of the minimum front yard depths on the two adjacent sites shall be provided, except that:

(a) where an adjacent site is vacant, the next adjacent site that is not vacant should be used to determine the average;

(b) 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;
(c) where the site is adjacent to a flanking street or lane, the depth shall equal the single adjacent site.

4.4.2 The Director of Planning may permit a different minimum front yard than prescribed in section 4.4.1 provided the Director of Planning first considers all applicable policies and guidelines adopted by Council.

4,4,3 Entries, porches and verandahs complying with the conditions of subsection 4.7.3(g) are permitted to project a maximum of 1.8 m into the required front yard.

4.5 Side Yards

4.5.1 A side yard with a minimum width of 10 percent of the width of the site shall be provided on each side of the building, except that a side yard need not exceed 1.5 m in width.

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 10.27 of this By-law.

4.6 Rear Yard - Not Applicable.

4.7 Floor Space Ratio

4.7.1 The floor space ratio shall not exceed 0.60, except that for one- and two-family dwellings and multiple conversion dwellings:

(a) the Director of Planning may permit an increase in the maximum floor space ratio to a maximum of 0.75, provided the Director of Planning first considers the intent of this Schedule and all applicable policies and guidelines adopted by Council and the submission of any advisory group, property owner or tenant.
(b) the Director of Planning may permit floor space beyond that permitted under clause (a) provided that:
  (i) there are no building additions, and the floor space to be permitted is within the walls and roof of a building existing as of November 2, 1993 except for floor space additions which may be the result of meeting the exiting requirements of the Building By-law or providing additional daylight into existing attic space; and
  (ii) the Director of Planning first considers all applicable policies and guidelines adopted by Council, and the submission of any advisory group, property owner, or tenant.

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; and
(c) 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~~ and ~~sun~~decks, and any other appurtenances which, in the opinion of the Director of Planning, are similar to the foregoing, provided that the total area of these exclusions does not exceed ~~eight percent~~8% of the ~~permitted residential~~ floor area being provided;

(b) patios and roof decks~~gardens~~, provided the Director of Planning first ~~approves the design of sunroofs and walls;~~considers the effect on privacy and overlook;

(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 there so used, which:

(i) are at or below the base surface, provided that the maximum exclusion for a parking space shall not exceed 6.7 m in length; or

(ii) are above the base surface and where developed as off-street parking are located in an accessory building situated on the site in accordance with section 2.2.A of this Schedule, provided that the maximum exclusion for a parking space shall not exceed 6.7 m in length;

(d) amenity areas in multiple conversion dwellings containing 3 or more units, or in multiple dwellings, including child day care facilities, recreation facilities and meeting rooms, to a maximum total area of 10 percent of the total permitted floor area; and in the case of child day care facilities, 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~~;~~; ~~and~~

(g) ~~covered~~entries, ~~verandas or~~ porches and verandahs and covered porches above the first storey, provided that:

(i) the side ~~portion~~ facing the street or rear property line is ~~shall be~~ open or protected by guards ~~rails the height of which shall~~ that do not exceed the required minimum height ~~specified in the Building By-law~~; and

(ii) ~~the total area being excluded does not exceed 5 percent of the permitted floor space~~ the total area of these exclusions, when combined with the balcony and deck exclusions under subsection 4.7.3(a), does not exceed 13% of the floor area being provided~~.~~; and

(h) unconditioned floor areas with a ceiling height or height to the underside of joists of less than 2.0 m, located below the floors of entries, porches and verandahs complying with subsection 4.7.3(g), to which there is no access from the interior of the building..

4.8 Site Coverage

4.8.1 The maximum site coverage for buildings shall be 45 percent of the site area.

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 ~~sun~~decks.

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.

4.9 to 4.15 (Reserved)

4.16 Building Depth

4.16.1 The maximum building depth shall be 40 percent of the site depth (measured prior to any required lane dedication).

4.16.2 The Director of Planning may permit the maximum building depth to be increased, provided the Director of Planning first considers all applicable policies and guidelines adopted by Council.

4.17 External Design - Not Applicable.

4.18 Dwelling Unit Density

4.18.1 The total number of dwelling units for multiple conversion dwellings shall not exceed 74 units per hectare, except where the calculation of dwelling units per hectare results in a fractional number, the number of units shall be rounded down.

~~5 Relaxation of Regulations~~

~~**5.1** The Director of Planning may relax the minimum site area provisions of section 4.1 with respect to any of the following developments if the lot was on record in the Land Title Office for Vancouver prior to August 10, 1976:~~

~~(a) one-family dwelling;~~
~~(b) one-family dwelling with secondary suite;~~
~~(c) two-family dwelling.~~

~~**5.2** The Director of Planning may relax the area and site coverage limitations for accessory buildings and sections 4.7 and 4.8 of the Parking By-law where the Director of Planning is satisfied that adequate off-street parking on any site less than 36.5 m in depth cannot otherwise be accommodated, provided that in developments where a carport or garage is planned the Director of Planning also has regard to the effect on neighbouring sites of building height, shadow, open space and landscaping.~~

RT-10 and RT-10N Districts Schedule

1 Intent

The intent of this Schedule is to encourage development of multiple small houses and duplexes on large lots and assembled sites, while continuing to permit lower intensity development on smaller sites. Siting and massing is intended to be compatible with, but not the same as, pre-existing single family development. Retention of older character buildings and high quality architectural design of all new development are encouraged.

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 this 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, or 3.7 m measured 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 located:
    (i) within 7.1 m of the ultimate rear property line, but subject to clause (ii);
    (ii) in no case less than 3.6 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 10.27 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 48 m²;
  (d) not more than 80 percent of the width of the site at the rear property line of any lot is occupied by accessory buildings; and
  (e) roof decks and ~~sun~~decks are not located on an accessory building.

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

- The Director of Planning may vary the area and site coverage limitations for accessory buildings and sections 4.7 and 4.8 of the Parking By-law where the Director of Planning is satisfied that adequate off-street parking on any site less than 36.5 m in depth cannot otherwise be accommodated, provided that in developments where a carport or garage is planned the Director of Planning also has regard to the effect on neighbouring sites of building height, shadow, open space and landscaping.

2.2.DW [Dwelling]

- Multiple Conversion Dwelling, provided that:

  (a) no additions shall be permitted;
  (b) no housekeeping or sleeping units shall be created;
  (c) the number of dwelling units is limited to two; and
  (d) no development permit shall be issued until the requisite permits required by other By-laws that relate to design, construction, and safety of buildings is issuable.

- One-Family Dwelling.

2.2.I [Institutional]

- Community Care Facility – Class A, subject to the regulations, variations 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 Council policies and guidelines; and
(b) the submission of any advisory group, property owner or tenant.

3.2 Uses

3.2.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.AG [Agricultural]

- Urban Farm - Class A.

3.2.C [Cultural and Recreational]

- Club, provided that no commercial activities are carried on and the use does not adversely impact residential uses.
- Community Centre or Neighbourhood House.
- Library in conjunction with a Community Centre.
- Park or Playground.

3.2.D Deposition or extraction of material so as to alter the configuration of the land.

3.2.DW [Dwelling]

- Dwelling Units, up to a maximum of two, in conjunction with a neighbourhood grocery store existing as of July 29, 1980.
- Infill One-Family Dwelling.
- Infill Two-Family Dwelling.
- Multiple Conversion Dwelling (other than as provided for in section 2.2.DW of this Schedule), resulting from the conversion of a building existing as of November 23, 2005.
- One-Family Dwelling with Secondary Suite.
- Two-Family Dwelling.
- Seniors Supportive or Assisted Housing.

3.2.I [Institutional]

- Ambulance Station.
- Child Day Care Facility.
- Church.
- Hospital.
- Public Authority Use essential in this District.
- School - Elementary or Secondary.
- Social Service Centre.
- Community Care Facility – Class B.
- Group Residence.

3.2.O [Office]

- Temporary Sales Office.

3.2.R [Retail]

- Farmers' Market. *Compatibility with nearby sites, parking, traffic, noise, hours of operation, size of facility, pedestrian amenity*.
- Neighbourhood Grocery Store existing as of July 29, 1980.
- Public Bike Share.

3.2.S [Service]

- Bed and Breakfast Accommodation.
- Short Term Rental Accommodation.

3.2.U [Utilities 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 one-family dwelling, one-family dwelling with secondary suite, multiple conversion dwelling, two-family dwelling, or any of these in combination with an infill one-family dwelling and infill two-family dwelling, shall be 306 m².

4.1.2 Notwithstanding section 10.5 of this By-law, the Director of Planning may permit sites with a minimum site area of 511 m², and conforming to section 4.2.1, to have more than one principal building, provided the Director of Planning first considers all applicable policies and guidelines adopted by Council.

4.1.3 The Director of Planning may permit a reduction to the minimum site area provisions of section 4.1 with respect to any of the following developments if the lot was on record in the Land Title Office for Vancouver prior to November 23, 2005:

(a) one-family dwelling;
(b) one-family dwelling with secondary suite;
(c) two-family dwelling.

4.2 Frontage

4.2.1 Notwithstanding section 10.5 of this By-law, the Director of Planning may permit sites with a minimum frontage of 15.0 m and conforming to section 4.1.2, to have more than one principal building, provided the Director of Planning first considers all applicable policies and guidelines adopted by Council.

4.3 Height

4.3.1 A building shall not exceed 10.7 m in height in the front 60% of the site depth, and 7.7 m in the rear 40% of the site depth, except that the Director of Planning may vary the maximum height provided the Director of Planning first considers all applicable policies and guidelines adopted by Council.

4.3.2 A building shall not have more than 2 storeys, except that the Director of Planning may permit a building to exceed 2 storeys provided the Director of Planning first considers all applicable policies and guidelines adopted by Council.

4.4 Front Yard

4.4.1 On sites with a frontage greater than 18.3 m, with more than one principal building, a front yard with a minimum depth of 4.9 m shall be provided.

4.4.2 On other sites, a front yard with a minimum depth equal to the average of the minimum front yard depths on the two adjacent sites shall be provided, except that:

(a) where an adjacent site is vacant, the next adjacent site that is not vacant should be used to determine the average;
(b) if one or more of the adjacent sites front on a street other than that of the development site, or the adjacent sites area separated by a street or lane, or the Director of Planning is satisfied that one or more of the adjacent sites is an anomaly, then such adjacent sites shall not be used in computing the average;
(c) where the site is adjacent to a flanking street or lane, the depth shall equal the single adjacent site.

4.4.3 Provided the Director of Planning first considers all applicable policies and guidelines adopted by Council, the Director of Planning may vary the front yard requirement on a corner site; on a double fronting site; on a site where a building line has been established pursuant to section 14.1 of this By-Law; and on other sites.

4.4.4 ~~Covered~~ Entries, porches and verandahs complying with section 4.7.3 (f) shall be permitted to project into the required front yard a maximum of 1.~~2~~8 m.

4.4.5 Notwithstanding the provisions of section 10.32.1 (b) of this By-law, eaves and gutters or other similar projections as determined by the Director of Planning may project into the minimum front yard to a maximum of 1.0 m measured horizontally.

4.5 Side Yards

4.5.1 A side yard with a minimum width of 10 percent of the width of the site shall be provided on each side of the buildings, except that the side yard need not exceed 1.2 m in width.

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 a minimum of 2.4 m.

4.5.3 On all sites, an additional side yard with a minimum width of 4.9 m and minimum length equal to 25 percent of the site depth shall also be provided on each side of the site. Each of these side yards shall be located so that its rear boundary is not less than 6.7 m, nor more than a distance equal to 35 percent of the site depth, from the ultimate rear property line.

4.5.4 Provided the Director of Planning first considers all applicable policies and guidelines adopted by Council, the Director of Planning may vary the side yard requirements on a corner site; on a double fronting site; on a site where a building line has been established pursuant to section 14.1 of this By-Law; and on other sites.

4.5.5 Notwithstanding the provisions of section 10.32 of this By-law, the following shall be permitted to project into the required side yards:

(a) ~~covered~~entries, porches and verandahs complying with section 4.7.3 (f) to a maximum of 1.2 m, where a side yard of at least 2.4 m in width has been provided; and
(b) eaves and gutters or other similar projections as determined by the Director of Planning, up to a maximum of 1.0 m measured horizontally, except that they must not be closer than 0.7 m to a side property line.

4.5.6 Notwithstanding the provisions of section 10.32 of this By-law, and provided the Director of Planning first considers all the applicable policies and guidelines adopted by Council, the Director of Planning may permit other projections into the required side yards.

4.6 Rear Yard

4.6.1 A rear yard with a minimum depth of 0.6 m shall be provided. Where the rear property line abuts a lane that is only partially dedicated, or where a lane dedication is required, the rear yard to be provided shall be measured from the ultimate rear property line.

4.6.2 Where the rear property line does not abut a lane, and a lane dedication is not required, a rear yard with a minimum depth of 1.2 m shall be provided, but the Director of Planning may increase the required rear yard provided the Director of Planning first considers all applicable policies and guidelines adopted by Council.

4.6.3 Notwithstanding the provisions of section 10.32.1 (b) of this By-law, eaves and gutters or other similar projections as determined by the Director of Planning may project into a minimum rear yard to a maximum of 1.0 m measured horizontally.

4.7 Floor Space Ratio

4.7.1 The floor space ratio shall not exceed 0.40, except that provided the Director of Planning first considers the intent of this District Schedule, all applicable policies and guidelines adopted by Council, and the submissions of all advisory groups, property owners or tenants, the Director of Planning may permit:

(a) for dwelling uses, an increase in the floor space ratio up to a maximum 0.80 [refer to RT-10 and RT-10N Small House/Duplex Guidelines];
(b) for other uses permitted by this District Schedule, an increase in the floor space ratio up to a maximum of 0.60 for all these uses combined.

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; 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~~ and ~~sun~~decks, and any other appurtenances which, in the opinion of the Director of Planning, are similar to the foregoing, provided that the total area of these exclusions does not exceed ~~eight percent~~8% of the ~~permitted residential~~ floor area being provided;
(b) patios and roof decks~~gardens~~, provided the Director of Planning first ~~approves the design of sunroofs and walls~~considers the effect on privacy and overlook;
(c) where floors are used for off-street parking and loading, bicycle storage in multiple conversion dwellings containing 3 or more units 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) for dwelling uses, on sites with only one principal building, are located in an accessory building located on the site in accordance with section 2.2.A of this Schedule or in an infill building up to a maximum of 48 m²;

(ii) for dwelling uses, on sites with no developed secondary access and with only one principal building, are located in a principal building, an accessory building, or infill building up to a maximum area that the Director of Planning may determine provided the Director of Planning first considers all applicable policies and guidelines adopted by Council;

(iii) for dwelling uses, on sites with more than one principal building, are located in a principal building or an accessory building up to a maximum area of 24 m² per dwelling unit;

(iv) for dwelling uses, on sites with no developed secondary access and with more than one principal building, are located in a principal building, or an accessory building up to a maximum area that the Director of Planning may determine provided the Director of Planning first considers all applicable polices and guidelines adopted by Council;

(v) for non-dwelling uses, are located at or below base surface;

(d) 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; ~~or~~

(iii) ~~under covered verandas or porches as described in section (f) below, and to which there is no permanent means of access~~;

(e) floors located at or below finished grade with a ceiling height of less than 1.2 m; ~~; and~~

(f) ~~covered~~ entries, ~~verandas~~ ~~or~~ porches and covered porches above the first storey~~,~~ provided that:

(i) the ~~portion~~side facing the street, rear property line, or common open space ~~shall be~~is open or protected by guards ~~rails the height of which shall~~ that do not exceed the required minimum height ~~specified in the Building By-law~~;

(ii) the total area of these exclusions, when combined with the balcony and deck exclusions under section 4.7.3 (a), does not exceed 13% of the ~~permitted floor space~~ floor area being provided; and

(iii) the ceiling height, excluding roof structures, of the total area being excluded does not exceed 3.1 m measured from the entry, porch or verandah floor~~.~~; and

(g) unconditioned floor areas with a ceiling height or height to the underside of joists of less than 2.0 m, located below the floors of entries, porches and verandahs complying with subsection 4.7.3(f), to which there is no access from the interior of the building.

4.8 Site Coverage

4.8.1 The maximum site coverage for buildings shall be 45 percent of the site area.

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 ~~sun~~decks.

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%.

4.8.4 The area of impermeable materials, including building coverage, shall not exceed 70 percent of the total site area.

4.8.5 For the purposes of section 4.8.4, the following materials shall be considered impermeable: the projected area of the outside of the outermost walls of all buildings including carports, ~~covered~~entries, porches~~-~~ and verandahs ~~and entries~~; asphalt; concrete; brick; stone; and wood.

4.8.6 Notwithstanding section 4.8.5, gravel, river rock less than 5 cm in size, wood chips, bark mulch, permeable pavers, wood decking with spaced boards 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 to the soil below, are excluded from the area of impermeable materials.

4.9 to 4.14 (Reserved)

4.15 Acoustics

4.15.1 A development permit application for a dwelling use in RT-10N District shall require evidence in the form of a report and recommendation by persons trained in acoustics and current techniques of noise measurements, demonstrating that the noise levels expressed in decibels in those portions of the dwelling units listed below shall not exceed the noise levels expressed in decibels set opposite such portions of the dwelling units. For the purposes of this section the noise level is the A-weighted 24-hour equivalent (Leq) sound level and will be defined simply as the noise level in decibels.

Portions of dwelling units	**Noise levels (Decibels)**
bedrooms	35
living, dining, recreation rooms	40
kitchen, bathrooms, hallways	45

4.16 Building Depth

4.16.1 For sites where there is one principal building or one principal building with infill, the maximum distance between the required minimum front yard and the rear of the principal building shall be 40 % of the site depth (measured prior to any required lane dedication).

4.16.2 The Director of Planning may permit the maximum building depth to be increased, provided the Director of Planning first considers all applicable policies and guidelines adopted by Council.

4.17 External Design

4.17.1 A portion of the surface of the ground adjoining a building may be lowered and excluded from the average elevation for the purpose of calculating finished grade, when the purpose is to provide light or access to a basement or cellar, provided that:

(a) the lowered surface does not extend more than 3.1 m from the building;
(b) that portion of the building abutting the lowered surface, is not greater than half the width of the building, or 4.6 m, whichever is the lesser; and
(c) the lowered surface does not extend into the 1.2 m side yard or as prescribed in section 4.5.1.

4.18 Dwelling Unit Density

4.18.1 On sites 18.3 m or more in frontage, the total number of dwelling units shall not exceed 74 units per hectare except that where the calculation of dwelling units per hectare results in a fractional number the number shall be rounded down.

4.18.2 On sites equal to or greater than 15.0 m but less than 18.3 m, in frontage, the total number of dwelling units shall not exceed three.

4.18.3 On sites with less than 15.0 m in frontage, the total number of dwelling units shall not exceed two, except that the Director of Planning may increase this to 3 units provided the Director of Planning first considers all applicable policies and guidelines adopted by Council.

4.18.4 The Director of Planning may vary the number of dwelling units resulting from sections 4.18.1, 4.18.2, and 4.18.3 provided the Director of Planning first considers all applicable policies and guidelines adopted by Council.

~~5 Relaxation of Regulations~~

~~**5.1** The Director of Planning may relax the minimum site area provisions of section 4.1 with respect to any of the following developments if the lot was on record in the Land Title Office for Vancouver prior to November 23, 2005:~~

~~(a) one family dwelling;~~
~~(b) one family dwelling with secondary suite;~~
~~(c) two family dwelling.~~

~~**5.2** The Director of Planning may relax the area and site coverage limitations for accessory buildings and sections 4.7 and 4.8 of the Parking By-law where the Director of Planning is satisfied that adequate off-street parking on any site less than 36.5 m in depth cannot otherwise be accommodated, provided that in developments where a carport or garage is planned the Director of Planning also has regard to the effect on neighbouring sites of building height, shadow, open space and landscaping.~~

RT-11 and RT-11N Districts Schedules

1 Intent

The intent of this schedule is to allow a variety of housing options by encouraging development of multiple small houses and duplexes on larger lots and assembled sites, while continuing to permit lower intensity development on smaller sites. Siting and massing are intended to be compatible with, but not the same as, pre-existing single family development. Laneway houses, secondary suites, and lock-off units are permitted, within limits, to provide flexible housing choices. Retention of character buildings and high quality architectural design of new development is encouraged. The RT-11N District differs from the RT-11 District because it requires evidence of noise mitigation for residential development.

Individual one-family dwellings and one-family dwellings with a secondary suite (with or without a laneway house) are permitted uses; however, where developed as the only principal building on a site, these uses are regulated by the RS-1 District Schedule.

2 Outright Approval Uses

2.1 Subject to all other provisions of this by-law and this schedule, the uses listed in section 2.2 are permitted in this district and will be issued a permit.

2.2 Uses

2.2.A

- Accessory Buildings customarily ancillary to any of the uses listed in this schedule, provided that:

  (a) no accessory building exceeds 3.7 m in height, measured to the highest point of the roof if a flat roof, to the deck line of a mansard roof, or to the mean height of the level between the eaves and the ridge of a gable, hip or gambrel roof, except that no portion of an accessory building may exceed 4.6 m in height;

  (b) all accessory buildings are located:
  - (i) within 7.9 m of the ultimate rear property line, and
  - (ii) no less than 3.6 m from the ultimate centre line of any rear or flanking lane and 1.5 m from a flanking street, and
  - (iii) comply with section 10.27 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 48 m^2, except that:
  - (i) floor area previously excluded from existing development pursuant to section 4.7.4 (c) of this schedule, and
  - (ii) the floor area of a laneway house,

  must be deducted from the total allowable accessory building floor area;

  (d) not more than 80% of the width of the site at the rear property line of any lot is occupied by accessory buildings; and

  (e) roof decks and ~~sun~~decks are not located on an accessory building.

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

2.2.DW [Dwelling]

- Multiple Conversion Dwelling, provided that:
  - (a) no additions are permitted;
  - (b) no housekeeping or sleeping units are created;
  - (c) there are no more than two dwelling units;
  - (d) the development complies with section 4.8 of this schedule; and
  - (e) no development permit will be issued until the requisite permits required by other by-laws that relate to design, construction, and safety of buildings are issuable.

- One-Family Dwelling which complies with the current RS-1 District Schedule, provided that the one-family dwelling is the only principal building on the site.

- Two-Family Dwelling.

2.2.I [Institutional]

- Community Care Facility – Class A, subject to the regulations, variations 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 Council policies and guidelines; and
(b) the submission of any advisory group, property owner or tenant.

3.2 Uses

3.2.A

- Accessory Buildings not provided for in section 2.2.A of this schedule and customarily ancillary to any of the uses listed in this schedule.
- Accessory Uses customarily ancillary to any of the uses listed in this section.

3.2.AG [Agricultural]

- Urban Farm - Class A.

3.2.C [Cultural and Recreational]

- Club.
- Community Centre or Neighbourhood House.
- Library in conjunction with a Community Centre.
- Park or Playground.

3.2.D

- Deposition or extraction of material which alters the configuration of the land.

3.2.DW [Dwelling]

- Dwelling Units, up to a maximum of two, in conjunction with a Neighbourhood Grocery Store existing as of July 29, 1980.

- Infill One-Family Dwelling, provided that:

  - (a) it is in conjunction with the retention of a building existing on the site prior to January 1, 1940; or
  - (b) the site meets one of the following criteria:
    - (i) the rear or side property line of the site abuts a park or school site, with or without the intervention of a lane,

ii) the site is a corner site, or
(iii) the site is a double fronting site.

- Infill Two-Family Dwelling, provided that it is in conjunction with the retention of a building existing on the site prior to January 1, 1940.

- Laneway House.

- Multiple Conversion Dwelling not provided for in section 2.2.DW of this schedule, resulting from the conversion of a building existing as of May 15, 2013, provided that:

  (a) the Director of Planning first considers the quality and liveability of the resulting units, the suitability of the building for conversion in terms of age and size and the effect of the conversion on adjacent properties;
  (b) additions are not permitted for buildings constructed on or after January 1, 1940, except additions up to a maximum of 5.0 m^2 used as exits;
  (c) no housekeeping or sleeping units are created; and
  (d) there are no more than three dwelling units.

- One-Family Dwelling on sites with more than one principal building, in accordance with sections 4.1.3 and 4.1.4 of this schedule.

- One-Family Dwelling with Secondary Suite, on sites with one principal building, which complies with the current RS-1 District Schedule.

- One-Family Dwelling with Secondary Suite on sites with more than one principal building, in accordance with sections 4.1.3 and 4.1.4 of this schedule.

- Principal Dwelling Unit with a Lock-off Unit in:
  (a) Infill one-family dwelling;
  (b) Infill two-family dwelling;
  (c) One-family dwelling; or
  (d) Two-family dwelling,
  on a site with more than two principal buildings.

- Two-Family Dwelling with Secondary Suite provided that there is no more than one secondary suite for each dwelling unit.

- Two-Family Dwelling on sites with more than one principal building, in accordance with sections 4.1.3 and 4.1.4 of this schedule.

- Two-Family Dwelling with Secondary Suite on sites with more than one principal building, in accordance with sections 4.1.3 and 4.1.4 of this schedule.

- Seniors Supportive or Assisted Housing.

3.2.I [Institutional]

- Ambulance Station.
- Child Day Care Facility.
- Church.
- Hospital.
- Public Authority Use essential in these districts.
- School - Elementary or Secondary.
- Social Service Centre.
- Community Care Facility – Class B.

- Group Residence.

3.2.O [Office]

- Temporary Sales Office.

3.2.R [Retail]

- Farmers' Market subject to compatibility with nearby sites, parking, traffic, noise, hours of operation, size of facility, and pedestrian amenity.
- Neighbourhood Grocery Store existing as of July 29, 1980.

3.2.S [Service]

- Bed and Breakfast Accommodation.
- Short Term Rental Accommodation.

3.2.U [Utilities and Communication]

- Public Utility.

4 Regulations

All approved uses are subject to the following regulations, except for:

(a) One-Family Dwelling and One-Family Dwelling with Secondary Suite, as the only principal building on the site, which are regulated by the RS-1 District Schedule; and

(b) Laneway House, which is only permitted in combination with (a)~~ and is regulated by section 11.24 of this by-law~~.

4.1 Site Area

4.1.1 The minimum site area for:

(a) multiple conversion dwelling with no more than two dwelling units; and

(b) two-family dwelling,

is 303 m^2.

4.1.2 The minimum site area for:

(a) multiple conversion dwelling with more than two dwelling units, two-family dwelling, or two-family dwelling with secondary suite in combination with an infill one-family or infill two-family dwelling;

(b) two-family dwelling with secondary suite; or

(c) a one-family dwelling or one-family dwelling with secondary suite in combination with an infill one-family or infill two-family dwelling or another principal building,

is 334 m^2.

4.1.3 Notwithstanding section 10.5 of this by-law, the Director of Planning may permit two principal buildings on a site with a minimum area of 334 m^2, if:

(a) the site meets one of the following criteria:

(i) the rear or side property line of the site abuts a park or school site, with or without the intervention of a lane,

(ii) the site is a corner site, or

(iii) the site is double fronting; and

(b) on sites other than double fronting sites, one of the principal buildings is located within the rear 40% of the ultimate site depth, and contains no more than one dwelling unit; and

(c) the Director of Planning first considers the intent of this schedule and all applicable Council policies and guidelines.

4.1.4 Notwithstanding section 10.5 of this by-law, the Director of Planning may permit more than one principal building on a site with a minimum area of 511 m^2 provided the Director of Planning first considers the intent of this schedule and all applicable Council policies and guidelines.

4.1.5 The Director of Planning may permit a reduction to the minimum site area requirements of sections 4.1.1 and 4.1.2 with respect to any of the following developments, if the lot was on record in the Land Title Office for Vancouver prior to May 15, 2013:

(a) two-family dwelling;
(b) two-family dwelling with secondary suite; and
(c) infill one-family dwelling in conjunction with the retention of a building existing on the site prior to January 1, 1940;

if the Director of Planning first considers the quality and livability of the resulting units, the effect on neighbouring properties, and all applicable Council policies and guidelines.

4.2 Frontage

4.2.1 The minimum frontage for all dwelling uses is 9.8 m.

4.2.2 The Director of Planning may permit a reduction to the minimum frontage provisions of section 4.2.1 with respect to any of the following developments, if the lot was on record in the Land Title Office for Vancouver prior to May 15, 2013:

(a) two-family dwelling;
(b) two-family dwelling with secondary suite; and
(c) infill one-family dwelling in conjunction with the retention of a building existing on the site prior to January 1, 1940;

if the Director of Planning first considers the quality and livability of the resulting units, the effect on neighbouring properties, and all applicable Council policies and guidelines.

4.3 Height

4.3.1 A building must not exceed 10.7 m in height in the front 60% of the site depth, and 7.7 m in the rear 40% of the site depth, except that the Director of Planning may increase the maximum height in the rear 40% of the site depth, provided the Director of Planning first considers the intent of this schedule and all applicable Council policies and guidelines.

4.3.2 A two-family dwelling or a two-family dwelling with secondary suite on a site with one principal building, must not exceed 2½ storeys and must comply with the external design requirements in section 4.17 of this schedule.

4.3.3 A building, other than two-family dwelling or two-family dwelling with secondary suite on a site with one principal building, must not have more than 2 storeys, except that the Director of Planning may permit a partial 3rd storey if:

(a) the partial 3rd storey, meaning the uppermost level of a building where the floor area existing, proposed, or as may be extended, over open-to-below space, and having a minimum ceiling height of 1.2 m, does not exceed 60% of the storey immediately below; and
(b) the Director of Planning first considers the intent of this schedule and all applicable Council policies and guidelines.

4.4 Front Yard

4.4.1 On sites with a frontage greater than 18.3 m and more than one principal building, front yards must have a minimum depth of 4.9 m.

4.4.2 On all sites other than those described in section 4.4.1 of this schedule, front yards must have a minimum depth equal to the average of the minimum front yard depth of the two adjacent sites, except that:

(a) where an adjacent site is vacant, the next adjacent site that is not vacant must be used to determine the average;
(b) 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, or the Director of Planning is satisfied that one or more of the adjacent sites is an anomaly, then such adjacent sites must not be used in computing the average; and
(c) where the site is adjacent to a flanking street or lane, the depth must equal the single adjacent site.

4.4.3 If the Director of Planning first considers the intent of this schedule and all applicable Council policies and guidelines, the Director of Planning may vary the minimum front yard depth.

4.4.4 ~~Covered~~ Entries, porches and verandahs complying with section 4.7.5 (f) of this schedule may project 1.8 m into the required front yard.

4.4.5 Notwithstanding the provisions of section 10.32.1 (b) of this by-law, eaves and gutters or other projections which, in the opinion of the Director of Planning, are similar may project into the minimum front yard to a maximum of 1.0 m measured horizontally.

4.5 Side Yards

4.5.1 Side yards must have a minimum width of 1.2 m.

4.5.2 If a corner site has a site located at its rear, with or without the intervention of a lane, which fronts on the street flanking the corner site, section 10.27 of this by-law applies, except that a corner site with a frontage greater than 18.3 m must have a minimum side yard of 2.4 m.

4.5.3 On all sites, other than sites containing a two-family dwelling or a two-family dwelling with secondary suite on a site with one principal building, additional side yards must be provided with:

(a) a minimum width of 4.9 m;
(b) a minimum length equal to 25% of the site depth, measured from the ultimate rear property line; and
(c) a rear boundary not less than 6.7 m, or more than a distance equal to 35% of the site depth, measured from the ultimate rear property line.

4.5.4 Notwithstanding section 4.5.3 of this schedule, if the Director of Planning first considers the intent of this schedule and all applicable Council policies and guidelines, the Director of Planning may decrease minimum side yard depth and width.

4.5.5 Notwithstanding the provisions of section 10.32 of this by-law, the following may project into required side yards:

(a) ~~covered~~ entries, porches and verandahs complying with section 4.7.5 (f) of this schedule, to a maximum of 1.2 m, on corner sites with a side yard of at least 2.4 m;
(b) eaves and gutters or other projections which in the opinion of the Director of Planning are similar, up to a maximum of 1.0 m measured horizontally, except that they must not be closer than 0.7 m to a side property line; and

(c) steps which access the main level or basement or accommodate grade changes, or other projections which in the opinion of the Director of Planning are similar, may project into the additional side yard required by section 4.5.2 of this schedule, except that they must not be closer than 2.4 m to a side property line.

4.5.6 Notwithstanding section 10.32 of this by-law, if the Director of Planning first considers the intent of this schedule and all applicable Council policies and guidelines, the Director of Planning may permit other projections into required side yards.

4.6 Rear Yard

4.6.1 Where the rear property line abuts a lane, a rear yard must have a minimum depth of 0.6 m, except that where the rear property line abuts a lane that is only partially dedicated, or where a lane dedication is required, the rear yard must be measured from the ultimate rear property line.

4.6.2 Where the rear property line does not abut a lane, and a lane dedication is not required, a rear yard must have a minimum depth of 1.2 m, except that the Director of Planning may vary the required rear yard, provided the Director of Planning first considers the intent of this schedule and all applicable Council policies and guidelines.

4.6.3 Notwithstanding section 10.32.1 (b) of this by-law, eaves and gutters or other projections which in the opinion of the Director of Planning are similar, may project into a minimum rear yard to a maximum of 1.0 m measured horizontally.

4.7 Floor Space Ratio

4.7.1 Floor space ratio must not exceed:

(a) 0.60, for all uses other than two-family dwelling or two-family dwelling with secondary suite on a site with one principal building; and
(b) 0.75 for two-family dwelling or two-family dwelling with secondary suite on a site with one principal building.

4.7.2 Notwithstanding section 4.7.1 of this schedule, if the Director of Planning first considers the intent of this schedule, all applicable Council policies and guidelines, and the submissions of all advisory groups, property owners or tenants, the Director of Planning may permit an increase in floor space ratio:

(a) for dwelling uses on sites where buildings existing prior to January 1, 1940 are retained, to a maximum of 0.90; and
(b) for all other dwelling uses, except two-family dwelling and two-family dwelling with secondary suite, to a maximum of 0.85.

4.7.3 Notwithstanding section 4.7.1 of this schedule, on sites less than 511 m^2 where a building constructed after January 1, 1940 is not retained, no more than 0.20 floor space ratio may be allocated to a second principal building or infill one-family or infill two-family dwelling at the rear of the site.

4.7.4 Computation of floor area must include:

(a) all floors, including earthen floor, to be measured to the extreme outer limits of the building;
(b) stairways, fire escapes, elevator shafts, and other features which the Director of Planning considers similar, 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 1% 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, which is greater than the product of the total floor area permitted above the basement multiplied by 0.01.

4.7.5 Computation of floor area must exclude:

(a) ~~open residential~~ balconies ~~or~~ and ~~sun~~decks, and any other appurtenances which, in the opinion of the Director of Planning, are similar to the foregoing, provided that the total area of these exclusions does not exceed 8% of the ~~permitted residential~~ floor area being provided;

(b) patios and roof ~~gardens~~decks, provided the Director of Planning first ~~approves the design of sunroofs and walls~~consider the effect on privacy and overlook;

(c) where floors are used for off-street parking and loading, bicycle storage in multiple conversion dwellings containing 3 or more units 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) for dwelling uses, on sites with only one principal building, are located in an accessory building located on the site in accordance with section 2.2.A of this schedule or in an infill building up to a maximum of 48 m²,

(ii) for dwelling uses, on sites with no developed secondary access and with only one principal building, are located in a principal building, an accessory building, or infill building up to a maximum area that the Director of Planning may determine, provided the Director of Planning first considers the intent of this schedule and all applicable Council policies and guidelines,

(iii) for dwelling uses, on sites with more than one principal building, are located in a principal building or an accessory building up to a maximum area of 24 m² per dwelling unit,

(iv) for dwelling uses, on sites with no developed secondary access and with more than one principal building, are located in a principal building, or an accessory building up to a maximum area that the Director of Planning may determine, provided that the Director of Planning first considers the intent of this schedule and all applicable polices and guidelines adopted by Council, and

(v) for non-dwelling uses, are located at or below base surface;

(d) 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;~~, or~~

(iii) ~~below covered verandas or porches as described in section 4.7.5 (f) of this schedule, and to which there is no permanent means of access;~~

(e) floors located at or below finished grade with a ceiling height of less than 1.2 m;

(f) ~~covered~~entries, porches and verandahs, and covered porches above the first storey provided that:

(i) the side ~~portion~~ facing the street, rear property line, common open space, park or school, is ~~must be~~ open or protected by guards ~~rails, the height of which must~~ that do not exceed the required minimum height ~~specified in the Building by-law~~,

(ii) the total excluded area, when combined with the open balcony and ~~sun~~deck exclusions under section 4.7.5 (a) of this schedule, does not exceed 13% of the ~~permitted floor space~~floor area being provided,

(iii) the ceiling height, excluding roof structures of the total area being excluded, does not exceed 3.1 m measured from the entry, porch or verandah floor, and

(iv) for two-family dwellings and two-family dwellings with secondary suite, the depth of the total area being excluded for covered porches above the first storey does not exceed 1.83 m;~~; and~~

(g) unconditioned floor areas with a ceiling height or height to the underside of joists of less than 2.0 m, located below the floors of entries, porches and verandahs complying with subsection 4.7.3(f), to which there is no access from the interior of the building; and

(h) for two-family dwellings and two-family dwellings with secondary suite, areas of floors existing, proposed or as may be extended over open-to-below space located directly below sloping roof rafters or a sloping ceiling where the ceiling is directly attached to the underside of sloping roof rafters, and where the roof joists have a minimum 7:12 pitch and the related ceiling maintains the same pitch as the roof joists, provided that:
(i) the distance from the floor to any part of the roof rafters or ceiling is no higher than 2.3 m and no lower than 1.2 m, both measured vertically, and
(ii) the excluded floor area does not exceed 10 percent of the permitted total floor area.

4.7.6 Notwithstanding the definition of "half-storey" in section 2 of this By-law, for the purposes of this Schedule the maximum permitted floor area contained in a half-storey shall not include floor area excluded in section 4.7.5(h) of this Schedule.

4.8 Site Coverage and Impermeability

4.8.1 Maximum site coverage for buildings is 45% of the site area.

4.8.2 Maximum site coverage for Parking Area is 30% of the site area.

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

4.8.4 The area of impermeable materials, including site coverage for buildings, must not exceed 70% of the total site area.

4.8.5 For the purposes of section 4.8.4 of this schedule:

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

4.8.6 The Director of Planning may permit an increase to the site coverage provisions to accommodate an accessory building if:
(a) in the opinion of the Director of Planning, off-street parking on a site less than 36.5 m in depth cannot otherwise be accommodated; and
(b) the Director of Planning also considers the effect on neighbouring sites of building height, shadow, open space and landscaping, the intent of this schedule and all applicable Council policies and guidelines.

4.9 - 4.10 (Reserved)

4.11 Dedication of Land for Lane Purposes

4.11.1 Where a site does not abut a lane, or abuts a lane which is less than 6.1 m in width, a portion of the site, as determined by the City Engineer, to a maximum of 3.1 m, shall be dedicated for lane purposes.

4.11.2 Where land is dedicated pursuant to section 4.11.1, it shall be deemed not to reduce the site area for the purpose of calculating floor space ratio.

4.12 - 4.14 (Reserved)

4.15 Acoustics

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

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

4.16 Building Depth

4.16.1 For sites where there is one principal building, one principal building with an infill one-family or infill two-family dwelling, or one principal building with a second principal building located at the rear of the site, the maximum distance between the required minimum front yard and the rear of the principal building closest to the front of the site is 40% of the site depth, measured prior to any required lane dedication.

4.16.2 The Director of Planning may increase the maximum building depth, provided the Director of Planning first considers the intent of this schedule and all applicable Council policies and guidelines.

4.17 External Design

4.17.1 Section 4.17 of this schedule applies to a two-family dwelling or a two-family dwelling with secondary suite on a site with one principal building.

4.17.2 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.

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

4.17.4 In two-family dwellings and two-family dwellings with secondary suite on a corner site, one main entrance must face the front street and one main entrance must face the flanking street.

4.17.5 There must be a covered entry at each main entrance, with a minimum width and depth of 1.8 m.

4.17.6 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 shall have a minimum slope of 7:12 and a maximum slope of 12:12 and shall be either hip or gable or a combination of both, and shall intersect at its lower portion with the exterior wall face of the building or the vertical projection thereof at a line no higher than the lesser of 7.9 m above the base surface or the floor level of a half-storey or attic above the second storey;
(b) dormer roofs shall be gable, hip or shed in form and shall have a minimum slope of 4:12;
(c) the maximum total width of dormers provided on a half storey above the second storey must not exceed 50% of the width of the elevation of the storey below;
(d) all exterior dormer walls shall be set back a minimum of 0.6 m from the exterior face of the wall of the storey below; and
(e) notwithstanding section 4.17.6(d), one dormer, which faces an interior side yard and which provides headroom over a stair and any intermediate and top landings which provide access from the second storey to the half-storey above may have its face wall flush or continuous with the second storey exterior wall face below.

4.17.7 Exterior windows in a secondary suite or lock off unit 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.

4.17.8 The Director of Planning may vary the requirements of section 4.17 for two-family dwellings and two-family dwellings with secondary suite if, in the opinion of the Director of Planning, the design meets the intent of the regulations for quality and durability of design and architectural expression, or to facilitate a building designed for certification under the Passive House standard or International Living Future Institute's Zero Energy standard, or an equivalent to the satisfaction of the Director of Planning.

4.18 Dwelling Unit Density

4.18.1 On a site with a minimum site area of 511 m^2, the number of dwelling units, excluding lock-off units and secondary suites, must not exceed:
(a) on a site with 18.3 m or more frontage, 74 units per hectare of site area; and
(b) on a site with less than 18.3 m frontage, three dwelling units,

except that if the Director of Planning first considers the intent of this schedule and all applicable Council policies and guidelines, the Director of Planning may permit one additional dwelling unit

4.18.2 On a site with a site area less than 511 m^2 which:

(a) abuts a park or school site, with or without the intervention of a lane;
(b) is a corner site; or
(c) is a double fronting site,

the number of dwelling units must not exceed three, excluding lock-off units and secondary suites.

4.18.3 On a site with 18.3 m or more frontage, the number of secondary suites and lock-off units must not exceed the greater of 3 or 45% of the number of dwelling units permitted by section 4.18.1 (a) of this schedule.

4.18.4 Where the calculation of dwelling units, secondary suites or lock-off units results in a fractional number, the number must be rounded down.

~~5 Relaxation of Regulations~~

~~5.1 The Director of Planning may relax the site coverage provisions to accommodate an accessory building if:~~

~~(a) in the opinion of the Director of Planning, off-street parking on a site less than 36.5 m in depth cannot otherwise be accommodated; and~~
~~(b) the Director of Planning also considers the effect on neighbouring sites of building height, shadow, open space and landscaping, the intent of this schedule and all applicable Council policies and guidelines~~

~~5.2 The Director of Planning may relax the minimum site area requirements of sections 4.1.1 and 4.1.2 of this schedule, and the minimum frontage provisions of section 4.2.1 of this schedule, with respect to any of the following developments, if the lot was on record in the Land Title Office for Vancouver prior to May 15, 2013:~~

~~(a) two-family dwelling;~~
~~(b) two-family dwelling with secondary suite; and~~
~~(c) infill one-family dwelling in conjunction with the retention of a building existing on the site prior to January 1, 1940;~~

~~if the Director of Planning first considers the quality and livability of the resulting units, the effect on neighbouring properties, and all applicable Council policies and guidelines.~~

RM-1 and RM-1N Districts Schedule

1 Intent

The intent of this Schedule is to encourage development of courtyard rowhouses on larger sites while continuing to permit lower intensity development on smaller sites. Siting and massing is intended to be compatible with, but not the same as, pre-existing single family development. High quality architectural design of all new development is encouraged.

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 this District and shall be issued a permit.

2.2 Uses

2.2A

- 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, or 3.7 m measured 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 located:
    (i) within 7.1 m of the ultimate rear property line, but subject to clause (ii);
    (ii) in no case less than 3.6 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 10.27 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 48 m²;
  (d) not more than 80 percent of the width of the site at the rear property line of any lot is occupied by accessory buildings; and
  (e) roof decks and ~~sun~~decks are not located on an accessory building.

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

- The Director of Planning may vary the area and site coverage limitations for accessory buildings and sections 4.7 and 4.9 of the Parking By-law where the Director of Planning is satisfied that adequate off-street parking on any site less than 36.5 m in depth cannot otherwise be accommodated, provided that in developments where a carport or garage is planned the Director of Planning also has regard to the effect on neighbouring sites of building height, shadow, open space and landscaping.

2.2.DW [Dwelling]

- Multiple Conversion Dwelling, provided that:

  (a) no additions shall be permitted;
  (b) no housekeeping or sleeping units shall be created;
  (c) the number of dwelling units is limited to two; and
  (d) no development permit shall be issued until the requisite permits required by other By-laws that relate to design, construction, and safety of buildings is issuable.

- One-Family Dwelling.

2.2.I [Institutional]

- Community Care Facility – Class A, subject to the regulations, variations 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 Council policies and guidelines; and
(b) the submission of any advisory group, property owner or tenant.

3.2 Use

3.2.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.AG [Agricultural]

- Urban Farm - Class A.

3.2.C [Cultural and Recreational]

- Club, provided that no commercial activities are carried on and the use does not adversely impact residential uses.
- Community Centre or Neighbourhood House.
- Library in conjunction with a Community Centre.
- Park or Playground.

3.2.D Deposition or extraction of material so as to alter the configuration of the land.

3.2.DW [Dwelling]

- Dwelling Units, up to a maximum of two, in conjunction with a neighbourhood grocery store existing as of July 29, 1980.
- Infill One-Family Dwelling
- Infill Two-Family Dwelling
- Multiple Conversion Dwelling (other than as provided for in section 2.2.DW of this Schedule), resulting from the conversion of a building existing as of November 23, 2005.
- Multiple Dwelling.
- One-Family Dwelling with Secondary Suite.
- Two-Family Dwelling.
- Seniors Supportive or Assisted Housing.

3.2.I [Institutional]

- Ambulance Station.
- Child Day Care Facility.
- Church.
- Hospital.
- Public Authority Use essential in this District.
- School - Elementary or Secondary.
- Social Service Centre.
- Community Care Facility – Class B.
- Group Residence.

3.2.R [Retail]

- Farmers' Market. *Compatibility with nearby sites, parking, traffic, noise, hours of operation, size of facility, pedestrian amenity*.
- Neighbourhood Grocery Store existing as of July 29, 1980.

- Public Bike Share.

3.2.S [Service]

- Bed and Breakfast Accommodation.
- Short Term Rental Accommodation.

3.2.U [Utilities 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, multiple conversion dwelling, two-family dwelling, or any of these in combination with an infill one-family dwelling, or infill two-family dwelling shall be 306 m².

4.1.2 The minimum site area for a multiple dwelling shall be 604 m², and notwithstanding section 10.5 of this By-law, these sites may have more than one principal building.

4.1.3 Provided the Director of Planning first considers all applicable policies and guidelines adopted by Council, the Director of Planning may permit multiple dwelling or more than one principal building on sites smaller than 604 m².

4.1.4 The Director of Planning may permit a reduction to the minimum site area provisions of section 4.1 with respect to any of the following developments if the lot was on record in the Land Title Office for Vancouver prior to November 23, 2005:
(a) one-family dwelling;
(b) one-family dwelling with secondary suite; and
(c) two-family dwelling.

4.2 Frontage

4.2.1 The minimum frontage for a multiple dwelling shall be 18.3 m.

4.3 Height

4.3.1 A building shall not exceed 10.7 m in height.

4.3.2 A building shall not have more than 2 storeys, except that the Director of Planning may permit a building to exceed 2 storeys provided the Director of Planning first considers all applicable policies and guidelines adopted by Council.

4.3.3 Provided the Director of Planning first considers all applicable policies and guidelines adopted by Council, the Director of Planning may vary the maximum height.

4.4 Front Yard

4.4.1 On sites with a multiple dwelling, a front yard with a minimum depth of 3.1 m, increased to 4.9 m within 4.9 m of the side property lines, shall be provided.

4.4.2 On other sites, a front yard with a minimum depth equal to the average of the minimum front yard depths on the two adjacent sites shall be provided, except that:

(a) where an adjacent site is vacant, the next adjacent site that is not vacant should be used to determine the average;
(b) if one or more of the adjacent sites front on a street other than that of the development site, or the adjacent sites area separated by a street or lane, or the Director of Planning is satisfied that one or more of the adjacent sites is an anomaly, then such adjacent sites shall not be used in computing the average;
(c) where the site is adjacent to a flanking street or lane, the depth shall equal the single adjacent site.

4.4.3 Provided the Director of Planning first considers all applicable policies and guidelines adopted by Council, the Director of Planning may vary the front yard requirement on a corner site; on a double fronting site; on a site where a building line has been established pursuant to section 14.1 of this By-Law; and on other sites.

4.4.4 ~~Covered~~Entries, porches and verandahs complying with section 4.7.3 (f) shall be permitted to project into the required front yard a maximum of 1.~~.28~~ m.

4.4.5 Notwithstanding the provisions of section 10.32.1 (b) of this By-law, eaves and gutters or other similar projections as determined by the Director of Planning may project into the minimum front yard to a maximum of 1.0 m measured horizontally.

4.5 Side Yards

4.5.1 A side yard with a minimum width of 10 percent of the width of the site shall be provided on each side of the buildings, except that the side yard need not exceed 1.5 m in width.

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 a minimum of 2.4 m.

4.5.3 On all sites, an additional side yard with a minimum width of 4.9 m and minimum length equal to 25 percent of the site depth shall also be provided on each side of the site. Each of these side yards shall be located so that its rear boundary is not less than 6.7 m, nor more than a distance equal to 35 percent of the site depth, from the ultimate rear property line.

4.5.4 Provided the Director of Planning first considers all applicable policies and guidelines adopted by Council, the Director of Planning may vary the side yard requirements on a corner site; on a double fronting site; on a site where a building line has been established pursuant to section 14.1 of this By-Law; and on other sites.

4.5.5 Notwithstanding the provisions of section 10.32 of this By-law, the following shall be permitted to project into the required side yards:

(a) ~~covered~~entries, porches and verandahs complying with section 4.7.3 (f) to a maximum of 1.2 m where a side yard of at least 2.4 m in width has been provided; and
(b) eaves and gutters or other similar projections as determined by the Director of Planning, up to a maximum of 1.0 m measured horizontally, except that they must not be closer than 0.7 m to a side property line.

4.5.6 On a corner site, where a side yard of at least 2.4 m has been provided, ~~covered~~ entries, porches and verandahs complying with section 4.7.3 (f) shall be permitted to project into the required side yard a maximum of 1.2 m.

4.5.7 Notwithstanding the provisions of section 10.32 (b) of this By-law, eaves and gutters or other similar projections as determined by the Director of Planning may project into a minimum side

yard to a maximum of 1.0 m, measured horizontally, except that they must not be closer than 0.7 m from a side property line.

4.6 Rear Yard

4.6.1 A rear yard with a minimum depth of 0.6 m shall be provided. Where the rear property line abuts a lane that is only partially dedicated, or where a lane dedication is required, the rear yard to be provided shall be measured from the ultimate rear property line.

4.6.2 Where the rear property line does not abut a lane, and a lane dedication is not required, a rear yard with a minimum depth of 1.2 m shall be provided, but the Director of Planning may increase the required year yard provided the Director of Planning considers all applicable policies and guidelines adopted by Council.

4.6.3 Notwithstanding the provisions of section 10.32.1 (b) of this By-law, eaves and gutters or other similar projections as determined by the Director of Planning may project into a minimum rear yard to a maximum of 1.0 m measured horizontally.

4.7 Floor Space Ratio

4.7.1 The floor space ratio shall not exceed 0.40, except that provided the Director of Planning first considers the intent of this District Schedule, all applicable policies and guidelines adopted by Council, and the submissions of all advisory groups, property owners or tenants, the Director of Planning may permit:

(a) for multiple dwelling or seniors supportive or assisted housing, an increase in the floor space ratio up to a maximum 1.2;
(b) for other dwelling uses, an increase in the floor space ratio up to a maximum of 0.65;
(c) for other uses permitted by this District Schedule, an increase in the floor space ratio up to a maximum of 0.60 for all these uses combined.

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

(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 area:

(a) ~~open residential~~ balconies ~~or~~ and ~~sun~~decks, and any other appurtenances which, in the opinion of the Director of Planning, are similar to the foregoing, provided that the total area of these exclusions does not exceed 12% of the floor area being provided for multiple dwellings and 8% of the floor area being provided for all other uses ~~eight percent of the permitted residential floor area~~;

(b) patios and roof decks ~~gardens~~, provided that the Director of Planning first considers the effect on privacy and overlook ~~first approves the design of sunroofs and walls~~;

(c) where floors are used for off-street parking and loading, bicycle storage in multiple conversion dwellings containing 3 or more units 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) for multiple dwellings, are at or above base surface and located in a principal building, up to a maximum of 24 m² per dwelling unit, or are located below base surface;

(ii) for other dwelling uses, are located in an accessory building located on the site in accordance with section 2.2.A of this Schedule or in an infill building up to a maximum of 48 m²;

(iii) for dwelling uses, on sites with more than one principal building, are located in a principal building or an accessory building up to a maximum area of 24 m² per dwelling unit;

(iv) for other dwelling uses located on sites with no developed secondary access, are located in a principal building, an accessory building, or infill building up to a maximum area that the Director of Planning may determine provided the Director of Planning first considers all applicable policies and guidelines adopted by Council;

(v) for non-dwelling uses, are located at or below base surface;

(d) 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; ~~or~~

~~(iii) under covered verandas or porches as described in section (f) below, and to which there is no permanent means of access~~;

(e) floors located at or below finished grade with a ceiling height of less than 1.2 m;

(f) ~~covered~~ entries, porches and verandas ~~or porches~~, and covered porches above the first storey provided that:

(i) the ~~portion~~ side facing the street or rear property line ~~shall be~~is open or protected by ~~partial walls or~~ guards ~~rails the height of which shall~~ that do not exceed the required minimum height ~~specified in the Building By-law~~; and

(ii) ~~the total area of these exclusions, when combined with the balcony and deck exclusions under section 4.7.3(a), does not exceed 13% of the permitted floor space;~~the total area of these exclusions, when combined with the balcony and deck exclusions under subsection 4.7.3 (a), does not exceed 16% of the floor area being provided for multiple dwellings and 13% of the floor area being provided for all other uses;

(g) unconditioned floor areas with a ceiling height or height to the underside of joists of less than 2.0 m, located below the floors of entries, porches and verandahs complying with subsection 4.7.3(f), to which there is no access from the interior of the building,

(~~g~~h) for multiple dwelling, all residential storage area above or below base surface, except that if residential storage area above base surface exceeds 3.7 m² per dwelling unit, there will be no exclusion for any of the residential storage area above base surface for that unit; and

(~~h~~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 45 percent of the site area, except that for multiple dwellings, the maximum site coverage for buildings shall be 55 percent of the site area.

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 ~~sun~~decks.

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 In the case of a sloping site where a structure is located in or beneath a yard, the structure shall be excluded from the site coverage calculation provided that it does not, except for required earth cover, permitted fences and similar items, project above the average elevation of the portions of the streets, lanes or sites located adjacent to such structure, and does not, in any event, project more than 1.0 m above the actual elevation of adjoining streets, lanes, and sites.

4.8.5 The area of impermeable materials, including building coverage, shall not exceed 75 percent of the total site area, except that the Director of Planning may increase this amount for developments providing underground parking.

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~~entries, porches and verandahs ~~and entries~~; asphalt; concrete; brick; stone; and wood.

4.8.7 Notwithstanding section 4.8.5, gravel, river rock less than 5 cm in size, wood chips, bark mulch, permeable pavers, wood decking with spaced boards 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 to the soil below, are excluded from the area of impermeable materials.

4.9 (Reserved)

4.10 Horizontal angle of daylight

4.10.1 Each habitable room must have at least one window on an exterior wall of a building.

4.10.2 Each exterior window must be located so that a plane or planes extending from the window and formed by an angle of 50 degrees, or two angles with a sum of 70 degrees, will encounter no obstruction over a distance of 24.0 m.

4.10.3 The plane or planes referred to in section 4.10.2 must be measured horizontally from the centre of the bottom of each window.

4.10.4 The Director of Planning may ~~relax~~ vary the horizontal angle of daylight requirement, if:

(a) the Director of Planning first considers all the applicable policies and guidelines adopted by Council; and
(b) the minimum distance of unobstructed view is not less than 2.4 m.

4.10.5 An obstruction referred to in section 4.10.2 means:

(a) any part of the same building including permitted projections; or
(b) the largest building permitted under the zoning on any adjoining site.

4.10.6 A habitable room referred to in section 4.10.1 does not mean:

(a) a bathroom; or
(b) a kitchen whose floor area is the lesser of:
  (i) 10% or less of the total floor area of the dwelling unit, or
  (ii) 9.3 m^2.

4.11 to 4.13 (Reserved)

4.14 Dedication of Land for Road Widening

4.14.1 A dedication to the city up to a maximum of .6 m at the front of a site for boulevard widening, as determined by the City Engineer shall be required for developments of sites which front Knight Street.

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

4.15 Acoustics

4.15.1 A development permit application for a dwelling uses in RM-1N District shall require evidence in the form of a report and recommendation by persons trained in acoustics and current techniques of noise measurements, demonstrating that the noise levels expressed in decibels set opposite such portions of the dwelling units. For purposes of this section the noise level is the A-weighted 24-hour equivalent (Leq) sound level and will be defined simply as the noise level in decibels.

Portions of dwelling units	**Noise levels (Decibels)**
bedrooms	35
living, dining, recreation rooms	40
kitchen, bathrooms, hallways	45

4.16 Building Depth

4.16.1 For sites where there is one principal building or one principal building with infill, the maximum distance between the required minimum front yard and the rear of the principal building shall be 40% of the site depth (measured prior to any required lane dedication).

4.16.2 The Director of Planning may permit the maximum building depth to be increased provided the Director of Planning first considers all applicable policies and guidelines adopted by Council.

4.17 External Design

4.17.1 A portion of the surface of the ground adjoining a building may be lowered and excluded from the average elevation for the purpose of calculating finished grade, when the purpose is to provide light or access to a basement or cellar, provided that:

(a) the lowered surface does not extend more than 3.1 m from the building;
(b) that portion of the building abutting the lowered surface, is not greater than half the width of the building, or 4.6 m, whichever is the lesser; and
(c) the lowered surface does not extend into the 1.2 m side yard or as prescribed in Section 4.5.1.

4.18 Dwelling Unit Density

4.18.1 For multiple dwelling use, maximum dwelling unit densities shall not exceed:

(a) for development up to and including 1.0 FSR, 86 units per hectare except where the calculation of dwelling units per hectare results in a fractional number the number shall be rounded down; and
(b) for development more than 1.0 FSR, 98 units per hectare.

4.18.2 Provided the Director of Planning first considers all applicable policies and guidelines adopted by Council, the Director of Planning may vary the number of units for multiple dwellings.

4.18.3 For other uses, the total number of dwelling units on a site shall not exceed 2, except that the Director of Planning may vary this to 3 units provided the Director of Planning first considers all applicable policies and guidelines adopted by Council.

~~5 Relaxation of Regulations~~

~~**5.1** The Director of Planning may relax the minimum site area provisions of section 4.1 with respect to any of the following developments if the lot was on record in the Land Title Office for Vancouver prior to November 23, 2005:~~

~~(a) one-family dwelling;~~
~~(b) one-family dwelling with secondary suite;~~
~~(c) two-family dwelling.~~

~~**5.2** The Director of Planning may relax the area and site coverage limitations for accessory buildings and sections 4.7 and 4.9 of the Parking By-law where the Director of Planning is satisfied that adequate off-street parking on any site less than 36.5 m in depth cannot otherwise be accommodated, provided that in developments where a carport or garage is planned the Director of Planning also has regard to the effect on neighbouring sites of building height, shadow, open space and landscaping.~~

RM-2 District Schedule

1 Intent

The intent of this Schedule is to permit low to medium density residential development, including low-rise apartment buildings, and to secure a higher quality of parking, open space and daylight access through floor area bonus incentives.

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 this 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 located in the rear yard and in no case are less than 3.1 m from the ultimate centre line of any rear or flanking lane and less than the width of the required side yard from a flanking street;
  (c) the total floor area, measured to the extreme outer limits of the building, of all accessory buildings is not greater than 35 percent of the minimum rear yard prescribed in this Schedule, or 48 m², whichever is the greater;
  (d) not more than 66⅔ percent of the width of the rear yard of any lot is occupied by accessory buildings;
  (e) no accessory building is closer than 3.7 m to any residential dwelling;
  (f) no accessory building obstructs the daylight access prescribed in this Schedule.

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

2.2.DW [Dwelling]

- Multiple Conversion Dwelling, provided that:

  (a) no additions shall be permitted;
  (b) no housekeeping or sleeping units shall be created;
  (c) the number of dwelling units is limited to two; and
  (d) no development permit shall be issued until the requisite permits required by other by-laws that relate to design, construction and safety of buildings are issuable.

- One-Family Dwelling.
- Rooming House.
- Two-Family Dwelling.

2.2.I [Institutional]

- Community Care Facility – Class A, subject to the regulations, variations 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 Council policies and guidelines; and
(b) the submission of any advisory group, property owner or tenant.

3.2 Uses

3.2.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.AG [Agricultural]

- Urban Farm - Class A.

3.2.C [Cultural and Recreational]

- Club, provided that no commercial activities are carried on and the use does not adversely impact residential uses.
- Community Centre or Neighbourhood House.
- Library in conjunction with a Community Centre.
- Park or Playground.

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

3.2.DW [Dwelling]

- Dwelling Units in conjunction with a neighbourhood grocery store existing as of July 29, 1980.
- Multiple Conversion Dwelling, resulting from the conversion of a building existing as of June 18, 1956, provided that:

  (a) before making a decision, the Director of Planning shall consider the quality and livability of the resulting units, the suitability of the building for conversion in terms of age and size, and the effect of the conversion on adjacent properties and the character of the area; and
  (b) building additions resulting in a total floor space ratio greater than 0.6 shall be in keeping with the character of the building,

  in accordance with section 3.3.1 of this Schedule.

- Multiple Dwelling, in accordance with section 3.3.1 of this Schedule.
- One-Family Dwelling with Secondary Suite.
- Seniors Supportive or Assisted Housing.

3.2.I [Institutional]

- Ambulance Station.
- Child Day Care Facility.
- Church.
- Hospital.
- Public Authority Use essential in this District.
- School - Elementary or Secondary.
- Social Service Centre.
- Community Care Facility – Class B.

- Group Residence.

3.2.P [Parking]

- Parking Area ancillary to a principal use on an adjacent site.

3.2.R [Retail]

- Farmers' Market. *Compatibility with nearby sites, parking, traffic, noise, hours of operation, size of facility, pedestrian amenity*.
- Neighbourhood Grocery Store existing as of July 29, 1980.
- Public Bike Share.

3.2.S [Service]

- Bed and Breakfast Accommodation.
- Short Term Rental Accommodation.

3.2.U [Utility and Communication]

- Public Utility.

3.3 Conditions of Use

3.3.1 Unless its development does not require the demolition or change of use or occupancy of one or more rental housing units, registered owners of Multiple Conversion Dwellings consisting of three or more dwelling units, or Multiple Dwellings, must:

(a) if it is new development that requires demolition of one or more buildings on that site, or if it is an existing development that requires major alterations resulting in a change to the unit mix of the building(s) and the reconfiguration of a majority of the existing dwelling units, housekeeping units, or sleeping units:

(i) enter into a housing agreement, satisfactory to Council, that secures:

A. one for one replacement of existing rental housing units with dwelling units on the site or in the same zoning district, or one for one replacement with another type of affordable housing if permitted under an applicable community plan, except that in cases where the existing rental housing units are sleeping or housekeeping units, the Director of Planning may permit less than one for one replacement, having regard for the Council's intention to maximize the replacement of such rental units; and

B. a Tenant Relocation Plan in keeping with the city's Tenant Relocation and Protection Policy, if applicable, and

(ii) ensure that at least 35% of the total number of dwelling units include two or more bedrooms, except where the Director of Planning considers that such requirement would deter or prevent:

A. the conservation of a protected heritage property or a building on, or eligible for addition to, the Vancouver Heritage Register;

B. the renovation of a building where there are physical constraints due to light, access, and the form and structural elements of the existing building;

C. development of low-rise and midrise buildings on mid-block or unique sites with significant design challenges in meeting the requirement; or

D. development of projects on sites or in areas identified in Council-approved plans or policies as targeted to single and couple households,

or

(b) if it is an existing development requiring renovations resulting in a change of use or occupancy of a rental housing unit on that site, but it does not require major alterations or additions resulting in a change to the unit mix of the building(s) and the reconfiguration of a majority of the existing dwelling units, housekeeping units, or sleeping units:

(i) secure, to the satisfaction of the Director Planning, one for one replacement of existing rental housing units with dwelling units on the site or in the same zoning district, except that in cases where the existing rental housing units are sleeping or housekeeping units, the Director of Planning may permit less than one for one replacement, having regard for the Council's intention to maximize the replacement of such rental units; and

(ii) provide a Tenant Relocation Plan in keeping with the city's Tenant Relocation and Protection Policy, if applicable;

and, in this section, all references to the demolition or change of use or occupancy of one or more rental housing units are to include then existing rental housing units and rental housing units that, during the three years preceding the date of application for a development permit, a person has demolished or in respect of which has changed the use or occupancy.

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 multiple dwelling or rooming house shall be 550 m² and the maximum site area for such developments shall be 3 000 m², except that where the existing subdivision is such that this limitation would require the exclusion of less than 300 m² of an existing lot, the maximum site area shall be 3 300 m².

4.1.2 The Director of Planning may permit any of the following developments on a lot having a lesser area than prescribed by section 4.1 if the lot was on record in the Land Title Office for Vancouver prior to September 7, 1965, and has an area of not less than the minimum noted:
(a) multiple dwelling, with a minimum lot area of 500 m²;
(b) rooming house, with a minimum lot area of 500 m²; and
(c) seniors supportive or assisted housing, with a minimum lot area of 500 m².

4.2 Frontage -- Not Applicable.

4.3 Height

4.3.1 The maximum height of a building shall be 10.7 m.

4.3.2 The Director of Planning may permit an increase in the maximum height of a building to a height not exceeding 11.9 m.

4.4 Front Yard

4.4.1 A front yard with a minimum depth of 6.1 m shall be provided.

4.4.2 Entries, porches and verandahs complying with the conditions of subsection 4.7.3 (h) are permitted to project a maximum of 1.8 m into the required front yard.

4.5 Side Yards

4.5.1 A side yard with a minimum width of 2.1 m shall be provided on each side of the principal building, but the minimum width shall be increased so that the outer walls of the building are contained within a 135 degree angle extended horizontally and measured inwardly from any and all points on the side property lines.

4.5.2 In the case of a corner site, the exterior side yard shall not be regulated by section 4.5.1 above but shall be 20 percent of the width of the site, except that it shall not be less than 3.0 m and need not be more than 6.0 m in width.

4.5.3 In the case of a side yard for a one-family or two-family dwelling, the side yard shall not be regulated by sections 4.5.1 and 4.5.2, but shall be a minimum width of 10 percent of the width of the site on each side of the building, except that a side yard need not exceed 1.5 m in width.

4.6 Rear Yard

4.6.1 A rear yard with a minimum depth of 10.7 m shall be provided, except that where the rear of the site abuts a lane, this required minimum depth shall be decreased by the lane width between the rear property line and the ultimate centre line of the lane.

4.7 Floor Space Ratio

4.7.1 The maximum floor space ratio shall be 0.60 for a one-family or a two-family dwelling. For all other uses, the maximum floor space ratio shall be 0.75 provided, however, this amount may be increased as follows:

(a) where the site coverage is 50 percent or less, an amount equal to 0.009 may be added for each one percent or fraction thereof by which such coverage is reduced below 50 percent;
(b) where the area of a site exceeds 837 m² and the frontage of such site is 22.8 m or more, an amount may be added equal to 0.0015 multiplied by each 9.3 m² of site area in excess of 837 m², but in no case shall this amount exceed 0.20;
(c) where parking spaces are provided within the outermost walls of a building or underground (but in no case with the floor of the parking area above the highest point of the finished grade around the building), an amount equal to 0.15 multiplied by the ratio of the number of parking spaces provided which are completely under cover to the total number of required parking spaces may be added.

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

(a) all floors having a minimum ceiling height of 1.2 m, including earthen floor, both above and below ground level, 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; and
(c) 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~~ and ~~sun~~decks, 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~~ these exclusions does not exceed 12% of the floor area being provided for

multiple dwellings and 8% of the floor area being provided for all other uses~~eight percent of the permitted residential floor area~~;

(b) patios and roof ~~garden~~decks, provided that the Director of Planning first ~~approves the design of sunroofs and walls~~considers the effect on privacy and overlook;

(c) where floors are used for off-street parking and loading, the taking on or discharging of passengers, bicycle storage, heating and mechanical equipment, or uses which in the opinion of the Director of Planning are similar to the foregoing, those floors or portions thereof so used, which:

(i) are at or below the base surface, provided that the maximum exclusion for a parking space shall not exceed 7.3 m in length; or

(ii) are above the base surface and where developed as off-street parking are located in an accessory building situated in the rear yard, provided that the maximum exclusion for a parking space shall not exceed 7.3 m in length.

(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) all residential storage space above or below base surface, except that if the residential storage space above base surface exceeds 3.7 m² per dwelling unit, there will be no exclusion for any of the residential storage space above base surface for that unit;~~ and~~

(g) above grade floor area built as open to below, designed in combination with venting skylights, opening clerestory windows or other similar features which, in the opinion of the Director of Planning, reduce energy consumption or improve natural light and ventilation to a maximum exclusion of one percent of permitted floor area~~.~~;

(h) entries, porches and verandas and covered porches above the first storey, provided that:

(i) the side facing the street or rear property line is open or protected by guards that do not exceed the required minimum height, and

(ii) the total area of these exclusions, when combined with the balcony and deck exclusions under subsection 4.7.3 (a), does not exceed 16% of the floor area being provided for multiple dwellings and 13% of the floor area being provided for all other uses; and

(i) unconditioned floor areas with a ceiling height or height to the underside of joists less than 2.0 m, located below the floors of entries, porches and verandahs complying with subsection 4.7.3(h), to which there is no access from the interior of any dwelling.

4.8 Site Coverage

4.8.1 Not Applicable.

4.8.2 Site coverage of 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 ~~sun~~decks.

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 In the case of a sloping site where a structure is located in or beneath a yard, the structure shall be excluded from the site coverage calculation provided that it does not, except for required earth cover, permitted fences and similar items, project above the average elevation of the portions of the streets, lanes or sites located adjacent to such structure, and does not, in any event, project more than 1.0 m above the actual elevation of adjoining streets, lanes and sites.

4.9 [Deleted -- see Parking By-law.]

4.10 Horizontal Angle of Daylight

4.10.1 Each habitable room must have at least one window on an exterior wall of a building.

4.10.2 Each exterior window must be located so that a plane or planes extending from the window and formed by an angle of 50 degrees, or two angles with a sum of 70 degrees, will encounter no obstruction over a distance of 24.0 m.

4.10.3 The plane or planes referred to in section 4.10.2 must be measured horizontally from the centre of the bottom of each window.

4.10.4 The Director of Planning may ~~relax~~ vary the horizontal angle of daylight requirement, if:

(a) the Director of Planning first considers all the applicable policies and guidelines adopted by Council; and
(b) the minimum distance of unobstructed view is not less than 3.7 m.

4.10.5 An obstruction referred to in section 4.10.2 means:

(a) any part of the same building including permitted projections; or
(b) the largest building permitted under the zoning on any adjoining site.

4.10.6 A habitable room referred to in section 4.10.1 does not mean:

(a) a bathroom; or
(b) a kitchen whose floor area is the lesser of:
  (i) 10% or less of the total floor area of the dwelling unit, or
  (ii) 9.3 m^2.

~~5 Relaxation of Regulations~~

~~**5.1** The Director of Planning may permit any of the following developments on a lot having a lesser area than prescribed by section 4.1 if the lot was on record in the Land Title Office for Vancouver prior to September 7, 1965, and has an area of not less than the minimum noted:~~

~~(a) multiple dwelling, with a minimum lot area of 500 m^2;~~
~~(b) rooming house, with a minimum lot area of 500 m^2; and~~
~~(c) seniors supportive or assisted housing, with a minimum lot area of 500 m^2.~~

RM-3 District Schedule

1 Intent

The intent of this Schedule is to permit medium density residential development, including high-rise apartment buildings, and to secure a higher quality of parking, open space and daylight access through floor area bonus incentives.

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 this 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 located in the rear yard and in no case are less than 3.1 m from the ultimate centre line of any rear or flanking lane and less than the width of the required side yard from a flanking street;
  (c) the total floor area, measured to the extreme outer limits of the building, of all accessory buildings is not greater than 35 percent of the minimum rear yard prescribed in this Schedule, or 48 m², whichever is the greater;
  (d) not more than 66⅔ percent of the width of the rear yard of any lot is occupied by accessory buildings;
  (e) no accessory building obstructs the horizontal daylight access prescribed in this Schedule.

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

2.2.DW [Dwelling]

- Multiple Conversion Dwelling, provided that:

  (a) no additions shall be permitted;
  (b) no housekeeping or sleeping units shall be created;
  (c) the number of dwelling units is limited to two; and
  (d) no development permit shall be issued until the requisite permits required by other by-laws that relate to design, construction and safety of buildings are issuable.

- One-Family Dwelling.
- Rooming House.
- Two-Family Dwelling.

2.2.I [Institutional]

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

Text Box Title

3 Conditional Approval Uses

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

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

3.2 Uses

3.2.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.AG [Agricultural]

- Urban Farm - Class A.

3.2.C [Cultural and Recreational]

- Club, provided that no commercial activities are carried on and the use does not adversely impact residential uses.
- Community Centre or Neighbourhood House.
- Library in conjunction with a Community Centre.
- Park or Playground.

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

3.2.DW [Dwelling]

- Dwelling Units in conjunction with a neighbourhood grocery store existing as of July 29, 1980.
- Multiple Conversion Dwelling, resulting from the conversion of a building existing as of June 18, 1956, provided that:

  (a) before making a decision, the Director of Planning shall consider the quality and livability of the resulting units, the suitability of the building for conversion in terms of age and size, and the effect of the conversion on adjacent properties and the character of the area; and
  (b) building additions resulting in a total floor space ratio greater than 0.6 shall be in keeping with the character of the building,

  in accordance with section 3.3.1 of this Schedule.

- Multiple Dwelling, in accordance with section 3.3.1 of this Schedule.
- One-Family Dwelling with Secondary Suite.
- Seniors Supportive or Assisted Housing.

3.2.I [Institutional]

- Ambulance Station.
- Child Day Care Facility.
- Church.
- Hospital.
- Public Authority Use essential in this District.
- School - Elementary or Secondary.
- Social Service Centre.

- Community Care Facility – Class B.
- Group Residence.

3.2.P [Parking]

- Parking Area ancillary to a principal use on an adjacent site.

3.2.R [Retail]

- Farmers' Market. *Compatibility with nearby sites, parking, traffic, noise, hours of operation, size of facility, pedestrian amenity*.
- Neighbourhood Grocery Store existing as of July 29, 1980.
- Public Bike Share.

3.2.S [Service]

- Bed and Breakfast Accommodation.
- Short Term Rental Accommodation.

3.2.U [Utility and Communication]

- Public Utility.

3.3 Conditions of Use

3.3.1 Unless its development does not require the demolition or change of use or occupancy of one or more rental housing units, registered owners of Multiple Conversion Dwellings consisting of three or more dwelling units, or Multiple Dwellings, must:

(a) if it is new development that requires demolition of one or more buildings on that site, or if it is an existing development that requires major alterations resulting in a change to the unit mix of the building(s) and the reconfiguration of a majority of the existing dwelling units, housekeeping units, or sleeping units:

(i) enter into a housing agreement, satisfactory to Council, that secures:

A. one for one replacement of existing rental housing units with dwelling units on the site or in the same zoning district, or one for one replacement with another type of affordable housing if permitted under an applicable community plan, except that in cases where the existing rental housing units are sleeping or housekeeping units, the Director of Planning may permit less than one for one replacement, having regard for the Council's intention to maximize the replacement of such rental units; and

B. a Tenant Relocation Plan in keeping with the city's Tenant Relocation and Protection Policy, if applicable, and

(ii) ensure that at least 35% of the total number of dwelling units include two or more bedrooms, except where the Director of Planning considers that such requirement would deter or prevent:

A. the conservation of a protected heritage property or a building on, or eligible for addition to, the Vancouver Heritage Register;

B. the renovation of a building where there are physical constraints due to light, access, and the form and structural elements of the existing building;

C. development of low-rise and midrise buildings on mid-block or unique sites with significant design challenges in meeting the requirement; or

D. development of projects on sites or in areas identified in Council-approved plans or policies as targeted to single and couple households,

or

(b) if it is an existing development requiring renovations resulting in a change of use or occupancy of a rental housing unit on that site, but it does not require major alterations or additions resulting in a change to the unit mix of the building(s) and the reconfiguration of a majority of the existing dwelling units, housekeeping units, or sleeping units:

(i) secure, to the satisfaction of the Director Planning, one for one replacement of existing rental housing units with dwelling units on the site or in the same zoning district, except that in cases where the existing rental housing units are sleeping or housekeeping units, the Director of Planning may permit less than one for one replacement, having regard for the Council's intention to maximize the replacement of such rental units; and

(ii) provide a Tenant Relocation Plan in keeping with the city's Tenant Relocation and Protection Policy, if applicable;

and, in this section, all references to the demolition or change of use or occupancy of one or more rental housing units are to include then existing rental housing units and rental housing units that, during the three years preceding the date of application for a development permit, a person has demolished or in respect of which has changed the use or occupancy.

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 multiple dwelling or rooming house shall be 550 m².

4.1.2 The Director of Planning may permit a reduction to the minimum site area requirements of section 4.1 with respect to any of the following developments if the lot was on record in the Land Title Office for Vancouver prior to September 7, 1965 and has an area of not less than the minimum noted:
(a) multiple dwelling, with a minimum lot area of 500 m²;
(b) rooming house, with a minimum lot area of 500 m²; and
(c) seniors supportive or assisted housing, with a minimum lot area of 500 m².

4.1.3 The Director of Planning may permit a reduction to the minimum site area requirements of section 4.1 with respect to any of the following developments where the Director of Planning considers the development site to consist of locked-in lots and provided the Director of Planning also considers the intent of this Schedule and all applicable policies and guidelines adopted by Council:
(a) multiple dwelling;
(b) rooming house; and
(c) two-family dwelling.

4.2 Frontage -- Not Applicable.

4.3 Height and Length

4.3.1 On any site the maximum height of a building shall be 36.6 m, provided however, that where any portion or portions of a building extend above a height of 10.7 m, the maximum length of any such portion or portions combined shall in no case exceed an amount equal to 25 percent of the sum of the average depth of the site and the average width of the site.

4.3.2 For the purposes of section 4.3, where it is proposed to erect a building in two or more parts (towers), a site may be interpreted as two or more sites as the case may be, provided that the area of each site created is 2 300 m² or more, and parts of the building (towers) are not less than 24.0 m apart.

4.4 Front Yard

4.4.1 A front yard with a minimum depth of 6.1 m shall be provided.

4.4.2 Entries, porches and verandahs complying with the conditions of subsection 4.7.3(h) are permitted to project a maximum of 1.8 m into the required front yard.

4.5 Side Yards

4.5.1 A side yard with a minimum width of 2.1 m shall be provided on each side of the principal building, but the minimum width shall be increased so that the outer walls of the building are contained within a 135 degree angle extended horizontally and measured inwardly from any and all points on the side property lines.

4.5.2 In the case of a corner site, the exterior side yard shall not be regulated by section 4.5.1 above but shall be 20 percent of the width of the site, for buildings not exceeding 12.2 m in height, with this amount increased by .3 m for every 1.5 m or fraction thereof by which a building exceeds 12.2 m in height, except that it shall not be less than 3.0 m and need not be more than 6.0 m in width.

4.5.3 In the case of a side yard for a one-family or two-family dwelling, the side yard shall not be regulated by sections 4.5.1 and 4.5.2, but shall be a minimum width of 10 percent of the width of the site on each side of the building, except that a side yard need not exceed 1.5 m in width.

4.6 Rear Yard

4.6.1 A rear yard with a minimum depth of 10.7 m shall be provided, except that where the rear of the site abuts a lane, this required minimum depth shall be decreased by the lane width between the rear property line and the ultimate centre line of the lane.

4.6.2 Not Applicable.

4.6.3 Where the principal building or any portion thereof abutting the rear yard is 9.1 m or less in width and is located 7.6 m or more from an adjoining site, it may extend up to 3.0 m into the required rear yard.

4.6.4 Where the principal building or any portion thereof abutting the rear yard is 15.3 m or less in width and is located 7.6 m or more from an adjoining site, and where the average distance from the building to the rear property line is 10.7 m, the building or that portion thereof may extend up to 3.0 m into the required rear yard.

4.7 Floor Space Ratio

4.7.1 The maximum floor space ratio shall be 0.60 for a one-family or a two-family dwelling. For all other uses the maximum floor space ratio shall be 1.00 provided, however, this amount may be increased as follows:

(a) where the site coverage is 50 percent or less an amount equal to 0.012 may be added for each one percent or fraction thereof by which such coverage is reduced below 50 percent;

(b) where the area of a site exceeds 837 m² and the frontage of such site is 22.8 m or more, an amount may be added equal to 0.002 multiplied by each 9.3 m² of site area in excess of 837 m², but in no case shall this amount exceed 0.25;

(c) where parking spaces are provided within the outermost walls of a building or underground (but in no case with the floor of the parking area above the highest point of the finished grade around the building) an amount equal to 0.20 multiplied by the ratio of the number of parking spaces provided which are completely undercover to the total number of required parking spaces, may be added, but in no case shall this increase exceed a figure of 0.20.

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

(a) all floors having a minimum ceiling height of 1.2 m, including earthen floor, both above and below ground level, 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; and

(c) 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~~ and ~~sun~~decks 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~~ these exclusions does not exceed ~~eight percent~~8% of the ~~permitted residential~~ floor area being provided;

(b) patios and roof deck~~gardens~~, provided that the Director of Planning first ~~approves the design of sunroofs and walls~~considers the effect on privacy and overlook;

(c) where floors are used for off-street parking and loading, the taking on or discharging of passengers, bicycle storage, heating and mechanical equipment, or uses which in the opinion of the Director of Planning are similar to the foregoing, those floors or portions thereof so used, which:

(i) are at or below the base surface, provided that the maximum exclusion for a parking space shall not exceed 7.3 m in length; or

(ii) are above the base surface and where developed as off-street parking are located in an accessory building situated in the rear yard, provided that the maximum exclusion for a parking space shall not exceed 7.3 m in length.

(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) all residential storage space above or below base surface, except that if the residential storage space above base surface exceeds 3.7 m² per dwelling unit, there will be no exclusion for any of the residential storage space above base surface for that unit; ~~and~~

(g) above grade floor area built as open to below, designed in combination with venting skylights, opening clerestory windows or other similar features which, in the opinion of

the Director of Planning, reduce energy consumption or improve natural light and ventilation to a maximum exclusion of one percent of permitted floor area;

(h) entries, porches and verandas, and covered porches above the first storey, provided that:

(i) the side facing the street or rear property line is open or protected by guards that do not exceed the required minimum height, and

(ii) the total area of these exclusions, when combined with the balcony and deck exclusions permitted under subsection 4.7.3 (a), does not exceed 13% of the floor are being provided; and

(i) unconditioned floor areas with a ceiling height or height to the underside of joists of less than 2.0 m, located below the floors of entries, porches and verandahs complying with subsection 4.7.3(f), to which there is no access from the interior of the building.

4.7.4 The Director of Planning may permit the following to be excluded in the computation of floor space ratio:

(a) enclosed residential balconies, provided that the Director of Planning first considers all applicable policies and guidelines adopted by Council and approves the design of any balcony enclosure, subject to the following:

(i) the total area of all open and enclosed balcony or ~~sun~~deck exclusions does not exceed eight percent of the residential floor area being provided; and

(ii) no more than fifty percent of the excluded balcony floor area may be enclosed.

4.8 Site Coverage

4.8.1 Not Applicable.

4.8.2 Site coverage of 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 ~~sun~~decks.

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 In the case of a sloping site where a structure is located in or beneath a yard, the structure shall be excluded from the site coverage calculation provided that it does not, except for required earth cover, permitted fences and similar items, project above the average elevation of the portions of the streets, lanes or sites located adjacent to such structure, and does not, in any event project more than 1.0 m above the actual elevation of adjoining streets, lanes and sites.

4.9 [Deleted -- see Parking By-law.]

4.10 Horizontal Angle of Daylight

4.10.1 Each habitable room must have at least one window on an exterior wall of a building.

4.10.2 Each exterior window must be located so that a plane or planes extending from the window and formed by an angle of 50 degrees, or two angles with a sum of 70 degrees, will encounter no obstruction over a distance of 24.0 m.

4.10.3 The plane or planes referred to in section 4.10.2 must be measured horizontally from the centre of the bottom of each window.

4.10.4 The Director of Planning may ~~relax~~ vary the horizontal angle of daylight requirement, if:

(a) the Director of Planning first considers all the applicable policies and guidelines adopted by Council; and

(b) the minimum distance of unobstructed view is not less than 3.7 m.

4.10.5 An obstruction referred to in section 4.10.2 means:

(a) any part of the same building including permitted projections; or
(b) the largest building permitted under the zoning on any adjoining site.

4.10.6 A habitable room referred to in section 4.10.1 does not mean:

(a) a bathroom; or
(b) a kitchen whose floor area is the lesser of:
  (i) 10% or less of the total floor area of the dwelling unit, or
  (ii) 9.3 m^2.

4.11 Vertical Angle of Daylight

4.11.1 In the case of buildings of over 10.7 m in height no part thereof shall project above lines extending over the site at right angles from:

(a) all points along the ultimate centre line of any street in front of the site and inclined at an average angle of 25 degrees to the horizontal;
(b) all points along the rear boundary line of the site or the ultimate centre line of the lane where one has been dedicated, and inclined at an average angle of 25 degrees to the horizontal;
(c) all points along any interior side boundary of the site at ground level and inclined at an average angle of 30 degrees to the horizontal;
(d) in the case of a corner site, all points along the ultimate centre line of the flanking street or lane and inclined at an average angle of 25 degrees to the horizontal.

4.11.2 For the purpose of computing the average angles of daylight on each side of the site, each angle shall be multiplied by the length of the applicable portion of the building or site over which such angle applies, and the sum of these products (angle times length applicable) shall be divided by the total length of the corresponding site boundary.

~~5 Relaxation of Regulations~~

~~**5.1** The Director of Planning may relax the minimum site area requirements of section 4.1 with respect to any of the following developments if the lot was on record in the Land Title Office for Vancouver prior to September 7, 1965 and has an area of not less than the minimum noted:~~

~~(a) multiple dwelling, with a minimum lot area of 500 m²;~~
~~(b) rooming house, with a minimum lot area of 500 m²; and~~
~~(c) seniors supportive or assisted housing, with a minimum lot area of 500 m².~~

~~**5.2** The Director of Planning may relax the minimum site area requirements of this Schedule with respect to any of the following developments where the Director of Planning considers the development site to consist of locked-in lots and provided the Director of Planning also considers the intent of this Schedule and all applicable policies and guidelines adopted by Council:~~

~~(a) multiple dwelling;~~
~~(b) rooming house;~~
~~(c) two-family dwelling.~~

RM-3A District Schedule

1 Intent

The intent of this Schedule is to permit medium density residential development, including low-rise apartment buildings, and to secure a higher quality of parking, open space and daylight access through floor area bonus incentives.

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 this 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 located in the rear yard and in no case are less than 3.1 m from the ultimate centre line of any rear or flanking lane and less than the width of the required side yard from a flanking street;
  (c) the total floor area, measured to the extreme outer limits of the building, of all accessory buildings is not greater than 35 percent of the minimum rear yard prescribed in this Schedule, or 48 m², whichever is the greater;
  (d) not more than 66⅔ percent of the width of the rear yard of any lot is occupied by accessory buildings;
  (e) no accessory building is closer than 3.7 m to any residential dwelling;
  (f) no accessory building obstructs the daylight access prescribed in this Schedule.

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

2.2.DW [Dwelling]

- Multiple Conversion Dwelling, provided that:

  (a) no additions shall be permitted;
  (b) no housekeeping or sleeping units shall be created;
  (c) the number of dwelling units is limited to two; and
  (d) no development permit shall be issued until the requisite permits required by other by-laws that relate to design, construction and safety of buildings are issuable.

- One-Family Dwelling.
- Rooming House.
- Two-Family Dwelling.

2.2.I [Institutional]

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

Text Box Title

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 Council policies and guidelines; and
(b) the submission of any advisory group, property owner or tenant.

3.2 Uses

3.2.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.AG [Agricultural]

- Urban Farm - Class A.

3.2.C [Cultural and Recreational]

- Club, provided that no commercial activities are carried on and the use does not adversely impact residential uses.
- Community Centre or Neighbourhood House.
- Library in conjunction with a Community Centre.
- Park or Playground.

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

3.2.DW [Dwelling]

- Dwelling Units in conjunction with a neighbourhood grocery store existing as of July 29, 1980.
- Micro dwelling.
- Multiple Conversion Dwelling, resulting from the conversion of a building existing as of June 18, 1956, provided that:

  (a) before making a decision, the Director of Planning shall consider the quality and livability of the resulting units, the suitability of the building for conversion in terms of age and size, and the effect of the conversion on adjacent properties and the character of the area; and
  (b) building additions resulting in a total floor space ratio greater than 0.6 shall be in keeping with the character of the building,

  in accordance with section 3.3.1 of this Schedule.
- Multiple Dwelling, in accordance with section 3.3.1 of this Schedule.
- One-Family Dwelling with Secondary Suite.
- Seniors Supportive or Assisted Housing.

3.2.I [Institutional]

- Ambulance Station.
- Child Day Care Facility.
- Church.
- Hospital.
- Public Authority Use essential in this District.
- School - Elementary or Secondary.
- Social Service Centre.

- Community Care Facility – Class B.
- Group Residence.

3.2.P [Parking]

- Parking Area ancillary to a principal use on an adjacent site.

3.2.R [Retail]

- Farmers' Market. *Compatibility with nearby sites, parking, traffic, noise, hours of operation, size of facility, pedestrian amenity*.
- Neighbourhood Grocery Store existing as of July 29, 1980.
- Public Bike Share.

3.2.S [Service]

- Bed and Breakfast Accommodation.
- Short Term Rental Accommodation.

3.2.U [Utility and Communication]

- Public Utility.

3.3 Conditions of Use

3.3.1 Unless its development does not require the demolition or change of use or occupancy of one or more rental housing units, registered owners of Multiple Conversion Dwellings consisting of three or more dwelling units, or Multiple Dwellings, must:

(a) if it is new development that requires demolition of one or more buildings on that site, or if it is an existing development that requires major alterations resulting in a change to the unit mix of the building(s) and the reconfiguration of a majority of the existing dwelling units, housekeeping units, or sleeping units:

(i) enter into a housing agreement, satisfactory to Council, that secures:

A. one for one replacement of existing rental housing units with dwelling units on the site or in the same zoning district, or one for one replacement with another type of affordable housing if permitted under an applicable community plan, except that in cases where the existing rental housing units are sleeping or housekeeping units, the Director of Planning may permit less than one for one replacement, having regard for the Council's intention to maximize the replacement of such rental units; and

B. a Tenant Relocation Plan in keeping with the city's Tenant Relocation and Protection Policy, if applicable, and

(ii) ensure that at least 35% of the total number of dwelling units include two or more bedrooms, except where the Director of Planning considers that such requirement would deter or prevent:

A. the conservation of a protected heritage property or a building on, or eligible for addition to, the Vancouver Heritage Register;

B. the renovation of a building where there are physical constraints due to light, access, and the form and structural elements of the existing building;

C. development of low-rise and midrise buildings on mid-block or unique sites with significant design challenges in meeting the requirement; or

D. development of projects on sites or in areas identified in Council-approved plans or policies as targeted to single and couple households,

or

(b) if it is an existing development requiring renovations resulting in a change of use or occupancy of a rental housing unit on that site, but it does not require major alterations or additions resulting in a change to the unit mix of the building(s) and the reconfiguration of a majority of the existing dwelling units, housekeeping units, or sleeping units:

(i) secure, to the satisfaction of the Director Planning, one for one replacement of existing rental housing units with dwelling units on the site or in the same zoning district, except that in cases where the existing rental housing units are sleeping or housekeeping units, the Director of Planning may permit less than one for one replacement, having regard for the Council's intention to maximize the replacement of such rental units; and

(ii) provide a Tenant Relocation Plan in keeping with the city's Tenant Relocation and Protection Policy, if applicable;

and, in this section, all references to the demolition or change of use or occupancy of one or more rental housing units are to include then existing rental housing units and rental housing units that, during the three years preceding the date of application for a development permit, a person has demolished or in respect of which has changed the use or occupancy.

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 multiple dwelling or rooming house shall be 550 m².

4.1.2 The Director of Planning may permit a reduction to the minimum site area requirements of section 4.1 with respect to any of the following developments if the lot was on record in the Land Title Office for Vancouver prior to September 7, 1965, and has an area of not less than the minimum noted:
(a) multiple dwelling, with a minimum lot area of 500 m²;
(b) rooming house, with a minimum lot area of 500 m²; and
(c) seniors supportive or assisted housing, with a minimum lot area of 500 m².

4.1.3 The Director of Planning may permit a reduction to the minimum site area requirements of section 4.1 with respect to any of the following developments where the Director of Planning considers the development site to consist of locked-in lots and provided the Director of Planning also considers the intent of this Schedule and all applicable policies and guidelines adopted by Council:
(a) multiple dwelling;
(b) rooming house; and
(c) two-family dwelling.

4.2 Frontage -- Not Applicable

4.3 Height

4.3.1 The maximum height of a building shall be 10.7 m.

4.4 Front Yard

4.4.1 A front yard with a minimum depth of 6.1 m shall be provided.

4.4.2 Entries, porches and verandahs complying with the conditions of subsection 4.7.3 (h) are permitted to project a maximum of 1.8 m into the required front yard.

4.5 Side Yards

4.5.1 A side yard with a minimum width of 2.1 m shall be provided on each side of the principal building, but the minimum width shall be increased so that the outer walls of the building are contained within a 135 degree angle extended horizontally and measured inwardly from any and all points on the side property lines.

4.5.2 In the case of a corner site, the exterior side yard shall not be regulated by section 4.5.1 above but shall be 20 percent of the width of the site, except that it shall not be less than 3.0 m and need not be more than 6.0 m in width.

4.5.3 In the case of a side yard for a one-family or two-family dwelling, the side yard shall not be regulated by sections 4.5.1 and 4.5.2, but shall be a minimum width of 10 percent of the width of the site on each side of the building, except that a side yard need not exceed 1.5 m in width.

4.6 Rear Yard

4.6.1 A rear yard with a minimum depth of 10.7 m shall be provided, except that where the rear of the site abuts a lane, this required minimum depth shall be decreased by the lane width between the rear property line and the ultimate centre line of the lane.

4.6.2 Not Applicable.

4.6.3 Where the principal building or any portion thereof abutting the rear yard is 9.1 m or less in width and is located 7.6 m or more from an adjoining site, it may extend up to 3.0 m into the required rear yard.

4.6.4 Where the principal building or any portion thereof abutting the rear yard is 15.3 m or less in width and is located 7.6 m or more from an adjoining site, and where the average distance from the building to the rear property line is 10.7 m, the building or that portion thereof may extend up to 3.0 m into the required rear yard.

4.7 Floor Space Ratio

4.7.1 The maximum floor space ratio shall be 0.60 for a one-family or a two-family dwelling. For all other uses the maximum floor space ratio shall be 1.00 provided, however, this amount may be increased as follows:

(a) where the site coverage is 50 percent or less an amount equal to 0.012 may be added for each one percent or fraction thereof by which such coverage is reduced below 50 percent;
(b) where the area of a site exceeds 837 m² and the frontage of such site is 22.8 m or more, an amount may be added equal to 0.002 multiplied by each 9.3 m² of site area in excess of 837 m², but in no case shall this amount exceed 0.25;
(c) where parking spaces are provided within the outermost walls of a building or underground (but in no case with the floor or the parking area above the highest point of the finished grade around the building) an amount equal to 0.20 multiplied by the ratio of the number of parking spaces provided which are completely under cover to the total number of required parking spaces may be added, but in no case shall this increase exceed a figure of 0.20.

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

(a) all floors having a minimum ceiling height of 1.2 m, including earthen floor, both above and below ground level, 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; and

(c) 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~~ and ~~sun~~decks 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~~ these exclusions does not exceed ~~eight percent~~8% of the ~~permitted residential~~ floor area being provided;

(b) patios and roof decks~~gardens~~, provided that the Director of Planning first ~~approves the design of sunroofs and walls~~considers the effect on privacy and overlook;

(c) where floors are used for off-street parking and loading, the taking on or discharging of passengers, bicycle storage, heating and mechanical equipment, or uses which in the opinion of the Director of Planning are similar to the foregoing, those floors or portions thereof so used, which:

(i) are at or below the base surface, provided that the maximum exclusion for a parking space shall not exceed 7.3 m in length; or

(ii) are above the base surface and where developed as off-street parking are located in an accessory building situated in the rear yard, provided that the maximum exclusion for a parking space shall not exceed 7.3 m in length.

(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) all residential storage space above or below base surface, except that if the residential storage space above base surface exceeds 3.7 m² per dwelling unit, there will be no exclusion for any of the residential storage space above base surface for that unit; ~~and~~

(g) above grade floor area built as open to below, designed in combination with venting skylights, opening clerestory windows or other similar features which, in the opinion of the Director of Planning, reduce energy consumption or improve natural light and ventilation to a maximum exclusion of one percent of permitted floor area;

(h) entries, porches and verandas and covered porches above the first storey, provided that:

(i) the side facing the street or rear property line is open or protected by guards that do not exceed the required minimum height; and

(ii) the total area of these exclusions, when combined with the open balcony and deck exclusions under subsection 4.7.3 (a), does not exceed 13% of the floor area being provided; and

(i) unconditioned floor areas with a ceiling height or height to the underside of joists of less than 2.0 m, located below the floors of entries, porches and verandahs complying with subsection 4.7.3(h), to which there is no access from the interior of the building.

4.7.4 The Director of Planning may permit the following to be excluded in the computation of floor space ratio:

(a) enclosed residential balconies, provided that the Director of Planning first considers all applicable policies and guidelines adopted by Council and approves the design of any balcony enclosure, subject to the following:
   (i) the total area of all open and enclosed balcony or ~~sun~~deck exclusions does not exceed eight percent of the residential floor area being provided; and
   (ii) no more than fifty percent of the excluded balcony floor area may be enclosed.

4.8 Site Coverage

4.8.1 Not Applicable.

4.8.2 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 ~~sun~~decks.

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 In the case of a sloping site where a structure is located in or beneath a yard, the structure shall be excluded from the site coverage calculation provided that it does not, except for required earth cover, permitted fences and similar items, project above the average elevation of the portions of the streets, lanes or sites located adjacent to such structure, and does not, in any event, project more than 1.0 m above the actual elevation of adjoining streets, lanes and sites.

4.9 [Deleted -- see Parking By-law.]

4.10 Horizontal Angle of Daylight

4.10.1 Each habitable room must have at least one window on an exterior wall of a building.

4.10.2 Each exterior window must be located so that a plane or planes extending from the window and formed by an angle of 50 degrees, or two angles with a sum of 70 degrees, will encounter no obstruction over a distance of 24.0 m.

4.10.3 The plane or planes referred to in section 4.10.2 must be measured horizontally from the centre of the bottom of each window.

4.10.4 The Director of Planning may ~~relax~~ vary the horizontal angle of daylight requirement, if:

(a) the Director of Planning first considers all the applicable policies and guidelines adopted by Council; and
(b) the minimum distance of unobstructed view is not less than 3.7 m.

4.10.5 An obstruction referred to in section 4.10.2 means:

(a) any part of the same building including permitted projections; or
(b) the largest building permitted under the zoning on any adjoining site.

4.10.6 A habitable room referred to in section 4.10.1 does not mean:

(a) a bathroom; or
(b) a kitchen whose floor area is the lesser of:
   (i) 10% or less of the total floor area of the dwelling unit, or
   (ii) 9.3 m^2.

~~5 Relaxation of Regulations~~

Text Box Title

~~**5.1** The Director of Planning may relax the minimum site area requirements of section 4.1 with respect to any of the following developments if the lot was on record in the Land Title Office for Vancouver prior to September 7, 1965, and has an area of not less than the minimum noted:~~

~~(a) multiple dwelling, with a minimum lot area of 500 m²;~~
~~(b) rooming house, with a minimum lot area of 500 m²; and~~
~~(c) seniors supportive or assisted housing, with a minimum lot area of 500 m².~~

~~**5.2** The Director of Planning may relax the minimum site area requirements of this Schedule with respect to any of the following developments where the Director of Planning considers the development site to consist of locked-in lots and provided the Director of Planning also considers the intent of this Schedule and all applicable policies and guidelines adopted by Council:~~

~~(a) multiple dwelling;~~
~~(b) rooming house;~~
~~(c) two-family dwelling.~~

RM 4 and RM 4N Districts Schedule

1 Intent

The intent of this Schedule is to permit medium density residential development, including a variety of multiple dwelling types, to encourage the retention of existing buildings and good design, and to achieve a number of community and social objectives through permitted increases in floor area. The RM-4N District differs from the RM-4 District in that it requires evidence of noise mitigation for residential development.

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 RM-4 and RM-4N Districts 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 located in the rear yard and in no case are less than 3.1 m from the ultimate centre line of any rear or flanking lane and less than the width of the required side yard from a flanking street, subject also to the provisions of section 10.27 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 35 percent of the minimum rear yard prescribed in this Schedule, or 48 m², whichever is the greater;
  (d) not more than 66⅔ percent of the width of the rear yard of any lot is occupied by accessory buildings;
  (e) no accessory building is closer than 3.7 m to any residential dwelling;
  (f) no accessory building obstructs the daylight access prescribed in this Schedule.

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

2.2.DW [Dwelling]

- Multiple Conversion Dwelling, provided that:

  (a) no additions shall be permitted;
  (b) no housekeeping or sleeping units shall be created;
  (c) the number of dwelling units is limited to two; and
  (d) no development permit shall be issued until the requisite permits required by other by-laws that relate to design, construction and safety of buildings are issuable.

- One-Family Dwelling.
- Rooming House.
- Two-Family Dwelling.

Text Box Title

2.2.I [Institutional]

- Community Care Facility – Class A, subject to the regulations, variations 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 Council policies and guidelines; and
(b) the submission of any advisory group, property owner or tenant.

3.2 Uses

3.2.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.AG [Agricultural]

- Urban Farm - Class A.

3.2.C [Cultural and Recreational]

- Club, provided that no commercial activities are carried on and the use does not adversely impact residential uses.
- Community Centre or Neighbourhood House.
- Library in conjunction with a Community Centre.
- Park or Playground.

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

3.2.DW [Dwelling]

- Dwelling Units in conjunction with a neighbourhood grocery store existing as of July 29, 1980.
- Infill, in accordance with section 3.3.1 of this Schedule.
- Multiple Conversion Dwelling, resulting from the conversion of a building existing as of June 18, 1956, provided that:

  (a) before making a decision, the Director of Planning shall consider the quality and livability of the resulting units, the suitability of the building for conversion in terms of age and size, and the effect of the conversion on adjacent properties and the character of the area; and

  (b) building additions resulting in a total floor space ratio greater than 0.6 shall be in keeping with the character of the building,

  in accordance with section 3.3.1 of this Schedule.

- Multiple Dwelling, in accordance with section 3.3.1 of this Schedule.
- One-Family Dwelling with Secondary Suite.
- Seniors Supportive or Assisted Housing.

3.2.I [Institutional]

- Ambulance Station.

- Child Day Care Facility.
- Church.
- Hospital.
- Public Authority Use essential in this District.
- School - Elementary or Secondary.
- Social Service Centre.
- Community Care Facility – Class B.
- Group Residence.

3.2.R [Retail]

- Farmers' Market. *Compatibility with nearby sites, parking, traffic, noise, hours of operation, size of facility, pedestrian amenity*.
- Neighbourhood Grocery Store existing as of July 29, 1980.
- Public Bike Share.

3.2.S [Service]

- Bed and Breakfast Accommodation.
- Short Term Rental Accommodation.

3.2.U [Utility and Communication]

- Public Utility.

3.3 Conditions of Use

3.3.1 Unless its development does not require the demolition or change of use or occupancy of one or more rental housing units, registered owners of Infill Multiple Dwellings, Multiple Conversion Dwellings consisting of three or more dwelling units, or Multiple Dwellings, must:

(a) if it is new development that requires demolition of one or more buildings on that site, or if it is an existing development that requires major alterations resulting in a change to the unit mix of the building(s) and the reconfiguration of a majority of the existing dwelling units, housekeeping units, or sleeping units:

(i) enter into a housing agreement, satisfactory to Council, that secures:

A. one for one replacement of existing rental housing units with dwelling units on the site or in the same zoning district, or one for one replacement with another type of affordable housing if permitted under an applicable community plan, except that in cases where the existing rental housing units are sleeping or housekeeping units, the Director of Planning may permit less than one for one replacement, having regard for the Council's intention to maximize the replacement of such rental units; and

B. a Tenant Relocation Plan in keeping with the city's Tenant Relocation and Protection Policy, if applicable, and

(ii) ensure that at least 35% of the total number of dwelling units include two or more bedrooms, except where the Director of Planning considers that such requirement would deter or prevent:

A. the conservation of a protected heritage property or a building on, or eligible for addition to, the Vancouver Heritage Register;

B. the renovation of a building where there are physical constraints due to light, access, and the form and structural elements of the existing building;

C. development of low-rise and midrise buildings on mid-block or unique sites with significant design challenges in meeting the requirement; or

Text Box Title

D. development of projects on sites or in areas identified in Council-approved plans or policies as targeted to single and couple households,

or

(b) if it is an existing development requiring renovations resulting in a change of use or occupancy of a rental housing unit on that site, but it does not require major alterations or additions resulting in a change to the unit mix of the building(s) and the reconfiguration of a majority of the existing dwelling units, housekeeping units, or sleeping units:

(i) secure, to the satisfaction of the Director Planning, one for one replacement of existing rental housing units with dwelling units on the site or in the same zoning district, except that in cases where the existing rental housing units are sleeping or housekeeping units, the Director of Planning may permit less than one for one replacement, having regard for the Council's intention to maximize the replacement of such rental units; and

(ii) provide a Tenant Relocation Plan in keeping with the city's Tenant Relocation and Protection Policy, if applicable;

and, in this section, all references to the demolition or change of use or occupancy of one or more rental housing units are to include then existing rental housing units and rental housing units that, during the three years preceding the date of application for a development permit, a person has demolished or in respect of which has changed the use or occupancy.

4 Regulations

~~All uses approved under sections 2 and 3 of this District Schedule shall be subject to the following regulations, except section 4.15, which shall apply only in the RM-4N District.~~

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

(a) section 4.15 shall apply only in the RM-4N District; and

(b) the Director of Planning may vary any of the regulations of this Schedule for the following developments where the Director of Planning is satisfied that the variation will serve to accomplish certain social and community goals, including where possible the retention of existing buildings, having regard to the intent of this Schedule and all applicable policies and guidelines adopted by Council:

(i) one-family dwelling, one-family dwelling with secondary suite, or two-family dwelling, provided that the floor space ratio shall in no case exceed 1.00;

(ii) infill or additions to existing buildings, provided that the floor space ratio shall in no case exceed 1.45;

(iii) multiple dwelling or seniors supportive or assisted housing, provided that:

a. all required parking spaces shall be provided underground or within the outermost walls of a building (but in no case with the floor of the parking area above the highest point of the finished grade around the building), except in the case of lots of 560 m² or less;

b. useable on-site open space shall be provided;

c. a minimum of 20 percent of total units within any building shall contain 2 or more bedrooms, except in the case of buildings designed specifically for use as senior citizens' housing or other similar use;

d. in no case shall the site coverage exceed 65 percent; and

e. the maximum floor space ratio shall be 1.45.

4.1 Site Area

4.1.1 The minimum site area for a multiple dwelling or rooming house shall be 550 m².

4.1.2 The Director of Planning may permit a reduction to the minimum site area requirements of section 4.1 with respect to any of the following developments if the lot was on record in the Land Title Office for Vancouver prior to March 9, 1976 and has an area of not less than the minimum noted:
(a) multiple dwelling with a minimum lot area of 500 m²;
(b) rooming house, with a minimum lot area of 500 m²; and
(c) seniors supportive or assisted housing, with a minimum lot area of 500 m².

4.1.3 The Director of Planning may permit a reduction to the minimum site area requirements of section 4.1 with respect to any of the following developments where the Director of Planning considers the development site to consist of locked in lots and provided the Director of Planning also considers the intent of this Schedule and all applicable policies and guidelines adopted by Council:
(a) multiple dwelling;
(b) rooming house; and
(c) seniors supportive or assisted housing, with a minimum lot area of 500 m².

4.2 Frontage

4.2.1 The maximum frontage for a site for a multiple dwelling shall be 45.8 m.

4.3 Height

4.3.1 The maximum height of a building shall be 10.7 m, but no portion of the building shall extend above an envelope formed by a vertical line measuring 7.3 m in height at the north property line and a plane formed by an angle of 30 degrees measured from the horizontal and having its vertex at the maximum building height permitted at the north property line.

4.4 Front Yard

4.4.1 A front yard with a minimum depth of 6.1 m shall be provided.

4.4.2 Entries, porches and verandahs complying with the conditions of subsection 4.7.3(h) are permitted to project a maximum of 1.8 m into the required front yard.

4.5 Side Yard

4.5.1 A side yard with a minimum width of 2.1 m shall be provided on each side of the principal building, but the minimum width shall be increased so that the outer walls of the building are contained within a 135 degree angle extended horizontally and measured inwardly from any and all points on the side property lines.

4.5.2 In the case of a corner site, the exterior side yard shall not be regulated by section 4.5.1 above but shall be 20 percent of the width of the site, except that it shall not be less than 3.0 m and need not be more than 6.0 m in width.

4.5.3 In the case of a side yard for a one-family or two-family dwelling, the side yard shall not be regulated by subsections 4.5.1 and 4.5.2, but shall be a minimum width of 10 percent of the width of the site on each side of the building, except that a side yard need not exceed 1.5 m in width.

4.6 Rear Yard

4.6.1 A rear yard with a minimum depth of 10.7 m shall be provided, except that where the rear of the site abuts a lane, this required minimum depth shall be decreased by the lane width between the rear property line and the ultimate centre line of the lane.

4.6.2 Not applicable.

4.6.3 Where the principal building or any portion thereof abutting the rear yard is 9.1 m or less in width and is located 7.6 m or more from an adjoining site, it may extend up to 3.0 m into the required rear yard.

4.6.4 Where the principal building or any portion thereof abutting the rear yard is 15.3 m or less in width and is located 7.6 m or more from an adjoining site, and where the average distance from the building to the rear property line is 10.7 m, the building or that portion thereof may extend up to 3.0 m into the required rear yard.

4.7 Floor Space Ratio

4.7.1 The floor space ratio shall not exceed 0.60 for one-family dwellings, one-family dwelling with secondary suite and two-family dwellings, nor 0.75 for all other uses.

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

(a) all floors having a minimum ceiling height of 1.2 m, including earthen floor, both above and below ground level, 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; and
(c) 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 area:

(a) ~~open residential~~ balconies ~~or~~ and ~~sun~~decks~~,~~ and any other appurtenances which, in the opinion of the Director of Planning, are similar to the foregoing, provided that the total area of these exclusions does not exceed 12% of the floor area being provided for multiple dwellings and 8% of the floor area being provided for all other uses;
(b) patios and roof decks~~gardens~~, provided that the Director of Planning first ~~approves the design of sunroofs and walls~~considers the effect on privacy and overlook;
(c) where floors are used for off-street parking and loading, the taking on or discharging of passengers, bicycle storage, heating and mechanical equipment, or uses which in the opinion of the Director of Planning are similar to the foregoing, those floors or portions thereof so used, which:
    (i) are at or below the base surface, provided that the maximum exclusion for a parking space shall not exceed 7.3 m in length; or
    (ii) are above the base surface and where developed as off-street parking are located in an accessory building situated in the rear yard, provided that the maximum exclusion for a parking space shall not exceed 7.3 m in length.

(d) amenity areas, including day care facilities, recreation facilities, and meeting rooms, to a maximum total of 10 percent of the total permitted floor area;

(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) for multiple dwelling, all residential storage area above or below base surface, except that if residential storage area above base surface exceeds 3.7 m² per dwelling unit, there will be no exclusion for any of the residential storage area above base surface for that unit; ~~and~~

(g) above grade floor area built as open to below, designed in combination with venting skylights, opening clerestory windows or other similar features which, in the opinion of the Director of Planning, reduce energy consumption or improve natural light and ventilation to a maximum exclusion of one percent of permitted floor area;~~.~~

(h) entries, porches and verandas and covered porches above the first storey, provided that:
  (i) the side facing the street or rear property line is open or protected by guards that do not exceed the required minimum height; and
  (ii) the total area of these exclusions, when combined with the balcony and deck exclusions under subsection 4.7.3 (a), does not exceed 16% of the floor area being provided for multiple dwellings and 13% of the floor area being provided for all other uses; and

(i) unconditioned floor areas with a ceiling height or height to the underside of joists of less than 2.0 m, located below the floors of entries, porches and verandahs complying with subsection 4.7.3(h), to which there is no access from the interior of the building.

4.8 Site Coverage

4.8.1 Not Applicable.

4.8.2 Site coverage[1] 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 ~~sun~~decks.

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 In the case of a sloping site where a structure is located in or beneath a yard, the structure shall be excluded from the site coverage[1] calculation provided that it does not, except for required earth cover, permitted fences and similar items, project above the average elevation of the portions of the streets, lanes or sites located adjacent to such structure, and does not, in any event, project more than 1.0 m above the actual elevation of adjoining streets, lanes and sites.

4.9 [Deleted -- see Parking By-law.]

4.10 Horizontal Angle of Daylight

4.10.1 Each habitable room must have at least one window on an exterior wall of a building.

4.10.2 Each exterior window must be located so that a plane or planes extending from the window and formed by an angle of 50 degrees, or two angles with a sum of 70 degrees, will encounter no obstruction over a distance of 24.0 m.

[1] [as provided for in section 5.3 of this Schedule]

4.10.3 The plane or planes referred to in section 4.10.2 must be measured horizontally from the centre of the bottom of each window.

4.10.4 The Director of Planning may ~~relax~~ vary the horizontal angle of daylight requirement, if:

(a) The Director of Planning first considers all the applicable policies and guidelines adopted by Council; and
(b) the minimum distance of unobstructed view is not less than 3.7 m.

4.10.5 An obstruction referred to in section 4.10.2 means:

(a) any part of the same building including permitted projections; or
(b) the largest building permitted under the zoning on any adjoining site.

4.10.6 A habitable room referred to in section 4.10.1 does not mean:

(a) a bathroom; or
(b) a kitchen whose floor area is the lesser of:
  (i) 10% or less of the total floor area of the dwelling unit, or
  (ii) 9.3 m^2.

4.11 - 4.14 (Reserved)

4.15 Acoustics

4.15.1 A development permit application for dwelling uses in the RM-4N District shall require evidence in the form of a report and recommendations prepared by persons trained in acoustics and current techniques of noise measurements, demonstrating that the noise levels in those portions of the dwelling units listed below shall not exceed the noise levels expressed in decibels set opposite such portions of the dwelling units. For the purposes of this section the noise level is the A-weighted 24-hour equivalent (Leq) sound level and will be defined simply as the noise level in decibels.

Portions of dwelling units	**Noise levels (Decibels)**
bedrooms	35
living, dining, recreation rooms	40
kitchen, bathrooms, hallways	45

~~5 Relaxation of Regulations~~

~~**5.1** The Director of Planning may relax the minimum site area requirements of section 4.1 with respect to any of the following developments if the lot was on record in the Land Title Office for Vancouver prior to March 9, 1976 and has an area of not less than the minimum noted:~~

~~(a) multiple dwelling with a minimum lot area of 500 m²;~~
~~(b) rooming house, with a minimum lot area of 500 m²; and~~
~~(c) seniors supportive or assisted housing, with a minimum lot area of 500 m².~~

~~**5.2** The Director of Planning may relax the minimum site area requirements of this Schedule with respect to any of the following developments where the Director of Planning considers the development site to consist of locked in lots and provided the Director of Planning also considers the intent of this Schedule and all applicable policies and guidelines adopted by Council:~~

~~(a) multiple dwelling;~~
~~(b) rooming house; and~~
~~(c) seniors supportive or assisted housing, with a minimum lot area of 500 m².~~

~~**5.3** The Director of Planning may relax any of the regulations of this Schedule for the following developments where the Director of Planning is satisfied that the relaxation will serve to accomplish certain social and community goals, including where possible the retention of existing buildings, having regard to the intent of this Schedule and all applicable policies and guidelines adopted by Council.~~

~~(a) one-family dwelling, one-family dwelling with secondary suite, or two-family dwelling, provided that the floor space ratio shall in no case exceed 1.00;~~

~~(b) infill or additions to existing buildings, provided that the floor space ratio shall in no case exceed 1.45;~~

~~(c) multiple dwelling or seniors supportive or assisted housing, provided that:~~

~~(i) all required parking spaces shall be provided underground or within the outermost walls of a building (but in no case with the floor of the parking area above the highest point of the finished grade around the building), except in the case of lots of 560 m² or less;~~

~~(ii) useable on-site open space shall be provided;~~

~~(iii) a minimum of 20 percent of total units within any building shall contain 2 or more bedrooms, except in the case of buildings designed specifically for use as senior citizens' housing or other similar use;~~

~~(iv) in no case shall the site coverage exceed 65 percent;~~

~~(v) the maximum floor space ratio shall be 1.45.~~

RM-5, RM-5A, RM-5B, RM-5C and RM-5D Districts Schedule

1 Intent

The intent of this Schedule is to permit a variety of residential developments and some compatible retail, office, service and institutional uses. Emphasis is placed on achieving development which is compatible with neighbouring development with respect to streetscape character, open spaces, view retention, sunlight access and privacy. The RM-5A, RM-5B, RM-5C and RM-5D Districts permit greater densities than RM-5.

The RM-5 District also encourages developments suited to families with children. The RM-5C District permits a greater range of uses. The RM-5D District supports the development of social housing.

2 Outright Approval Uses

2.1 Subject to all other provisions of this By-law and to compliance with section 2.3 and the regulations of this Schedule, the uses listed in section 2.2 shall be permitted in the RM-5, RM-5A, RM-5B, RM-5C and RM-5D Districts and shall be issued a permit.

2.2 Uses

2.2.A

- Accessory Buildings customarily ancillary to any of the uses listed in this Section, 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 located in the rear yard and in no case are less than 3.1 m from the ultimate centre line of any rear or flanking lane and less than the width of the required side yard from a flanking street;
  - (c) the total floor area, measured to the extreme outer limits of the building, of all accessory buildings is not greater than 35 % of the rear yard to be provided, or 48 m², whichever is the lesser;
  - (d) not more than 66⅔ % of the width of the rear yard of any lot is occupied by accessory buildings;
  - (e) no accessory building is closer than 3.7 m to any residential building;
  - (f) no accessory building obstructs the daylight access prescribed in this Schedule.
- Accessory Uses customarily ancillary to any of the uses listed in this section, except hotel.

2.2.C [Cultural and Recreational]

- Community Centre or Neighbourhood House.
- Library in conjunction with a Community Centre.
- Park or Playground.

2.2.DW [Dwelling]

- Dwelling Units in conjunction with a neighbourhood grocery store, or with a Laundromat or Dry Cleaning Establishment existing as of September 26, 1989.

- Multiple Conversion Dwelling consisting of two dwelling units.
- Rooming House.

2.2.I [Institutional]

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

2.2.R [Retail]

- Neighbourhood Grocery Store existing as of July 29, 1980.

2.2.S [Service]

- Hotel existing as of September 26, 1989.
- Laundromat or Dry Cleaning Establishment existing as of September 26, 1989.

2.3 Conditions of Use

2.3.1 All uses other than dwelling uses listed in this section shall be carried on wholly within a completely enclosed building except for the following:

(a) parking and loading facilities;
(b) display of flowers, plants, fruits and vegetables; and
(c) child day care facility.

2.3.2 • In the RM-5 District, a minimum of 20 % of total dwelling units within any multiple dwelling, except in the case of buildings designed solely for use as senior citizens' housing under the provisions of the National Housing Act or other similar use, shall:

(a) contain 2 or more bedrooms;
(b) possess private open space directly accessible from the unit and which is a minimum of 5.6 m² in area, and with a minimum dimension of 1.8 m; and
(c) be located within three storeys of grade.

2.3.3 • In the RM-5 District, all multiple dwellings shall include an outdoor area with a minimum area of 37 m², in an appropriate location, that could be developed as a children's play area.

2.3.4 • In the RM-5D District, the maximum allowable floor space ratio for all permitted uses other than dwelling uses is 0.65.

3 Conditional Approval Uses

3.1 Subject to all other provisions of this By-law, compliance with section 3.3 and the provisions and regulations of this Schedule, the Director of Planning or the Development Permit Board may approve any of the uses listed in section 3.2 as specified in sections 3.2.1 and 3.2.2 of this Schedule, with or without conditions, provided that the Director of Planning or the Development Permit Board first considers:

(a) the intent of this Schedule and all applicable policies and guidelines adopted by Council
(b) the submission of any advisory group, property owner or tenant; and
(c) the appropriateness of the use with respect to the items which are shown in italics following the use.

3.2.1 Uses

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 hotel or any of the uses listed in this section.

3.2.1.AG [Agricultural]

- Urban Farm - Class A.

3.2.1.C [Cultural and Recreational]

- Museum or Archives. *compatibility with nearby sites, parking, proximity to major streets, size of facility*

3.2.1.DW [Dwelling]

- Infill, in accordance with section 3.3.4 of this Schedule.
- Dwelling Units, in conjunction with any of the other uses set out in this Schedule.
- Multiple Conversion Dwelling, in accordance with section 3.3.4 of this Schedule.
- Multiple Dwelling, in accordance with section 3.3.4 of this Schedule.
- One-Family Dwelling.
- One-Family Dwelling with Secondary Suite.
- Seniors Supportive or Assisted Housing.
- Two-Family Dwelling.

3.2.1.I [Institutional]

- Ambulance Station. *compatibility with nearby sites, vehicular ingress and egress, proximity to major street*
- Church. *compatibility with nearby sites, parking, size of facility*
- Hospital. c*ompatibility with nearby sites, vehicular ingress and egress, category of facility*
- Public Authority Use essential in this District. *compatibility with nearby sites, proximity to major streets, vehicular ingress and egress*
- School - Elementary or Secondary. *compatibility with nearby sites, category of facility*
- Social Service Centre. *compatibility with nearby sites, category of facility*
- Community Care Facility – Class B. *compatibility with nearby sites*
- Group Residence. *compatibility with nearby sites*

3.2.1.O [Office]

- General Office, in a building which is protected by a heritage designation by-law. *compatibility with nearby sites, parking, traffic, noise, hours of operation*
- Health Care Office, in a building which is protected by a heritage designation by-law. *compatibility with nearby sites, parking, traffic, noise, hours of operation*
- Health Enhancement Centre, in a building which is protected by a heritage designation by-law. *compatibility with nearby sites, parking, traffic, noise, hours of operation*

3.2.1.R [Retail]

- Retail Store, in a building which is protected by a heritage designation by-law. *compatibility with nearby sites, parking, traffic, noise, hours of operation*
- Farmers' Market. *compatibility with nearby sites, parking, traffic, noise, hours of operation, size of facility, pedestrian amenity.*
- Public Bike Share.

3.2.1.S [Service]

- Bed and Breakfast Accommodation. *compatibility with nearby sites*
- Restaurant - Class 1, in a building which is protected by a heritage designation by-law. *compatibility with nearby sites, parking, traffic, noise, hours of operation*

- Short Term Rental Accommodation.

3.2.1.U [Utility and Communication]

- Public Utility. *compatibility with nearby sites, category of facility*

3.2.2 Uses

Uses listed in this section may be permitted in the RM-5C and RM-5D districts subject to the provisions of this section.

3.2.2.C [Cultural and Recreational]

- Bowling Alley, only in the RM-5C district. *compatibility with nearby sites, parking, proximity to major streets, size of facility*
- Club, only in the RM-5C district. *compatibility with surrounding uses, parking, noise, hours of operation, pedestrian amenity, size of facility*
- Fitness Centre, only in the RM-5C district. *compatibility with surrounding uses, parking, noise, hours of operation, pedestrian amenity, size of facility*
- Theatre, only in the RM-5C district. *compatibility with nearby sites, traffic, hours of operation*

3.2.2.O [Office]

- Financial Institution, only in the RM-5C district. *parking, size of facility*
- General Office. *compatibility with nearby sites, parking, traffic, noise, hours of operation*
- Health Care Office. *compatibility with nearby sites, parking, traffic, noise, hours of operation*
- Health Enhancement Centre. *compatibility with nearby sites, parking, traffic, noise, hours of operation.*

3.2.2.R [Retail]

- Grocery or Drug Store, only in the RM-5C district. *parking, pedestrian amenity, size of facility*
- Retail Store. *compatibility with nearby sites, parking, traffic, noise, hours of operation, size of facility, pedestrian amenity*
- Small-scale Pharmacy, only in the RM-5C district.

3.2.2.S [Service]

- Animal Clinic, only in the RM-5C district. *compatibility with nearby sites, noise, hours of operation*
- Barber Shop or Beauty Salon. *compatibility with surrounding uses, hours of operation; parking*
- Beauty and Wellness Centre, only in the RM-5C district, *only in the RM-5C District*
- Hotel, only in the RM-5C district. *traffic, compatibility with nearby sites*
- Laundromat or Dry Cleaning Establishment, only in the RM-5C district. *compatibility with surrounding uses, hours of operation, noise, parking*
- Photofinishing or Photography Studio. *parking*
- Print Shop, only in the RM-5C district. *compatibility with surrounding uses, hours of operation, parking*
- Restaurant - Class 1. *compatibility with nearby sites, parking, traffic, noise, hours of operation*
- School - Arts or Self Improvement, only in the RM-5C district. *parking, size of facility, noise, hours of operation*

- School - Business, only in the RM-5C district. *compatibility with nearby sites, category of facility, size of facility, hours of operation*
- School - Vocational or Trade, only in the RM-5C district. *parking, size of facility, noise, hours of operation.*

3.3 Conditions of Use

3.3.1 All uses other than dwelling uses listed in this section shall be carried on wholly within a completely enclosed building, except for the following:

(a) parking and loading facilities;
(b) the display of flowers, plants, fruits and vegetables;
(c) restaurant;
(d) farmers' market; and
(e) public bike share.

3.3.2 • In the RM-5 District, a minimum of 20 % of total dwelling units within any multiple dwelling, except in the case of buildings designed solely for use as senior citizens' housing under the provisions of the National Housing Act or other similar use, shall:

(a) contain 2 or more bedrooms;
(b) possess private open space directly accessible from the unit and which is a minimum of 5.6 m² in area, and with a minimum dimension of 1.8 m; and
(c) be located within three storeys of grade.

3.3.3 • In the RM-5 District, all multiple dwellings shall include an outdoor area with a minimum area of 37 m², in an appropriate location, that could be developed as a children's play area.

3.3.4 Unless its development does not require the demolition or change of use or occupancy of one or more rental housing units, registered owners of Infill Multiple Dwellings, or Multiple Conversion Dwellings consisting of three or more dwelling units, or Multiple Dwellings, must:

(a) if it is new development that requires demolition of one or more buildings on that site, or if it is an existing development that requires major alterations resulting in a change to the unit mix of the building(s) and the reconfiguration of a majority of the existing dwelling units, housekeeping units, or sleeping units:

(i) enter into a housing agreement, satisfactory to Council, that secures:

A. one for one replacement of existing rental housing units with dwelling units on the site or in the same zoning district, or one for one replacement with another type of affordable housing if permitted under an applicable community plan, except that in cases where the existing rental housing units are sleeping or housekeeping units, the Director of Planning may permit less than one for one replacement, having regard for the Council's intention to maximize the replacement of such rental units; and
B. a Tenant Relocation Plan in keeping with the city's Tenant Relocation and Protection Policy, if applicable, and

(ii) ensure that at least 35% of the total number of dwelling units include two or more bedrooms, except where the Director of Planning considers that such requirement would deter or prevent:

A. the conservation of a protected heritage property or a building on, or eligible for addition to, the Vancouver Heritage Register;
B. the renovation of a building where there are physical constraints due to light, access, and the form and structural elements of the existing building;
C. development of low-rise and midrise buildings on mid-block or unique sites with significant design challenges in meeting the requirement; or
D. development of projects on sites or in areas identified in Council-approved plans or policies as targeted to single and couple households,

or

(b) if it is an existing development requiring renovations resulting in a change of use or occupancy of a rental housing unit on that site, but it does not require major alterations or additions resulting in a change to the unit mix of the building(s) and the reconfiguration of a majority of the existing dwelling units, housekeeping units, or sleeping units:

(i) secure, to the satisfaction of the Director Planning, one for one replacement of existing rental housing units with dwelling units on the site or in the same zoning district, except that in cases where the existing rental housing units are sleeping or housekeeping units, the Director of Planning may permit less than one for one replacement, having regard for the Council's intention to maximize the replacement of such rental units; and

(ii) provide a Tenant Relocation Plan in keeping with the city's Tenant Relocation and Protection Policy, if applicable;

and, in this section, all references to the demolition or change of use or occupancy of one or more rental housing units are to include then existing rental housing units and rental housing units that, during the three years preceding the date of application for a development permit, a person has demolished or in respect of which has changed the use or occupancy.

4 Regulations

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

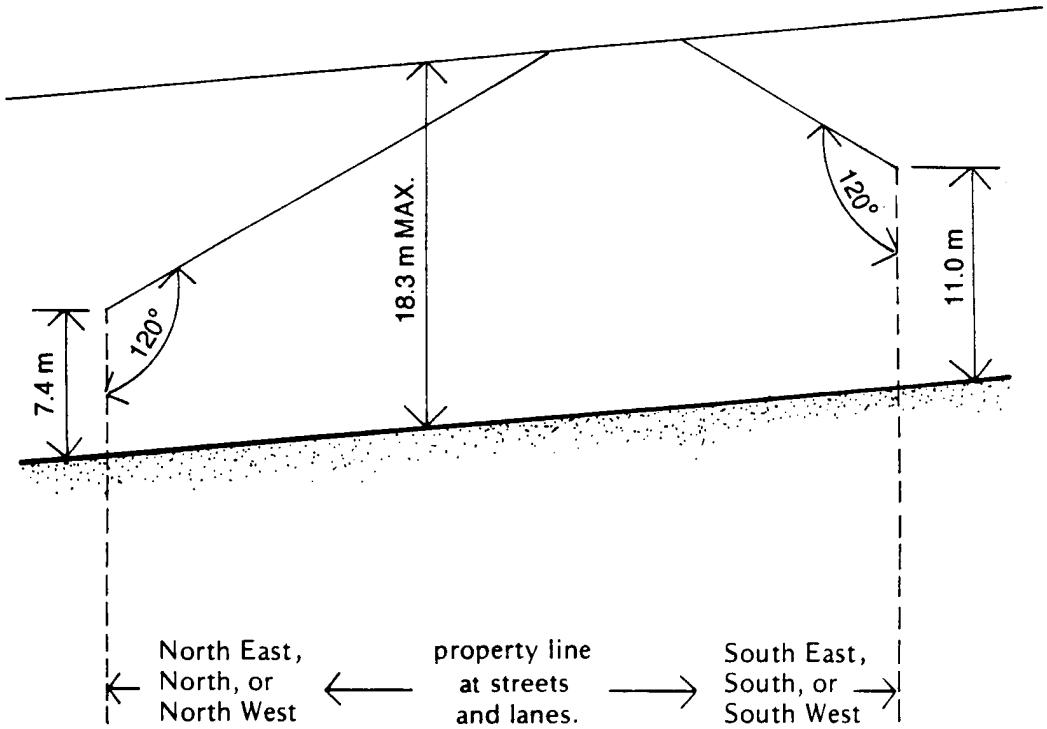
4.1 Site Area -- Not applicable.

4.2 Frontage -- Not applicable.

4.3 Height

4.3.1 The maximum height of a building shall not exceed 18.3 m, but no portion of the building shall extend above the envelope illustrated and described in Figure 1. Height shall be determined by a line parallel to a line joining the official established building grades at the property lines. Angles shall be measured from vertical lines at the property line.

Figure 1. Building Envelope



4.3.2 The Director of Planning or the Development Permit Board, as the case may be, may permit an increase in the maximum height of a building to a height not exceeding 58.0 m provided that the livability and environmental quality of the surrounding neighbourhood is not unduly harmed, and provided that it first considers:

(a) the intent of this Schedule and all applicable policies and guidelines adopted by Council;
(b) the submission of any advisory group, property owner or tenant; and
(c) the effects on public and private views, sunshine, privacy and open spaces.

4.3.3 The Director of Planning or the Development Permit Board may vary the regulations in the RM-5D district regarding permitted height for multiple dwelling, or for dwelling units, in conjunction with any of the other uses set out in this Schedule, if the Director of Planning or the Development Permit Board first considers the intent of the RM-5D district schedule, and all applicable Council policies and guidelines, and:

(a) a minimum of 20% of the floor area included in the calculation of floor space ratio is used for social housing; and
(b) the maximum height does not exceed 58 m.

4.4 Front Yard

4.4.1 A front yard with a minimum depth of 3.7 m shall be provided.

4.4.2 The Director of Planning or the Development Permit Board, as the case may be, may vary the depth of the required front yard, provided that it first considers all applicable policies and guidelines adopted by Council.

4.4.3 The Director of Planning or the Development Permit Board, as the case may be, may permit, provided that it first considers all applicable policies and guidelines adopted by Council, the projection of entries, porches and verandahs, ~~,~~ entrance lobbies, and ~~supported~~ canopies up to 1.8 m into the required front yard and the projection of porte cocheres up to the front property line, provided that none of the foregoing exceed a width of 6.1 m.

4.4.4 The Director of Planning or the Development Permit Board may vary the regulations in section 4.4 of the RM-5, RM-5A and RM-5B districts for infill multiple dwelling, if the Director of Planning or the Development Permit Board first considers the intent of the RM-5, RM-5A and RM-5B districts schedule, and all applicable Council policies and guidelines, except that:

(a) the infill multiple dwelling must be used for secured market rental housing;

(b) in an infill multiple dwelling with four or more dwelling units, at least 50% of the dwelling units must contain two or more bedrooms;

(c) in an infill multiple dwelling with ten or more dwelling units, at least 50% of the dwelling units must contain two or more bedrooms and at least 10% of the dwelling units must contain three or more bedrooms; and

(d) existing buildings, landmarks or features on the site which are listed on the Vancouver Heritage Register or may have heritage value must be conserved, to the satisfaction of the Director of Planning.

4.5 Side Yards

4.5.1 A side yard with a minimum width of 2.1 m shall be provided on each side of the principal building.

4.5.2 In the case of a corner site, the exterior side yard shall not be regulated by section 4.5.1 above but shall be 20 % of the width of the site, except that it shall not be less than 3.0 m and need not be more than 6.0 m in width.

4.5.3 The Director of Planning or the Development Permit Board, as the case may be, may vary the side yard requirements, provided that it first considers all applicable policies and guidelines adopted by Council.

4.5.4 The Director of Planning or the Development Permit Board may vary the regulations in section 4.5 of the RM-5, RM-5A and RM-5B districts for infill multiple dwelling, if the Director of Planning or the Development Permit Board first considers the intent of the RM-5, RM-5A and RM-5B districts schedule, and all applicable Council policies and guidelines, except that:

(a) the infill multiple dwelling must be used for secured market rental housing;

(b) in an infill multiple dwelling with four or more dwelling units, at least 50% of the dwelling units must contain two or more bedrooms;

(c) in an infill multiple dwelling with ten or more dwelling units, at least 50% of the dwelling units must contain two or more bedrooms and at least 10% of the dwelling units must contain three or more bedrooms; and

(d) existing buildings, landmarks or features on the site which are listed on the Vancouver Heritage Register or may have heritage value must be conserved, to the satisfaction of the Director of Planning.

4.6 Rear Yard

4.6.1 A rear yard with a minimum depth of 2.1 m shall be provided.

4.6.2 The Director of Planning or the Development Permit Board, as the case may be, may vary the rear yard requirement, provided that it first considers all applicable policies and guidelines adopted by Council.

4.6.3 The Director of Planning or the Development Permit Board may vary the regulations in section 4.6 of the RM-5, RM-5A and RM-5B districts for infill multiple dwelling, if the Director of Planning or the Development Permit Board first considers the intent of the RM-5, RM-5A and RM-5B districts schedule, and all applicable Council policies and guidelines, except that:

(a) the infill multiple dwelling must be used for secured market rental housing;

(b) in an infill multiple dwelling with four or more dwelling units, at least 50% of the dwelling units must contain two or more bedrooms;

(c) in an infill multiple dwelling with ten or more dwelling units, at least 50% of the dwelling units must contain two or more bedrooms and at least 10% of the dwelling units must contain three or more bedrooms; and

(d) existing buildings, landmarks or features on the site which are listed on the Vancouver Heritage Register or may have heritage value must be conserved, to the satisfaction of the Director of Planning.

4.7 Floor Area and Density

4.7.1 Floor space ratio shall not exceed 1.00 except that:

(a) the Director of Planning or the Development Permit Board may permit an increase in floor space ratio to 1.5 in the RM-5 district, 2.20 in the RM-5A, RM-5C and RM-5D districts, and 2.75 in the RM-5B district if the Director of Planning or the Development Permit Board first considers:

(i) the intent of this schedule,
(ii) all applicable Council policies and guidelines,
(iii) the submission of any advisory group, property owner or tenant,
(iv) the height, bulk, location and overall design of the development, and
(v) the effect of the development on nearby sites, street and public open spaces;

(b) despite the provisions of subsection 4.7.1(a), the floor space ratio for sites located in the RM-5A, RM-5B, RM-5C and RM-5D districts which are 20.2 m or less in width shall not exceed:

(i) 2.0 on corner sites with a minimum site area of 800 m^2, and
(ii) 1.5 on all other sites;

(c) despite the provisions of subsections 4.7.1 (a) and (b), the maximum allowable floor space ratio for all permitted uses, other than dwelling uses, in the RM-5D District, is 0.65; and

(d) despite the provisions of subsections 4.7.1(a), (b) and (c), if the Director of Planning first considers the intent of this district schedule, all applicable Council policies and guidelines and the submissions of any advisory groups, property owners or tenants, and there is no heritage floor area available for transfer, the Director of Planning may permit an additional increase in permitted floor area of one m2 for each amenity share provided to the city at no cost to the city, to a maximum increase of 10% above the maximum permitted floor space ratio.

4.7.2 In this district schedule, amenity means conservation of protected heritage property.

4.7.3 For the purposes of this district schedule, the cost of an amenity share is the amount specified per m^2 in the Heritage Amenity Share Cost Schedule G.

4.7.4 Notwithstanding the provisions of subsection 4.7.1, the maximum floor space ratio achievable as a result of the provision of amenity shares must otherwise comply in all respects with this district schedule and this by-law.

4.7.5 The following shall be included in the computation of floor area:

(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; and
(c) 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.

4.7.6 The following shall be excluded in the computation of floor area:

(a) ~~open residential~~ balconies and~~,~~ ~~sun~~decks~~, porches~~ 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~~ these exclusions does not exceed 12% of the ~~provided residential~~ floor area being provided;
(b) patios and roof decks~~gardens~~, provided that the Director of Planning first considers the effect on privacy and overlook ~~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, heating and mechanical equipment, or uses which, in the opinion of the Director of Planning, are similar to the foregoing, those floors or portions thereof so used, which:
    (i) are at or below the base surface, provided that the maximum exclusion for a parking space shall not exceed 7.3 m in length; or
    (ii) are above the base surface and where developed as off-street parking are located in an accessory building situated in the rear yard, provided that the maximum exclusion for parking space shall not exceed 7.3 m in length;
(d) amenity areas accessory to a residential use, including day care facilities, recreation facilities and meeting rooms provided that:
    (i) in the case of day care facilities, 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; and
    (ii) the total area being excluded for amenity areas shall not exceed the lesser of 10 % of the permitted floor area or 1 000 m^2, with an additional 10 % of the permitted floor space or 500 m^2, whichever is lesser, for day care facilities where these are included;

(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) all residential storage space above or below base surface, except that if the residential storage space above base surface exceeds 3.7 m^2 per dwelling unit, there will be no exclusion for any of the residential storage space above base surface for that unit;
(h) bicycle storage at or below base surface, provided that a secured and separate bicycle room shall be provided and equipped with bicycle racks adequate for the storage of a minimum of one bicycle for every four dwelling units; ~~and~~

(i) above grade floor area built as open to below, designed in combination with venting skylights, opening clerestory windows or other similar features which, in the opinion of the Director of Planning, reduce energy consumption or improve natural light and ventilation, to a maximum exclusion of one % of permitted floor area;.

(j) entries, porches and verandas and covered porches above the first storey, provided that:

(i) the side facing the street or rear property line is open or protected by guards that do not exceed the required minimum height; and

(ii) the total area of these exclusions, when combined with the balcony and deck exclusions under subsection 4.7.3 (a) of this schedule, does not exceed 16% of the floor area being provided; and

(i) unconditioned floor areas with a ceiling height or height to the underside of joists of less than 2.0 m, located below the floors of entries, porches and verandahs complying with subsection 4.7.3(j), to which there is no access from the interior of the building.

~~4.7.7 Where a need for any public facility of a social, cultural or recreational nature has been demonstrated to the satisfaction of the Development Permit Board, the Board may increase for any one building, which includes one or more of such facilities, the maximum floor space ratio and may require that any such facility be preserved in the public domain by way of a registered agreement and operated by the City or its delegates.~~

~~In determining the increase in floor area that may be permitted, the Development Permit Board shall consider:~~

~~(a) the construction cost of the facility;~~
~~(b) any costs to the developer of continuing maintenance required for the facility;~~
~~(c) the rental value of the increased floor area;~~
~~(d) the value of any authorized relaxation of other restrictions;~~
~~(e) the opinion of City Council; and~~
~~(f) all applicable policies and guidelines adopted by Council.~~

~~4.7.8 The Director of Planning or the Development Permit Board may permit an increase in floor space ratio for a development which includes the restoration of an existing building, site, landmark or feature, if the existing building, site, landmark or feature is listed in the Vancouver Heritage Register, if Council first approves a heritage designation by-law, and if the Director of Planning or the Development Permit Board first considers:~~

~~(a) all applicable Council policies and guidelines;~~
~~(b) the cost and extent of the heritage restoration;~~
~~(c) the value of the increased floor area; and~~
~~(d) the impact of the development upon neighbourhood livability and environmental quality.~~

4.7.7~~9~~ The Development Permit Board may permit an increase above the permitted floor space ratio to a maximum of 10% where the increase results from a transfer of heritage floor area, except that this provision shall not apply to a development where there has been an increase in floor space ratio pursuant to subsection 4.7.1(d) or 4.7.8.

In this section “heritage floor area” means floor area which may be transferred from a heritage site to another site, in accordance with Council policies and guidelines.

4.7.8 The Director of Planning or the Development Permit Board may vary the regulations in the RM-5D district regarding permitted floor space ratio for multiple dwelling, or for dwelling units, in conjunction with any of the other uses set out in this Schedule, if the Director of

Planning or the Development Permit Board first considers the intent of the RM-5D district schedule, and all applicable Council policies and guidelines, and:

(a) a minimum of 20% of the floor area included in the calculation of floor space ratio is used for social housing; and

(b) the floor space ratio does not exceed 7.0.

4.7.9 The Director of Planning or the Development Permit Board may vary the regulations in section 4.7 of the RM-5, RM-5A and RM-5B districts for infill multiple dwelling, if the Director of Planning or the Development Permit Board first considers the intent of the RM-5, RM-5A and RM-5B districts schedule, and all applicable Council policies and guidelines, except that:

(a) the infill multiple dwelling must be used for secured market rental housing;

(b) in an infill multiple dwelling with four or more dwelling units, at least 50% of the dwelling units must contain two or more bedrooms;

(c) in an infill multiple dwelling with ten or more dwelling units, at least 50% of the dwelling units must contain two or more bedrooms and at least 10% of the dwelling units must contain three or more bedrooms; and

(d) existing buildings, landmarks or features on the site which are listed on the Vancouver Heritage Register or may have heritage value must be conserved, to the satisfaction of the Director of Planning.

4.8 Site Coverage

4.8.1 The maximum site coverage for buildings shall be 50 % of the site area.

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, cantilevered balconies and ~~sun~~decks.

4.8.3 The Director of Planning or the Development Permit Board, as the case may be, may permit an increase in site coverage, provided that it first considers all applicable policies and guidelines adopted by Council.

4.8.4 In the case of a sloping site where a structure is located in or beneath a yard, the structure shall be excluded from the site coverage calculation provided that it does not, except for required earth cover, permitted fences and similar items, project above the average elevation of the portions of the streets, lanes or sites located adjacent to such structure, and does not, in any event, project more than 1.0 m above the actual elevation of adjoining streets, lanes and sites.

4.8.5 The Director of Planning or the Development Permit Board may vary the regulations in section 4.8 of the RM-5, RM-5A and RM-5B districts for infill multiple dwelling, if the Director of Planning or the Development Permit Board first considers the intent of the RM-5, RM-5A and RM-5B districts schedule, and all applicable Council policies and guidelines, except that:

(a) the infill multiple dwelling must be used for secured market rental housing;

(b) in an infill multiple dwelling with four or more dwelling units, at least 50% of the dwelling units must contain two or more bedrooms;

(c) in an infill multiple dwelling with ten or more dwelling units, at least 50% of the dwelling units must contain two or more bedrooms and at least 10% of the dwelling units must contain three or more bedrooms; and

(d) existing buildings, landmarks or features on the site which are listed on the Vancouver Heritage Register or may have heritage value must be conserved, to the satisfaction of the Director of Planning.

4.9 (Reserved)

4.10 Horizontal Angle of Daylight

4.10.1 Each habitable room must have at least one window on an exterior wall of a building.

4.10.2 Each exterior window must be located so that a plane or planes extending from the window and formed by an angle of 50 degrees, or two angles with a sum of 70 degrees, will encounter no obstruction over a distance of 24.0 m.

4.10.3 The plane or planes referred to in section 4.10.2 must be measured horizontally from the centre of the bottom of each window.

4.10.4 The Director of Planning or Development Permit Board may ~~relax~~ vary the horizontal angle of daylight requirement, if:

(a) the Director of Planning or Development Permit Board first considers all the applicable policies and guidelines adopted by Council; and
(b) the minimum distance of unobstructed view is not less than 6.1 m.

4.10.5 An obstruction referred to in section 4.10.2 means:

(a) any part of the same building including permitted projections; or
(b) the largest building permitted under the zoning on any adjoining site.

4.10.6 A habitable room referred to in section 4.10.1 does not mean:

(a) a bathroom; or
(b) a kitchen whose floor area is the lesser of:
  (i) 10% or less of the total floor area of the dwelling unit, or
  (ii) 9.3 m^2.

4.10.7 The Director of Planning or the Development Permit Board may vary the regulations in section 4.10 of the RM-5, RM-5A and RM-5B districts for infill multiple dwelling, if the Director of Planning or the Development Permit Board first considers the intent of the RM-5, RM-5A and RM-5B districts schedule, and all applicable Council policies and guidelines, except that:

(a) the infill multiple dwelling must be used for secured market rental housing;
(b) in an infill multiple dwelling with four or more dwelling units, at least 50% of the dwelling units must contain two or more bedrooms;
(c) in an infill multiple dwelling with ten or more dwelling units, at least 50% of the dwelling units must contain two or more bedrooms and at least 10% of the dwelling units must contain three or more bedrooms; and
(d) existing buildings, landmarks or features on the site which are listed on the Vancouver Heritage Register or may have heritage value must be conserved, to the satisfaction of the Director of Planning.

4.11 - 4.14 (Reserved)

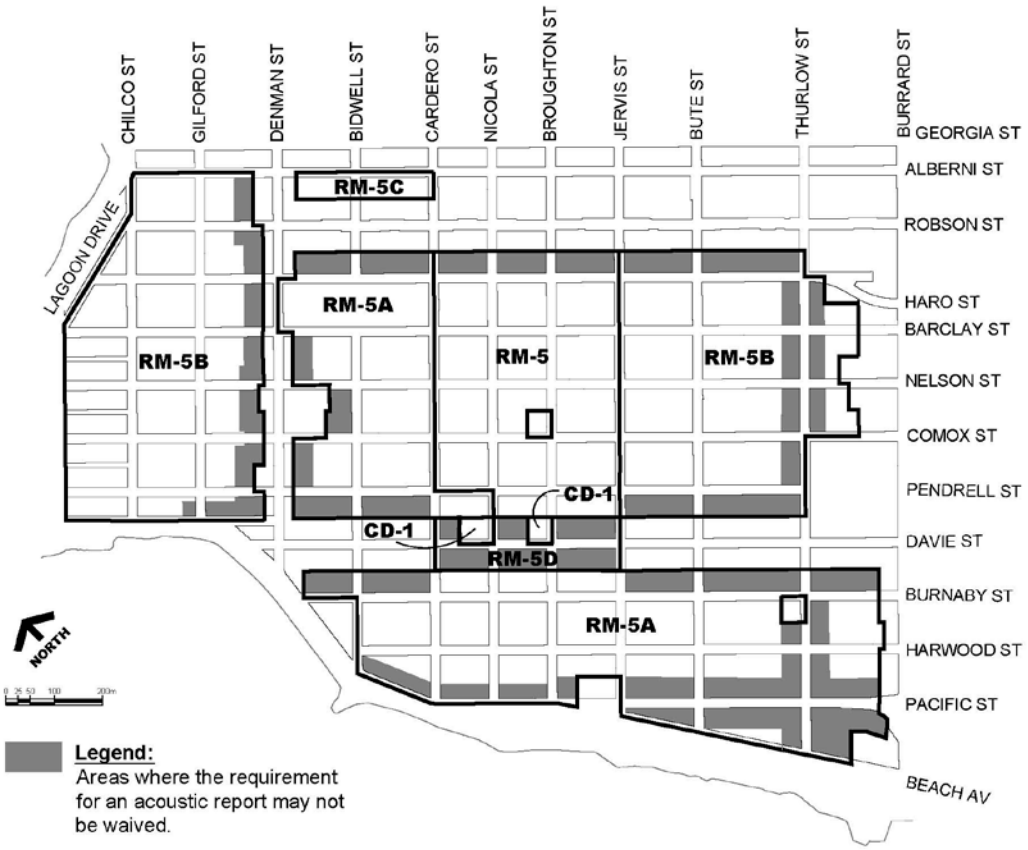
4.15 Acoustics

4.15.1 A development permit application for dwelling uses shall require evidence in the form of a report and recommendations prepared by persons trained in acoustics and current techniques of noise measurements demonstrating that the noise levels in those portions of the dwelling units listed below shall not exceed the noise levels expressed in decibels set opposite such portions of the dwelling units. For the purposes of this section the noise level is the A-weighted 24-hour equivalent (Leq) sound level and will be defined simply as the noise level in decibels.

Portions of dwelling units	**Noise levels (Decibels)**
bedrooms	35
living, dining, recreation rooms	40
kitchen, bathrooms, hallways	45

4.15.2 The Director of Planning may waive the requirement for an acoustic report, except for those areas indicated on Map 1:

Map 1. Noise Mitigation



4.16 (Reserved)

4.17 External Design

4.17.1 A covered storage area shall be provided for garbage containers and shall be screened from view from adjacent sidewalks and dwelling units.

4.17.2 Mechanical equipment shall be enclosed and set back so as not to be visible from street level or may be architecturally treated by other means satisfactory to the Director of Planning. Duct work shall not be exposed.

4.17.3 The Director of Planning or the Development Permit Board may vary the regulations in section 4.17 of the RM-5, RM-5A and RM-5B districts for infill multiple dwelling, if the Director of Planning or the Development Permit Board first considers the intent of the RM-5, RM-5A and RM-5B districts schedule, and all applicable Council policies and guidelines, except that:

(a) the infill multiple dwelling must be used for secured market rental housing;
(b) in an infill multiple dwelling with four or more dwelling units, at least 50% of the dwelling units must contain two or more bedrooms;
(c) in an infill multiple dwelling with ten or more dwelling units, at least 50% of the dwelling units must contain two or more bedrooms and at least 10% of the dwelling units must contain three or more bedrooms; and
(d) existing buildings, landmarks or features on the site which are listed on the Vancouver Heritage Register or may have heritage value must be conserved, to the satisfaction of the Director of Planning.

5 Relaxation of Regulations

~~**5.1** The Director of Planning or the Development Permit Board may relax the regulations in the RM-5D district regarding permitted floor space ratio for multiple dwelling, or for dwelling units, in conjunction with any of the other uses set out in this Schedule, if the Director of Planning or the Development Permit Board first considers the intent of the RM-5D district schedule, and all applicable Council policies and guidelines, and:~~

~~(a) a minimum of 20% of the floor area included in the calculation of floor space ratio is used for social housing; and~~
~~(b) the floor space ratio does not exceed 7.0.~~

~~**5.2** The Director of Planning or the Development Permit Board may relax the regulations in the RM-5D district regarding permitted height for multiple dwelling, or for dwelling units, in conjunction with any of the other uses set out in this Schedule, if the Director of Planning or the Development Permit Board first considers the intent of the RM-5D district schedule, and all applicable Council policies and guidelines, and:~~

~~(a) a minimum of 20% of the floor area included in the calculation of floor space ratio is used for social housing; and~~
~~(b) the maximum height does not exceed 58 m.~~

~~**5.3** The Director of Planning or the Development Permit Board may relax the regulations in sections 4.4, 4.5, 4.6, 4.7, 4.8, 4.10, and 4.17 of the RM-5, RM-5A and RM-5B districts for infill multiple dwelling, if the Director of Planning or the Development Permit Board first considers the intent of the RM-5, RM-5A and RM-5B districts schedule, and all applicable Council policies and guidelines, except that:~~

~~(a) the infill multiple dwelling must be used for secured market rental housing;~~
~~(b) in an infill multiple dwelling with four or more dwelling units, at least 50% of the dwelling units must contain two or more bedrooms;~~
~~(c) in an infill multiple dwelling with ten or more dwelling units, at least 50% of the dwelling units must contain two or more bedrooms and at least 10% of the dwelling units must contain three or more bedrooms; and~~

~~(d) existing buildings, landmarks or features on the site which are listed on the Vancouver Heritage Register or may have heritage value must be conserved, to the satisfaction of the Director of Planning.~~

5.1 Where a need for any public facility of a social, cultural or recreational nature has been demonstrated to the satisfaction of the Development Permit Board, the Board may relax for any one building, which includes one or more of such facilities, the maximum floor space ratio and may require that any such facility be preserved in the public domain by way of a registered agreement and operated by the City or its delegates.

In determining the increase in floor area that may be permitted, the Development Permit Board shall consider:
(a) the construction cost of the facility;
(b) any costs to the developer of continuing maintenance required for the facility;
(c) the rental value of the increased floor area;
(d) the value of any authorized relaxation of other restrictions;
(e) the opinion of City Council; and
(f) all applicable policies and guidelines adopted by Council.

5.2 The Director of Planning or the Development Permit Board may relax the maximum floor space ratio for a development which includes the restoration of an existing building, site, landmark or feature, if the existing building, site, landmark or feature is listed in the Vancouver Heritage Register, if Council first approves a heritage designation by-law, and if the Director of Planning or the Development Permit Board first considers:
(a) all applicable Council policies and guidelines;
(b) the cost and extent of the heritage restoration;
(c) the value of the increased floor area; and
(d) the impact of the development upon neighbourhood livability and environmental quality.

RM-6 District Schedule

1 Intent

The intent of this Schedule is to permit high density residential development and some compatible retail, cultural, recreational, service and institutional uses. Emphasis is placed on achieving development which recognizes the formal character of Georgia Street and is compatible with the West End residential character along Alberni Street.

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 this District and shall be issued a permit.

2.2 Uses

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

2.2.C [Cultural and Recreational]
- Park or Playground.

2.2.I [Institutional]
- Child Day Care Facility.

2.2.R [Retail]
- Neighbourhood Grocery Store.
- Retail Store on the first storey of a building, provided that the floor space ratio of all retail uses does not exceed 0.50.

2.3 Conditions of Use

2.3.1 All commercial uses listed in this section shall be carried on wholly within a completely enclosed building except for the following:

(a) parking and loading facilities;
(b) display of flowers, plants, fruits and vegetables;
(c) child day care facility.

3 Conditional Approval Uses

3.1 Subject to all other provisions of this By-law, compliance with section 3.3 and the provisions and regulations of this Schedule, the Director of Planning or the Development Permit Board may approve any of the uses listed in section 3.2 of this Schedule, with or without conditions, provided that the Director of Planning or the Development Permit Board first considers:

(a) the intent of this Schedule and all applicable policies and guidelines adopted by Council;
(b) the submission of any advisory group, property owner or tenant; and
(c) the appropriateness of the use with respect to the items which are shown in italics following the use.

3.2 Uses

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

3.2.AG [Agricultural]

- Urban Farm - Class A.

3.2.C [Cultural and Recreational]

- Bowling Alley. *compatibility with nearby sites, traffic, noise, hours of operation*
- Club. *compatibility with surrounding uses, parking, noise, hours of operation, pedestrian amenity, size of facility*
- Community Centre or Neighbourhood House. *compatibility with surrounding uses, parking, noise, hours of operation, pedestrian amenity, size of facility*
- Fitness Centre. *compatibility with surrounding uses, parking, noise, hours of operation, pedestrian amenity, size of facility*
- Library in conjunction with a Community Centre.
- Museum or Archives. *compatibility with nearby sites, parking, proximity to major streets, size of facility*
- Theatre. *compatibility with nearby sites, traffic, hours of operation.*

3.2.DW [Dwelling]

- Dwelling Units, in conjunction with any of the other uses set out in this Schedule.
- Multiple Dwelling, in accordance with section 3.3.2 of this Schedule.
- One-Family Dwelling with Secondary Suite.
- Seniors Supportive or Assisted Housing.

3.2.I [Institutional]

- Ambulance Station. *compatibility with nearby sites, vehicular ingress and egress, proximity to major streets*
- Church. *compatibility with nearby sites, parking, size of facility*
- Hospital. *compatibility with nearby sites, vehicular ingress and egress, category of facility*
- Public Authority Use essential in this District. *compatibility with nearby sites, proximity to major streets, vehicular ingress and egress*
- Social Service Centre. *compatibility with nearby sites, category of facility*
- Community Care Facility – Class B. *compatibility with nearby sites*
- Group Residence. *compatibility with nearby sites*

3.2.O [Office]

- Financial Institution. *parking, size of facility*
- General Office. *compatibility with nearby sites, parking, traffic, noise, hours of operation*
- Health Care Office. *compatibility with nearby sites, parking, traffic, noise, hours of operation*
- Health Enhancement Centre. *compatibility with nearby sites, parking, traffic, noise, hours of operation*

3.2.P [Parking]

- Parking Area. *pedestrian amenity, vehicle ingress and egress, compatibility with nearby sites*

3.2.R [Retail]

- Farmers' Market. *Compatibility with nearby sites, parking, traffic, noise, hours of operation, size of facility, pedestrian amenity*.
- Gasoline Station - Split Island existing as of September 26, 1989.
- Grocery or Drug Store. *parking, size of facility, pedestrian amenity*
- Public Bike Share.
- Retail Store. *parking, size of facility, pedestrian amenity*
- Small-scale Pharmacy.

3.2.S [Service]

- Animal Clinic. *compatibility with nearby sites, noise, hours of operation*
- Barber Shop or Beauty Salon. *compatibility with surrounding uses, hours of operation, parking*
- Beauty and Wellness Centre.
- Bed and Breakfast Accommodation. *compatibility with nearby sites*
- Hotel. *suitability of site, traffic, access, parking, size of facility, compatibility with nearby sites*
- Laundromat or Dry Cleaning Establishment. *compatibility with surrounding uses, hours of operation, parking, noise*
- Photofinishing or Photography Studio. *parking*
- Print Shop. *compatibility with surrounding uses, hours of operation, parking*
- Restaurant - Class 1. *compatibility with nearby sites, parking, traffic, noise, hours of operation*
- School - Arts or Self Improvement. *parking, size of facility, noise, hours of operation*
- School - Business. *parking, size and category of facility, hours of operation*
- School - Vocation or Trade. *parking, size of facility, noise, hours of operation*
- Short Term Rental Accommodation.
- Wedding Chapel.

3.2.U [Utilities and Communication]

- Public Utility. *compatibility with nearby sites, category of facility*

3.3. Conditions of Use

3.3.1 All commercial uses listed in this section shall be carried on wholly within a completely enclosed building, except for the following:

(a) parking and loading facilities;
(b) display of flowers, plants, fruits and vegetables;
(c) split island gasoline station, except that section 11.13.2 of this By-law continues to apply;
(d) restaurant;
(e) farmers' market; and
(f) public bike share.

3.3.2 Unless its development does not require the demolition or change of use or occupancy of one or more rental housing units, registered owners of Multiple Dwellings must:

(a) if it is new development that requires demolition of one or more buildings on that site, or if it is an existing development that requires major alterations resulting in a change to the unit mix of the building(s) and the reconfiguration of a majority of the existing dwelling units, housekeeping units, or sleeping units:

(i) enter into a housing agreement, satisfactory to Council, that secures:

A. one for one replacement of existing rental housing units with dwelling units on the site or in the same zoning district, or one for one replacement with another type of affordable housing if permitted under an applicable community plan, except that in cases where the existing rental housing units are sleeping or housekeeping units, the Director of Planning may permit less than one for one replacement, having regard for the Council's intention to maximize the replacement of such rental units; and

B. a Tenant Relocation Plan in keeping with the city's Tenant Relocation and Protection Policy, if applicable, and

(ii) ensure that at least 35% of the total number of dwelling units include two or more bedrooms, except where the Director of Planning considers that such requirement would deter or prevent:

A. the conservation of a protected heritage property or a building on, or eligible for addition to, the Vancouver Heritage Register;

B. the renovation of a building where there are physical constraints due to light, access, and the form and structural elements of the existing building;

C. development of low-rise and midrise buildings on mid-block or unique sites with significant design challenges in meeting the requirement; or

D. development of projects on sites or in areas identified in Council-approved plans or policies as targeted to single and couple households,

or

(b) if it is an existing development requiring renovations resulting in a change of use or occupancy of a rental housing unit on that site, but it does not require major alterations or additions resulting in a change to the unit mix of the building(s) and the reconfiguration of a majority of the existing dwelling units, housekeeping units, or sleeping units:

(i) secure, to the satisfaction of the Director Planning, one for one replacement of existing rental housing units with dwelling units on the site or in the same zoning district, except that in cases where the existing rental housing units are sleeping or housekeeping units, the Director of Planning may permit less than one for one replacement, having regard for the Council's intention to maximize the replacement of such rental units; and

(ii) provide a Tenant Relocation Plan in keeping with the city's Tenant Relocation and Protection Policy, if applicable;

and, in this section, all references to the demolition or change of use or occupancy of one or more rental housing units are to include then existing rental housing units and rental housing units that, during the three years preceding the date of application for a development permit, a person has demolished or in respect of which has changed the use or occupancy.

4 Regulations

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

4.1 Site Area -- Not applicable.

4.2 Frontage -- Not applicable.

4.3 Height

4.3.1 The maximum height of a building shall be 12.2 m.

4.3.2 The Director of Planning or the Development Permit Board, as the case may be, may permit an increase in the maximum height of a building to a height not exceeding 64.0 m provided that the livability and environmental quality of the surrounding neighbourhood is not unduly harmed and provided that it first considers:

(a) the intent of this Schedule and all applicable policies and guidelines adopted by Council;
(b) the submission of any advisory group, property owner or tenant; and
(c) the effects on public and private views, sunshine, privacy and open spaces.

4.4 Front Yard

4.4.1 A front yard with a minimum depth of 3.0 m shall be provided for buildings exceeding 12.2 m in height. A front yard with a minimum depth of 12.2 m shall be provided for buildings 12.2 m or less in height. For the purpose of this section, front yard shall mean that portion of a site which abuts Georgia Street.

4.4.2 The Director of Planning or the Development Permit Board, as the case may be, may vary the depth of the required front yard, provided that it first considers all applicable policies and guidelines adopted by Council.

4.4.3 Entries, porches and verandahs complying with the conditions of subsection 4.7.3 (j) are permitted to project a maximum of 1.8 m into the required front yard.

4.5 Side Yards

4.5.1 An interior side yard with a minimum width of 2.1 m shall be provided on each side of the principal building. For the purpose of this section, interior side yard shall mean those portions of a site which abut an interior property line.

4.5.2 No exterior side yard shall be required except that portions of buildings which exceed 12.2 m in height shall be set back from property lines as follows:

(a) on the west side of Cardero Street, Bidwell Street or Gilford Street a minimum depth of 7.6 m and a maximum depth of 12.2 m;
(b) on the east side of Bidwell Street or Gilford Street a minimum depth of 7.6 m and a maximum depth of 18.3 m;
(c) on the east side of Denman Street a minimum depth of 12.2 m and a maximum depth of 24.4 m;
(d) on the west side of Denman Street a minimum depth of 12.2 m and a maximum depth of 30.5 m; and
(e) on the east side of Chilco no setback is required.

4.6 Rear Yard

4.6.1 A rear yard with a minimum depth of 3.7 m shall be provided. For the purpose of this section, rear yard shall mean that portion of a site which abuts Alberni Street. 4.6.2 The Director of Planning or the Development Permit Board, as the case may be, may vary the rear yard requirement, provided that it first considers all applicable policies and guidelines adopted by Council.

4.6.3 The Director of Planning or the Development Permit Board, as the case may be, may permit, provided that it first considers all applicable policies and guidelines adopted by Council, the projection of entries, porches and verandahs, entrance lobbies, and ~~supported~~ canopies up to 1.8 m into the required rear yard setback and the projection of porte cocheres up to the rear property line, provided that none of the foregoing exceed a width of 6.1 m.

4.7 Floor Space Ratio

4.7.1 The floor space ratio shall not exceed 1.00 except that the Director of Planning or the Development Permit Board, as the case may be, may permit an increase in the floor space ratio to any figure up to and including 2.50 provided that it first considers:

(a) the intent of this Schedule and all applicable policies and guidelines adopted by Council;
(b) the submission of any advisory group, property owner or tenant; and
(c) the height, bulk, location and overall design of the development and its effects on nearby sites, streets and public open spaces.

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; and
(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; and
(c) 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 and ~~, sun~~decks~~, porches~~ 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~~ these exclusions does not exceed ~~eight percent~~8% of the ~~provided residential~~ floor area being provided;
(b) patios and roof decks~~gardens~~, provided that the Director of Planning first ~~approves the design of sunroofs and walls~~considers the effect on privacy and overlook;
(c) where floors are used for off-street parking and loading, the taking on or discharging of passengers, bicycle storage, heating and mechanical equipment, or uses which, in the opinion of the Director of Planning are similar to the foregoing, those floors or portions thereof so used, which:
    (i) are at or below the base surface, provided that the maximum exclusion for a parking space shall not exceed 7.3 m in length;
(d) amenity areas accessory to a residential use, including day care facilities, recreation facilities, and meeting rooms provided that:
    (i) in the case of day care facilities, 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; and
    (ii) the total area being excluded for amenity areas shall not exceed the lesser of 10 percent of the permitted floor space or 1 000 m², with an additional 10 percent of the permitted floor space or 500 m², whichever is lesser, for day care facilities where these are included;
(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) all residential storage space above or below base surface, except that if the residential storage space above base surface exceeds 3.7 m² per dwelling unit, there will be no exclusion for any of the residential storage space above base surface for that unit;
(h) bicycle storage at or below surface, provided that a secured and separate bicycle room shall be provided and equipped with bicycle racks adequate for the storage of a minimum of one bicycle for every four dwelling units; ~~and~~

(i) above grade floor area built as open to below, designed in combination with venting skylights, opening clerestory windows or other similar features which, in the opinion of the Director of Planning, reduce energy consumption or improve natural light and ventilation, to a maximum exclusion of one percent of permitted floor area;

(j) entries, porches and verandas and covered porches above the first storey, provided that:

(i) the side facing the street or rear property line is open or protected by guards that do not exceed the required minimum height; and

(ii) the total area of these exclusions, when combined with the balcony and deck exclusions under subsection 4.7.3 (a), does not exceed 13% of the floor area being provided; and

(i) unconditioned floor areas with a ceiling height or height to the underside of joists of less than 2.0 m, located below the floors of entries, porches and verandahs complying with subsection 4.7.3(j), to which there is no access from the interior of the building.

4.7.4 The Director of Planning may permit the following to be excluded in the computation of floor space ratio:

(a) enclosed residential balconies, provided that the Director of Planning first considers all applicable policies and guidelines adopted by Council and approves the design of any balcony enclosure, subject to the following:

(i) the total area of all open and enclosed balcony or sundeck exclusions does not exceed eight percent of the residential floor area being provided; and

(ii) no more than fifty percent of the excluded balcony floor area may be enclosed.

~~4.7.5 Where a need for any public facility of a social, cultural or recreational nature has been demonstrated to the satisfaction of the Development Permit Board, the Board may increase for any one building, which includes one or more of such facilities, the maximum floor space ratio and may require that any such facility be preserved in the public domain by way of a registered agreement and operated by the City or its delegates.~~

~~In determining the increase in floor area that may be permitted, the Development Permit Board shall consider:~~

~~(a) the construction cost of the facility;~~
~~(b) any costs to the developer of continuing maintenance required for the facility;~~
~~(c) the rental value of the increased floor area;~~
~~(d) the value of any authorized relaxation of other restrictions;~~
~~(e) the opinion of City Council; and~~
~~(f) all applicable policies and guidelines adopted by Council.~~

4.8 Site Coverage -- Not applicable.

4.10 Horizontal Angle of Daylight

4.10.1 Each habitable room must have at least one window on an exterior wall of a building.

4.10.2 Each exterior window must be located so that a plane or planes extending from the window and formed by an angle of 50 degrees, or two angles with a sum of 70 degrees, will encounter no obstruction over a distance of 24.0 m.

4.10.3 The plane or planes referred to in section 4.10.2 must be measured horizontally from the centre of the bottom of each window.

4.10.4 The Director of Planning or Development Permit Board may ~~relax~~ vary the horizontal angle of daylight requirement, if:

(a) the Director of Planning or Development Permit Board first considers all the applicable policies and guidelines adopted by Council; and
(b) the minimum distance of unobstructed view is not less than 6.1 m.

4.10.5 An obstruction referred to in section 4.10.2 means:

(a) any part of the same building including permitted projections; or
(b) the largest building permitted under the zoning on any adjoining site.

4.10.6 A habitable room referred to in section 4.10.1 does not mean:

(a) a bathroom; or
(b) a kitchen whose floor area is the lesser of:
  (i) 10% or less of the total floor area of the dwelling unit, or
  (ii) 9.3 m^2.

4.11 - 4.14 (Reserved)

4.15 Acoustics

4.15.1 A development permit application for dwelling uses shall require evidence in the form of a report and recommendations prepared by persons trained in acoustics and current techniques of noise measurements demonstrating that the noise levels in those portions of the dwelling units listed below shall not exceed the noise levels expressed in decibels set opposite such portions of the dwelling units. For the purposes of this section the noise level is the A-weighted 24-hour equivalent (Leq) sound level and will be defined simply as the noise level in decibels.

Portions of dwelling units	Noise levels (Decibels)
bedrooms	35
living, dining, recreation rooms	40
kitchen, bathrooms, hallways	45

4.16 (Reserved)

4.17 External Design

4.17.1 All opening windows in residential units shall be located a minimum of 4.5 m from any lane measured in a straight line from the closest point of the window to the rear property line at grade.

4.17.2 A covered storage area shall be provided for garbage containers and shall be screened from view from adjacent sidewalks and dwelling units.

4.17.3 Mechanical equipment shall be enclosed and set back so as not to be visible from street level or may be architecturally treated by other means satisfactory to the Director of Planning. Duct work shall not be exposed.

4.17.4 All developments fronting Denman Street shall provide no setback from the property line for the first and second storeys and shall provide any one or a combination of display windows, individualized tenancy unit design, building articulation, pedestrian entrance definition via a recess or projecting canopy or any other architectural features which facilitate pedestrian interest to the satisfaction of the Director of Planning.

5 Relaxation of Regulations

5.1 Where a need for any public facility of a social, cultural or recreational nature has been demonstrated to the satisfaction of the Development Permit Board, the Board may relax for any one building, which includes one or more of such facilities, the maximum floor space ratio and may require that any such facility be preserved in the public domain by way of a registered agreement and operated by the City or its delegates.

In determining the increase in floor area that may be permitted, the Development Permit Board shall consider:

(a) the construction cost of the facility;
(b) any costs to the developer of continuing maintenance required for the facility;
(c) the rental value of the increased floor area;
(d) the value of any authorized relaxation of other restrictions;
(e) the opinion of City Council; and
(f) all applicable policies and guidelines adopted by Council.

RM-7, RM-7N and RM-7AN Districts Schedule

1 Intent

The intent of this schedule is to encourage development of ground-oriented stacked townhouses or rowhouses, while continuing to permit lower intensity development. In RM-7AN, this includes courtyard rowhouses. Siting and massing of new development are intended to be compatible with, but not the same as, pre-existing single family development. Secondary suites and lock-off units are permitted, within limits, to provide flexible housing choices. Retention of character buildings and high quality design and livability standards are encouraged for new development. The RM-7N and RM-7AN Districts differ from the RM-7 District, because they require noise mitigation for dwelling units fronting arterial streets or in proximity to a rapid transit guideway.

Individual one-family dwellings and one-family dwellings with a secondary suite (with or without a laneway house) are permitted uses; however, if developed as the only principal building on a site, these uses are regulated by the RS-1 District Schedule. In all other cases, this schedule will apply.

2 Outright Approval Uses

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

2.2 Uses

2.2.A

- Accessory Buildings customarily ancillary to any of the uses listed in this schedule, except for accessory buildings ancillary to multiple dwelling and freehold rowhouse use, provided that:

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

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

2.2.DW [Dwelling]

- Multiple Conversion Dwelling, provided that:

  (a) no additions are permitted;
  (b) no housekeeping or sleeping units are created;

(c) there are no more than 2 dwelling units;
(d) the development complies with section 4.8 of this schedule; and
(e) no development permit will be issued until the requisite permits required by other by-laws that relate to design, construction and safety of buildings are issuable.

- One-Family Dwelling which complies with the current RS-1 District Schedule, provided that the one-family dwelling is the only principal building on the site.

- Two-Family Dwelling.

2.2.I [Institutional]

- Community Care Facility – Class A, subject to the regulations, variations 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 Council policies and guidelines; and
(b) the submission of any advisory group, property owner or tenant.

3.2 Uses

3.2.A

- Accessory Buildings not provided for in section 2.2.A of this schedule and customarily ancillary to any of the uses listed in this schedule, provided that for multiple dwelling and freehold rowhouse,
  (a) no accessory building exceeds 3.7 m in height, measured to the highest point of the roof if a flat roof, to the deck line of a mansard roof, or to the mean height of the level between the eaves and the ridge of a gable, hip or gambrel roof, except that no portion of an accessory building may exceed 4.6 m in height;
  (b) all accessory buildings are located:
    (i) within 7.9 m of the ultimate rear property line, and
    (ii) no less than 3.6 m from the ultimate centre line of any rear or flanking lane, and 1.5 m from a flanking street;
  (c) the total floor area of all accessory buildings, measured to the extreme outer limits of the building, is not greater than 48 m^2, except that:
    (i) the Director of Planning may increase the total floor area of all accessory buildings to a maximum of 24 m^2 for each dwelling unit, not including lock-off units, if the Director of Planning first considers the intent of this schedule and all applicable Council policies and guidelines;
  (d) not more than 30% of the width of the site at the rear property line is occupied by accessory buildings, except that the Director of Planning may increase the amount of the width of the site at the rear property line that may be occupied by accessory buildings to a maximum of 80%, if the Director of Planning first considers the intent of this schedule and all applicable Council policies and guidelines;
  (e) no accessory building is closer than 3.7 m to any residential dwelling; and
  (f) roof decks and ~~sun~~decks are not located on an accessory building.

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

3.2.AG [Agricultural]

- Urban Farm - Class A.

3.2.C [Cultural and Recreational]

- Club.
- Community Centre or Neighbourhood House.
- Library in conjunction with a Community Centre.
- Park or Playground.

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

3.2.DW [Dwelling]
- Dwelling Units, up to a maximum of two, in conjunction with a Neighbourhood Grocery Store existing as of July 29, 1980.
- Freehold rowhouse.
- Infill One-Family Dwelling, provided that the maximum number of dwelling units on the site is three, and:

  (a) it is in conjunction with the retention of a building existing on the site prior to January 1, 1940; or
  (b) the site meets the following criteria:
    (i) the rear or side property line of the site must abut a park or school site, with or without the intervention of a lane, or
    (ii) the site must be a corner site, or
    (iii) the lot depth must be more than 52 m.

- Laneway House, subject the RS-1 District Schedule.
- Multiple Conversion Dwelling not provided for in section 2.2.DW of this schedule, resulting from the conversion of a building existing as of May 15, 2013, provided that:

  (a) the Director of Planning first considers the quality and livability of the resulting units, the suitability of the building for conversion in terms of age and size and the effect of the conversion on adjacent properties;
  (b) additions are not permitted for buildings constructed on or after January 1, 1940, except additions up to a maximum of 5 m² used as exits;
  (c) no housekeeping or sleeping units are created; and
  (d) there are no more than three dwelling units.

- Multiple Dwelling.
- One-Family Dwelling on a site with two principal buildings, in accordance with sections 4.1.1 and 4.19.1 of this schedule.
- One-Family Dwelling with Secondary Suite on a site with one principal building, which complies with the current RS-1 District Schedule.
- One-Family Dwelling with Secondary Suite on a site with two principal buildings, in accordance with sections 4.1.1 and 4.19.1 of this schedule.
- Principal Dwelling Unit with Lock-off Unit, provided that:
  (a) in multiple dwellings or freehold rowhouses, there may be one lock-off unit for every 3 principal dwelling units, except that the Director of Planning may permit a higher ratio after first considering the intent of this schedule and all applicable Council policies and guidelines.
- Two-Family Dwelling on a site with two principal buildings, in accordance with sections 4.1.1 and 4.19.1 of this schedule.
- Two-Family Dwelling with Secondary Suite on a site with two principal buildings, in accordance with sections 4.1.1 and 4.19.1 of this schedule.
- 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.

3.2.I [Institutional]
- Ambulance Station.

- Child Day Care Facility.
- Church.
- Community Care Facility – Class B.
- Group Residence.
- Hospital.
- Public Authority Use essential in this district.
- School - Elementary or Secondary.
- Social Service Centre.

3.2.R [Retail]

- Farmers' Market, subject to compatibility with nearby sites, parking, traffic, noise, hours of operation, size of facility, and pedestrian amenity.
- Neighbourhood Grocery Store existing as of July 29, 1980.

3.2.S [Service]

- Bed and Breakfast Accommodation.
- Short Term Rental Accommodation.

3.2.U [Utilities and Communication]

- Public Utility.

4 Regulations

All approved uses are subject to the following regulations, except for:

(a) One-Family Dwelling and One-Family Dwelling with Secondary Suite, as the only principal building on the site, which are regulated by the RS-1 District Schedule; and

(b) Laneway House, which is only permitted in combination with 4(a).

4.1 Site Area

4.1.1 The minimum site area for:

(a) a two-family dwelling;

(b) a two-family dwelling with secondary suite;

(c) a multiple conversion dwelling with more than two dwelling units;

(d) any of the above noted uses or a one-family dwelling or one-family dwelling with secondary suite, in combination with an infill one-family dwelling or another principal building; or

(e) a multiple dwelling containing no more than 3 dwelling units, not including lock-off units,

is 303 m^2.

4.1.2 The minimum site area for a multiple dwelling containing 4 or more dwelling units, not including lock-off units, for a building containing freehold rowhouses, or for seniors supportive or assisted housing is 445 m^2.

4.1.3 If the Director of Planning first considers the intent of this schedule and all applicable Council policies and guidelines, the Director of Planning may permit a freehold rowhouse or a multiple dwelling containing 4 or more dwelling units, not including lock-off units, on a site smaller than 445 m^2.

4.1.4 The Director of Planning may permit a reduction to the minimum site area requirements of section 4.1 with respect to any of the following developments, if the lot was on record in the Land Title Office for Vancouver prior to May 15, 2013:

(a) two-family dwelling;

(b) two-family dwelling with secondary suite;

(c) infill one-family dwelling in conjunction with the retention of a building existing on the site prior to January 1, 1940; and
(d) multiple dwelling with no more than three dwelling units, if the Director of Planning first considers the quality and livability of the resulting units, the effect on neighbouring properties and all applicable Council policies and guidelines.

4.2 Frontage

4.2.1 The minimum frontage for a multiple dwelling containing 4 or more dwelling units, not including lock-off units, is 12.8 m.

4.2.2 The Director of Planning may permit a reduction to the minimum frontage provisions of section 4.2 with respect to any of the following developments, if the lot was on record in the Land Title Office for Vancouver prior to May 15, 2013:
(a) two-family dwelling;
(b) two-family dwelling with secondary suite;
(c) infill one-family dwelling in conjunction with the retention of a building existing on the site prior to January 1, 1940; and
(d) multiple dwelling with no more than three dwelling units, if the Director of Planning first considers the quality and livability of the resulting units, the effect on neighbouring properties and all applicable Council policies and guidelines.

4.3 Height

4.3.1 A building must not exceed 9.5 m and 2 storeys in height.

4.3.2 Notwithstanding section 4.3.1 of this schedule, a two-family dwelling, a two-family dwelling with secondary suite, a multiple dwelling containing no more than three units, not including lock-off units, and a freehold rowhouse must not exceed 10.7 m and 2½ storeys in height.

4.3.3 Notwithstanding section 4.3.1 of this schedule, the Director of Planning may permit a height increase in a multiple dwelling containing 4 or more dwelling units, not including lock-off units, to 11.5 m and a partial 3rd storey, if:

(a) the 3rd storey, meaning the uppermost level of a building where the floor area, existing, proposed or as may be extended over open-to-below space, and having a minimum ceiling height of 1.2 m, does not exceed 60% of the storey immediately below; and
(b) the Director of Planning first considers the intent of this schedule and all applicable Council policies and guidelines.

4.3.4 Notwithstanding sections 4.3.1 and 4.3.2 of this schedule, where a site is encumbered by a right of way granted to the Greater Vancouver Sewerage and Drainage District, the Director of Planning may permit a height increase in a multiple dwelling containing 4 or more dwelling units, not including lock-off units, to 11.5 m and a 3rd storey, provided the Director of Planning first considers the intent of this schedule and all applicable Council policies and guidelines.

4.3.5 Notwithstanding sections 4.3.1, 4.3.2 and 4.3.3 of this schedule, the maximum building height for an infill one-family dwelling or a principal building situated in the rear yard of a site is the lesser of 7.7 m or 1½ storeys, except that the Director of Planning may increase the maximum height if the Director of Planning first considers the intent of this schedule and all applicable Council policies and guidelines.

4.3.6 Notwithstanding sections 4.3.1 and 4.3.3 of this schedule, the Director of Planning may permit an increase in the number of storeys in a multiple dwelling containing 4 or more dwelling units,

not including lock-off units, to 3 storeys and a partial 4th storey, with a maximum height of 11.5 m if:

(a) the construction of a multiple dwelling with 2 storeys and a partial 3rd storey would result in any portion of a floor used for living accommodation being more than 1.83 m below the finished grade of the adjoining ground;
(b) the 4th storey, meaning the uppermost level of a building where the floor area, existing, proposed or as may be extended over open-to-below space, and having a minimum ceiling height of 1.2 m, does not exceed 60% of the storey immediately below; and
(c) the Director of Planning first considers the intent of this schedule and all applicable Council policies and guidelines.

4.4 Front Yard

4.4.1 Front yards must have a minimum depth of 6.1 m.

4.4.2 Notwithstanding section 4.4.1 of this schedule, on sites less than 27.4 m in depth, front yards must have a minimum depth of 4.9 m.

4.4.3 Notwithstanding sections 4.4.1 and 4.4.2 of this schedule, the Director of Planning may decrease the front yard requirement for multiple dwellings and freehold rowhouses on sites less than 27.4 m in depth, provided that the Director of Planning first considers the intent of this schedule and all applicable Council policies and guidelines.

4.4.4 ~~Covered~~ Entries, porches and verandahs complying with section 4.7.5 (h) of this schedule, may project up to 1.8 m into the required front yard.

4.4.5 For multiple dwellings, portions of basement floor area directly below ~~covered~~ entries, porches and verandahs may project up to 1.8 m into the required front yard.

4.4.6 Notwithstanding section 10.32.1(b) of this by-law, eaves and gutters or other projections, which in the opinion of the Director of Planning are similar, may project into the minimum front yard to a maximum of 1.0 m measured horizontally.

4.5 Side Yards

4.5.1 Side yards must have a minimum width of 1.2 m.

4.5.2 Notwithstanding section 10.321(b) of this by-law, eaves and gutters or other projections, which, in the opinion of the Director of Planning are similar, may project into the minimum side yard up to a maximum of 1.0 m measured horizontally, except that they must not be closer than 0.7 m to a side property line.

4.6 Rear Yard – not applicable in RM-7 and RM-7N

4.6.1 A rear yard with a minimum depth of 1.8 m must be provided. Where the rear property line abuts a lane that is only partially dedicated, or where a lane dedication is required, the rear yard must be measured from the ultimate rear property line.

4.6.2 Notwithstanding the provisions of section 10.32.1 (b) of this By-law, eaves and gutters or other similar projections as determined by the Director of Planning may project into a minimum rear yard to a maximum of 1.0 m measured horizontally.

4.7 Floor Space Ratio

4.7.1 Floor space ratio must not exceed 0.60 for all uses, except that floor space must not exceed 0.75 for two-family dwelling and two-family dwelling with secondary suite.

4.7.2 Notwithstanding section 4.7.1 of this schedule, if the Director of Planning first considers the intent of this schedule and all applicable Council policies and guidelines, and the submissions of any advisory groups, property owners or tenants, the Director of Planning may permit an increase in floor space ratio:

(a) for multiple dwelling, freehold rowhouse or seniors supportive or assisted housing on sites that are 445 m^2 and larger, with a minimum frontage of 12.8 m, to a maximum of 1.20;
(b) for multiple dwelling or seniors supportive or assisted housing on sites that are less than 445 m^2 in size or with a frontage less than 12.8 m, to a maximum of 0.90;
(c) for dwelling uses on sites where buildings existing prior to January 1, 1940 are retained, to a maximum of 0.90; and
(d) for all other dwelling uses, except two-family dwelling and two-family dwelling with secondary suite, to a maximum of 0.85.

4.7.3 Notwithstanding section 4.7.2 of this schedule, for sites where a building existing prior to January 1, 1940, is not retained, no more than 0.20 floor space ratio may be allocated to an infill one-family dwelling or to another second principal building in the rear yard of the site.

4.7.4 Computation of floor area must include:

(a) all floors, including earthen floor, to be measured to the extreme outer limits of the building;
(b) stairways, fire escapes, elevator shafts, and other features which the Director of Planning considers similar, measured by their gross cross-sectional areas and included in the measurements for each floor at which they are located;
(c) where the distance from a floor located no more than 2.0 m above finished grade to the floor above, or where there is no floor above, to the top of the roof joists, exceeds 3.7 m, an amount equal to the area of the floor below the excess height, except that the Director of Planning may exclude an area designed with venting skylights, opening clerestory windows or other similar features if:
    (i) in the opinion of the Director of Planning, the area is designed to reduce energy consumption or improve natural light and ventilation, and
    (ii) the area excluded does not exceed 1% of the permitted floor area;
(d) the floor area of bay windows, regardless of seat height, location in building or relationship to yard setbacks, which is greater than the product of the total floor area permitted above the basement multiplied by 0.01; and
(e) accessory buildings, ancillary to multiple dwellings and freehold rowhouses, except accessory buildings solely designed and constructed for the purpose of bicycle storage, or otherwise excluded in accordance with section 4.7.5 (c) of this schedule.

4.7.5 Computation of floor area must exclude:

(a) ~~open residential~~ balconies ~~or~~ and ~~sun~~decks, and any other appurtenances which, in the opinion of the Director of Planning, are similar to the foregoing, provided that the total area of these exclusions does not exceed 12% of the ~~permitted~~ floor area being provided for multiple dwelling and freehold rowhouse and 8% of the ~~permitted~~ floor area being provided for all other uses;
(b) patios and roof decks~~gardens~~, provided that the Director of Planning first ~~approves the design of sunroofs and walls~~considers the effect on privacy and overlook;
(c) for multiple dwelling and freehold rowhouse, where floors are used for:
    (i) off-street parking and loading, those floors or portions thereof which are located underground, provided that the maximum exclusion for a parking space must not exceed 7.3 m in length,
    (ii) bicycle storage located below base surface, or, if located at or above base surface are contained in an accessory building which complies with section 3.2.A of this schedule, and

(iii) heating and mechanical equipment, or uses which in the opinion of the Director of Planning, are similar to the forgoing, which are located below the base surface;

(d) for dwelling uses other than multiple dwelling and freehold rowhouse, where floors are used for off-street parking and loading, or bicycle storage in multiple conversion dwellings containing 3 or more dwelling units, or uses which, in the opinion of the Director of Planning, are similar to the foregoing:

(i) those floors or portions thereof not exceeding 7.3 m in length, which are located in an accessory building which complies with section 2.2.A of this schedule, or in an infill one family dwelling or principal building located within 7.9 m of the ultimate rear property line, up to a maximum of 48 m^2, and

(ii) on sites with no developed secondary access, those floors or portions thereof not exceeding 7.3 m in length and minimum required maneuvering aisle, which are located either in a principal building, an accessory building, or an infill one-family dwelling up to a maximum area that the Director of Planning may determine, provided the Director of Planning first considers all applicable Council policies and guidelines;

(e) for non-dwelling uses, where floors are used for off-street parking and loading, heating and mechanical equipment, or uses which, in the opinion of the Director of Planning, are similar to the foregoing, those floors or portions thereof not exceeding 7.3 m in length so used, which are located in an accessory building located within 7.9 m of the ultimate rear property line, or below base surface;

(f) areas of undeveloped floors which are located:

(i) above the highest storey or half-storey and to which there is no permanent means of access other than a hatch, or

(ii) adjacent to a storey or half-storey with a ceiling height of less than 1.2 m;

(g) floors located at or below finished grade with a ceiling height of less than 1.2 m;

(h) ~~covered~~ entries, porches and verandahs, and covered porches above the first storey provided that:

(i) the portion facing the street, side property line or rear property line, common open space, park or school, is open or protected by ~~partial walls or~~ guards ~~rails, which conform to the height~~ that do not exceed the required minimum height~~specified in the Building By-law~~,

(ii) the total ~~excluded~~ area of these exclusions, when combined with the balcony and ~~sun~~deck exclusions ~~permitted in~~under subsection 4.7.5 (a) ~~of this schedule~~, does not exceed 16% of the ~~permitted~~ floor area being provided for multiple dwellings and 13% of the ~~permitted~~ floor area being provided for all other uses,

(iii) the ceiling height, excluding roof structures, of the total area being excluded does not exceed 3.1 m measured from the entry, porch or verandah floor, and

(iv) for two-family dwellings and two-family dwellings with secondary suite, the depth of the total area being excluded for covered porches above the first storey does not exceed 1.83 m;

(i) for multiple dwelling and freehold rowhouse, all residential storage area above or below base surface, except that if residential storage area above base surface exceeds 3.7 m^2 per dwelling unit, there will be no exclusion for any of the residential storage area above base surface for that unit;

(j) above grade floor area built as open to below, designed in combination with venting skylights, opening clerestory windows or other similar features which, in the opinion of the Director of Planning, reduce energy consumption or improve natural light and ventilation to a maximum exclusion of one percent of permitted floor area; ~~and~~

(k) for two-family dwellings and two-family dwellings with secondary suite, areas of floors existing, proposed or as may be extended over open-to-below space located directly below sloping roof rafters or a sloping ceiling where the ceiling is directly attached to the underside of sloping roof rafters, and where the roof joists have a minimum 7:12 pitch and the related ceiling maintains the same pitch as the roof joists, provided that:

(i) the distance from the floor to any part of the roof rafters or ceiling is no higher than 2.3 m and no lower than 1.2 m, both measured vertically, and

(ii) the excluded floor area does not exceed 10 percent of the permitted total floor area; and

(d) unconditioned floor areas with a ceiling height or height to the underside of joists of less than 2.0 m, located below the floors of entries, porches and verandahs complying with subsection 4.7.5(h), to which there is no access from the interior of the building.

4.7.6 Notwithstanding the definition of "half-storey" in section 2 of this By-law, for the purposes of this Schedule the maximum permitted floor area contained in a half-storey shall not include floor area excluded in section 4.7.5(k) of this Schedule.

4.8 Site Coverage and Impermeability

4.8.1 The maximum site coverage for buildings is 45% of the site area, except that, for multiple dwelling and freehold rowhouse, the maximum site coverage for all buildings is 55% of the site area.

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

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

4.8.4 For the purposes of section 4.8.3 of this schedule:

(a) the following are considered impermeable: the projected area of the outside of the outermost walls of all buildings including carports, ~~covered~~entries, porches and ~~entries~~verandahs, asphalt, concrete, brick, stone, and wood; and

(b) the following are considered permeable: gravel, river rock less than 5 cm in size, wood chips, bark mulch, wood decking with spaced boards and other materials which, in the opinion of the Director of Planning, have fully permeable characteristics when placed or installed on grade with no associated layer of impermeable material (such as plastic sheeting) that would impede the movement of water directly to the soil below.

4.9 [Deleted -– see Parking by-law.]

4.10 Horizontal Angle of Daylight

4.10.1 Each habitable room must have at least one window on an exterior wall of a building.

4.10.2 Each exterior window must be located so that a plane or planes extending from the window and formed by an angle of 50 degrees, or two angles with a sum of 70 degrees, will encounter no obstruction over a distance of 24.0 m.

4.10.3 The plane or planes referred to in section 4.10.2 must be measured horizontally from the centre of the bottom of each window.

4.10.4 The Director of Planning may ~~relax~~ vary the horizontal angle of daylight requirement, if:

(a) the Director of Planning first considers all the applicable policies and guidelines adopted by Council; and

(b) the minimum distance of unobstructed view is not less than 2.4 m.

4.10.5 An obstruction referred to in section 4.10.2 means:

(a) any part of the same building including permitted projections; or

(b) the largest building permitted under the zoning on any adjoining site.

4.10.6 A habitable room referred to in section 4.10.1 does not mean:

(a) a bathroom; or
(b) a kitchen whose floor area is the lesser of:
  (i) 10% or less of the total floor area of the dwelling unit, or
  (ii) 9.3 m^2.

4.11 Dedication of Land for Lane Purposes

4.11.1 Where a site does not abut a lane, or abuts a lane which is less than 6.1 m in width, a portion of the site, as determined by the City Engineer, to a maximum of 3.1 m, shall be dedicated for lane purposes.

4.11.2 Where land is dedicated pursuant to section 4.11.1, it shall be deemed not to reduce the site area for the purpose of calculating floor space ratio.

4.12 - 4.14 (Reserved)

4.15 Acoustics

4.15.1 A development permit application for a dwelling use in the RM-7N District requires evidence in the form of a report and recommendations prepared by persons trained in acoustics and current techniques of noise measurements, demonstrating that the noise levels in those portions of the dwelling units listed below, do not exceed the noise levels expressed in decibels set opposite such portions of the dwelling units. For the purposes of this section the noise level is the A-weighted 24-hour equivalent (Leq) sound level and will be defined simply as the noise level in decibels.

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

4.16 Building Depth and Width

4.16.1 For all dwelling uses, the maximum distance between the required minimum front yard and the rear of a building is 40% of the site depth, measured prior to any required lane dedication.

4.16.2 Notwithstanding section 4.16.1 of this schedule, the Director of Planning may increase the maximum distance between the required minimum front yard and the rear of a multiple dwelling if the Director of Planning first considers the intent of this schedule and all applicable Council policies and guidelines.

4.16.3 Notwithstanding section 4.16.1 of this schedule, the Director of Planning may increase the maximum distance between the required minimum front yard and the rear yard of a two-family dwelling or a two-family dwelling with secondary suite to accommodate building features designed to reduce energy consumption in a Certified Passive House, if the Director of Planning first considers the intent of this schedule and all applicable Council policies and guidelines.

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

4.16.5 Notwithstanding section 4.16.1 of this schedule, the Director of Planning may permit an infill one-family dwelling or another principal building in the rear yard if the Director of Planning first considers the intent of this schedule and all applicable Council policies and guidelines.

4.16.6 On sites 24 m and wider, the maximum building width for a multiple dwelling is 22 m, except that the Director of Planning may increase the maximum building width, provided the Director of Planning first considers the intent of this schedule and all applicable Council policies and guidelines.

4.17 External Design

4.17.1 An infill one-family dwelling or another principal building located in the rear yard of a site, must be a minimum distance of 4.9 m, measured across the width of the site, from any other dwelling use on the site, except that the Director of Planning may decrease the minimum distance for an infill one-family dwelling, provided the Director of Planning first considers the intent of this schedule and all applicable Council policies and guidelines.

4.17.2 Where a site has more than one multiple dwelling building, the exterior wall of each multiple dwelling building must be a minimum of 2.4 m from the closest portion of the exterior wall of any other multiple dwelling building on the site.

4.17.3 Where a site has more than one building containing freehold rowhouses, the exterior wall of each building must be a minimum distance of 2.4 m from the closest portion of the exterior wall of any other building containing freehold rowhouses on the site.

4.17.4 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.

4.17.5 In a two-family dwelling or a two-family dwelling with secondary suite on a site with one principal building:

(a) there must be one main entrance to each principal dwelling unit;
(b) on a corner site, one main entrance must face the front street and one main entrance must face the flanking street;
(c) there must be a covered entry at each main entrance, with a minimum width and depth of 1.8 m;
(d) all roofs except for dormer roofs shall have a minimum slope of 7:12 and a maximum slope of 12:12 and shall be either hip or gable or a combination of both, and shall intersect at its lower portion with the exterior wall face of the building or the vertical projection thereof at a line no higher than the lesser of 7.9 m above the base surface or the floor level of a half-storey or attic above the second storey;
(e) dormer roofs shall be gable, hip or shed in form and shall have a minimum slope of 4:12;
(f) the maximum total width of dormers provided on a half storey above the second storey must not exceed 50% of the width of the elevation of the storey below;
(g) all exterior dormer walls shall be set back a minimum of 0.6 m from the exterior face of the wall of the storey below; and
(h) notwithstanding section 4.17.5(g), one dormer, which faces an interior side yard and which provides headroom over a stair and any intermediate and top landings which provide access from the second storey to the half-storey above may have its face wall flush or continuous with the second storey exterior wall face below.

4.17.6 Exterior windows in a secondary suite or lock off unit 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.

4.17.7 The Director of Planning may vary the requirements of section 4.17 for two-family dwellings and two-family dwellings with secondary suite if, in the opinion of the Director of Planning, the design meets the intent of the regulations for quality and durability of design and architectural expression, or to facilitate a building designed for certification under the Passive House standard or International Living Future Institute's Zero Energy standard, or an equivalent to the satisfaction of the Director of Planning.

4.18 Dwelling Unit Density

4.18.1 For multiple dwelling and freehold rowhouse, the total number of dwelling units, excluding lock-off units, must not exceed:

(a) for development up to and including 0.90 floor space ratio, 100 units per hectare of site area; or
(b) for development over 0.90 and up to and including 1.20 floor space ratio, 132 units per hectare of site area.

4.18.2 Where the calculation of dwelling units per hectare results in a fractional number, the number must be rounded down.

4.19 Number of Buildings on Site

4.19.1 Notwithstanding section 10.5 of this by-law, the Director of Planning may permit a second principal building in conjunction with a one-family dwelling, a one-family dwelling with secondary suite, a two-family dwelling or a two-family dwelling with secondary suite on a site, provided:

(a) the site meets one of the following criteria:
  (i) the rear or side property line of the site abuts a park or school site, with or without the intervention of a lane,
  (ii) the site is a corner site, or
  (iii) the lot depth is more than 52 m;
(b) the principal building situated in the rear yard of the site contains no more than one dwelling unit;
(c) the total number of dwelling units on the site does not exceed 3, excluding any secondary suites; and
(d) the Director of Planning first considers the intent of this schedule and all applicable Council policies and guidelines.

4.19.2 Notwithstanding section 10.5 of this by-law, the Director of Planning may permit more than one multiple dwelling or freehold rowhouse building on a site, if:

(a) the site has a minimum site area of 703 m^2; and
(b) the Director of Planning first considers the intent of this schedule and all applicable policies and guidelines.

~~5 Relaxation of Regulations~~

~~5.1 The Director of Planning may relax the minimum site area requirements of section 4.1 of this schedule and the minimum frontage provisions of section 4.2 of this schedule with respect to any of the following developments, if the lot was on record in the Land Title Office for Vancouver prior to May 15, 2013:~~

~~(a) two-family dwelling;~~
~~(b) two-family dwelling with secondary suite;~~
~~(c) infill one-family dwelling in conjunction with the retention of a building existing on the site prior to January 1, 1940; and~~

~~(d) multiple dwelling with no more than three dwelling units,~~

~~if the Director of Planning first considers the quality and livability of the resulting units, the effect on neighbouring properties and all applicable Council policies and guidelines.~~

RM-8, RM-8A, RM-8N and RM-8AN Districts Schedule

1 Intent

The intent of this schedule is to encourage development of ground-oriented stacked townhouses or rowhouses, including courtyard stacked townhouses and rowhouses, while continuing to permit lower intensity development. In the RM-8A and RM-8AN, a certain percentage of smaller units is required to increase the supply of smaller townhouses. Siting and massing of new development are intended to be compatible with, but not the same as, pre-existing single-family development. Secondary suites and lock-off units are permitted to provide flexible housing choices. Retention of character buildings and high quality design and liveability standards are encouraged for new development. The RM-8N and RM-8AN Districts differ from the RM-8 and RM-8A Districts, because they require noise mitigation for dwelling units close to arterial streets.

Individual one-family dwellings and one-family dwellings with a secondary suite (with or without a laneway house) are permitted uses; however, if developed as the only principal building on a site, these uses are regulated by the RS-1 District Schedule. In all other cases, this schedule will apply

2 Outright Approval Uses

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

2.2 Uses

2.2.A

- Accessory Buildings customarily ancillary to any of the uses listed in this schedule, except for accessory buildings ancillary to multiple dwelling and freehold rowhouse use, if:

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

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

2.2.DW [Dwelling]

- Multiple Conversion Dwelling, if:
  (a) no additions are permitted;
  (b) no housekeeping or sleeping units are created;

(c) there are no more than 2 dwelling units;
(d) the development complies with section 4.8 of this schedule; and
(e) no development permit will be issued until the requisite permits required by other by-laws that relate to design, construction and safety of buildings are issuable.

- One-Family Dwelling which complies with the current RS-1 District Schedule, if the one-family dwelling is the only principal building on the site.

- Two-Family Dwelling.

2.2.I [Institutional]

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

3 Conditional Approval Uses

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

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

3.2 Uses

3.2.A

- Accessory Buildings not provided for in section 2.2.A of this schedule and customarily ancillary to any of the uses listed in this schedule, provided that for multiple dwelling and freehold rowhouse:

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

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

3.2.AG [Agricultural]

- Urban Farm - Class A.

3.2.C [Cultural and Recreational]

- Club.
- Community Centre or Neighbourhood House.

- Library in conjunction with a Community Centre.
- Park or Playground.
- Plaza

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

3.2.DW [Dwelling]

- Dwelling Units, up to a maximum of two, in conjunction with a Neighbourhood Grocery Store existing as of July 29, 1980.
- Freehold rowhouse.
- Infill One-Family Dwelling, and Infill Two Family Dwelling if:

  (a) it is in conjunction with the retention of a building existing on the site prior to January 1, 1940; or
  (b) the site meets the following criteria:
    (i) the rear or side property line of the site must abut a park or school site, with or without the intervention of a lane, or
    (ii) the site must be a corner site, or
    (iii) the lot depth must be more than 45.7m.

- Laneway House, subject to the RS-1 District Schedule.
- Multiple Conversion Dwelling not provided for in section 2.2.DW of this schedule, resulting from the conversion of a building existing as of September 18, 2018, if:

  (a) the Director of Planning first considers the quality and liveability of the resulting units, the suitability of the building for conversion in terms of age and size and the effect of the conversion on adjacent properties;
  (b) additions are not permitted for buildings constructed on or after January 1, 1940, except additions up to a maximum of 5 m² used as exits;
  (c) no housekeeping or sleeping units are created; and
  (d) there are no more than three dwelling units.

- Multiple Dwelling.
- One-Family Dwelling on a site with two principal buildings, in accordance with sections 4.1.1 and 4.19.1 of this schedule.
- One-Family Dwelling with Secondary Suite on a site with one principal building, which complies with the current RS-1 District Schedule.
- One-Family Dwelling with Secondary Suite on a site with two principal buildings, in accordance with sections 4.1.1 and 4.19.1 of this schedule.
- Principal Dwelling Unit with Lock-off Unit, provided that:

  (a) in multiple dwellings or freehold rowhouses, there may be one lock-off unit for every 3 principal dwelling units, except that the Director of Planning may permit a higher ratio after first considering the intent of this schedule and all applicable Council policies and guidelines.

- Two-Family Dwelling on a site with two principal buildings, in accordance with sections 4.1.1 and 4.19.1 of this schedule.
- Two-Family Dwelling with Secondary Suite on a site with two principal buildings, in accordance with sections 4.1.1 and 4.19.1 of this schedule.
- Two-Family Dwelling with Secondary Suite, if there is no more than one secondary suite for each dwelling unit.
- Seniors Supportive or Assisted Housing.

3.2.I [Institutional]

- Ambulance Station.
- Child Day Care Facility.
- Church.
- Community Care Facility – Class B.
- Group Residence.
- Hospital.
- Public Authority Use essential in this district.
- School - Elementary or Secondary.
- Social Service Centre.

3.2.R [Retail]

- Farmers' Market, subject to compatibility with nearby sites, parking, traffic, noise, hours of operation, size of facility, and pedestrian amenity.
- Grocery Store or Drug Store, in conjunction with a multiple dwelling.
- Neighbourhood Grocery Store existing as of July 29, 1980.
- Public Bike Share.
- Retail Store, in conjunction with a multiple dwelling.

3.2.S [Service]

- Bed and Breakfast Accommodation.
- Short Term Rental Accommodation.

3.2.U [Utilities and Communication]

- Public Utility.

3.3 Conditions of Use

3.3.1 In the RM-8A and RM-8AN districts, in multiple dwellings consisting of four or more dwelling units, a minimum of 25% of the total dwelling units must be three-bedroom units.

3.3.2 Notwithstanding section 3.3.1, the Director of Planning may reduce the minimum percentage of three-bedroom units, provided the Director of Planning first considers the intent of this schedule and all applicable policies and guidelines adopted by Council.

4 Regulations

All approved uses are subject to the following regulations, except for:

(a) One-Family Dwelling and One-Family Dwelling with Secondary Suite, as the only principal building on the site, which are regulated by the RS-1 District Schedule; and
(b) Laneway House, which is only permitted in combination with 4(a).

4.1 Site Area

4.1.1 The minimum site area for:

(a) a two-family dwelling;
(b) a two-family dwelling with secondary suite;
(c) a multiple conversion dwelling with more than two dwelling units;
(d) any of the above noted uses or a one-family dwelling or one-family dwelling with secondary suite, in combination with an infill one-family dwelling, infill two-family dwelling, or another principal building; or
(e) a multiple dwelling containing no more than 3 dwelling units, not including lock-off units,

is 303 m^2.

4.1.2 The minimum site area for:

(a) a multiple dwelling containing 4 or more dwelling units, not including lock-off units;
(b) a multiple dwelling containing no more than 3 dwelling units, not including lock-off units, in combination with another principal building;
(c) a building containing freehold rowhouses; or
(d) seniors supportive or assisted housing,

is 445 m^2.

4.1.3 If the Director of Planning first considers the intent of this schedule and all applicable Council policies and guidelines, the Director of Planning may permit a freehold rowhouse or a multiple dwelling containing 4 or more dwelling units, not including lock-off units, on a site smaller than 445 m^2.

4.1.4 The Director of Planning may permit a reduction to the minimum site area requirements of section 4.1 with respect to any of the following developments, if the lot was on record in the Land Title Office prior to September 18, 2018:
(a) two-family dwelling;
(b) two-family dwelling with secondary suite;
(c) infill one-family dwelling or infill two-family dwelling in conjunction with the retention of a building existing on the site prior to January 1, 1940; and
(d) multiple dwelling with no more than three dwelling units, if the Director of Planning first considers the quality and liveability of the resulting units, the effect on neighbouring properties and all applicable Council policies and guidelines.

4.2 Frontage

4.2.1 The minimum frontage for a multiple dwelling containing 4 or more dwelling units, not including lock-off units, is 12.8 m.

4.3 Height

4.3.1 A building must not exceed 9.5 m and 2 storeys in height.

4.3.2 Notwithstanding section 4.3.1 of this schedule, a two-family dwelling, a two-family dwelling with secondary suite, a multiple dwelling containing no more than three units, not including lock-off units, and a freehold rowhouse must not exceed 10.7 m and 2½ storeys in height.

4.3.3 Notwithstanding section 4.3.1 of this schedule, in the RM-8 and RM-8N districts the Director of Planning may permit a height increase in a multiple dwelling containing 4 or more dwelling units, not including lock-off units, to 11.5 m and a partial 3rd storey, if:

(a) the 3rd storey, meaning the uppermost level of a building where the floor area, existing, proposed or as may be extended over open-to-below space, and having a minimum ceiling height of 1.2 m, does not exceed 60% of the storey immediately below; and
(b) the Director of Planning first considers the intent of this schedule and all applicable Council policies and guidelines.

4.3.4 Notwithstanding section 4.3.1 of this schedule, in the RM-8A and RM-8AN districts, if the Director of Planning first considers the intent of this schedule and all applicable Council policies and guidelines, the Director of Planning may permit a height

increase in a multiple dwelling containing 4 or more dwelling units, not including lock-off units, to 11.5 m and 3 storeys.

4.3.5 Notwithstanding sections 4.3.1, 4.3.2 and 4.3.3 of this schedule, in the RM-8 and RM-8N districts, the maximum building height for a multiple dwelling adjacent to the lane at the rear of a site is 7.7 m and 2 storeys, except that the Director of Planning may increase the maximum height if the Director of Planning first considers the intent of this schedule and all applicable Council policies and guidelines.

4.3.6 Notwithstanding sections 4.3.1, 4.3.2 and 4.3.4 of this schedule, in the RM-8A and RM-8AN districts, the maximum building height for a multiple dwelling adjacent to the lane at the rear of a site is 7.7 m and 2 storeys, except that the Director of Planning may increase the maximum height to 10.1 m and a partial 3rd storey, if:

(a) the 3rd storey, meaning the uppermost level of a building where the floor area, existing, proposed or as may be extended over open-to-below space, and having a minimum ceiling height of 1.2 m, does not exceed 60% of the storey immediately below;
(b) a minimum rear yard setback of 3.0 m is provided; and
(c) the Director of Planning first considers the intent of this schedule and all applicable Council policies and guidelines.

4.3.7 Notwithstanding sections 4.3.1 and 4.3.2 of this schedule, the maximum building height for a one-family dwelling, two-family dwelling, infill one-family dwelling, or infill two-family dwelling adjacent to the lane at the rear of a site is the lesser of 7.7 m or 1½ storeys, except that the Director of Planning may increase the maximum height if the Director of Planning first considers the intent of this schedule and all applicable Council policies and guidelines.";

4.4 Front Yard

4.4.1 Front yards must have a minimum depth of 4.9 m.

4.4.2 Notwithstanding sections 4.4.1 of this schedule, the Director of Planning may decrease the front yard requirement for multiple dwellings, if the Director of Planning first considers the intent of this schedule and all applicable Council policies and guidelines.

4.4.3 ~~Covered~~ Entries, porches and verandahs complying with section 4.7.9 (h) of this schedule, may project up to 1.8 m into the required front yard.

4.4.4 For multiple dwellings, portions of basement floor area directly below ~~covered~~ entries, porches and verandahs may project up to 1.8 m into the required front yard.

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

4.5 Side Yards

4.5.1 Side yards must have a minimum width of 1.2 m.

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

4.6 Rear Yard

4.6.1 For all dwelling uses in the RM-8 and RM-8N districts, a rear yard with a minimum depth of 1.0 m must be provided.

4.6.2 In the RM-8A and RM-8AN districts:

(a) for a one-family dwelling, two-family dwelling, infill one-family dwelling, or infill two-family dwelling located at the rear of the site, a rear yard with a minimum depth of 1.0 m must be provided; and
(b) for all other dwelling uses, a rear yard with a minimum depth of 1.8 m must be provided.

4.6.3 Where the rear property line abuts a lane that is only partially dedicated, or where a lane dedication is required, the rear yard must be measured from the ultimate rear property line.

4.6.4 Notwithstanding the provisions of section 10.7.1 (b) of this By-law, eaves and gutters or other similar projections as determined by the Director of Planning may project into a minimum rear yard to a maximum of 1.0 m measured horizontally.

4.7 Floor Area and Density

4.7.1 Except as provided in sections 4.7.2 and 4.7.3 of this schedule, the floor space ratio must not exceed 0.75 for all uses, except that the floor space ratio must not exceed 0.90 for sites where a building existing prior to January 1, 1940 is retained, except that no more than 0.25 floor space ratio may be allocated to an infill one-family dwelling or infill two-family dwelling in the rear yard of the site.

4.7.2. Notwithstanding section 4.7.1 of this schedule, if the Director of Planning first considers the intent of this schedule, all applicable Council policies and guidelines, and the submissions of any advisory groups, property owners or tenants, the Director of Planning may permit an increase in floor area as follows:

(a) for multiple dwelling, freehold rowhouse or seniors supportive or assisted housing developed as secured market rental housing or social housing on sites that are 445 m^2 and larger, with a minimum frontage of 12.8 m, to a maximum floor space ratio of 1.20; and
(b) for multiple dwelling or seniors supportive or assisted housing developed as secured market rental housing or social housing on sites that are less than 445 m^2 in size or with a frontage less than 12.8 m, to a maximum floor space ratio of 0.90.

4.7.3 Notwithstanding section 4.7.1 of this schedule, if the Director of Planning first considers the intent of this schedule, all applicable Council policies and guidelines, the submissions of any advisory groups, property owners or tenants, the overall design of the development and the effect of the development on neighbouring sites, the Director of Planning may permit an increase in floor area as follows:

(a) in the RM-8 and RM-8N districts for multiple dwelling, freehold rowhouse or seniors supportive or assisted housing on sites that are 445 m^2 and larger, with a minimum frontage of 12.8 m, the permitted floor area may be increased by one m^2 per amenity share or per affordable housing share provided to the city at no cost to the city, to a maximum floor space ratio of 1.20;
(b) in the RM-8A and RM-8AN districts, for multiple dwelling, freehold rowhouse or seniors supportive or assisted housing on sites that are 445 m^2 and larger, with a minimum frontage of 12.8 m, the permitted floor area may be increased by one m^2 per amenity share or per affordable housing share provided to the city at no cost to the city, to a maximum floor space ratio of 1.20, provided that a minimum of 45% of dwelling units have floor areas between 83 m^2 and 112 m^2;

(c) for multiple dwelling or seniors supportive or assisted housing on sites that are less than 445 m^2 in size or with a frontage less than 12.8 m, the permitted floor area may be increased by one m^2 per amenity share or per affordable housing share provided to the city at no cost to the city, to a maximum floor space ratio of 0.90; and
(d) for all other dwelling uses, except two-family dwelling and two-family dwelling with secondary suite, the permitted floor area may be increased by one m^2 per amenity share or per affordable housing share provided to the city at no cost to the city, to a maximum

of 0.85, except that no more than 0.25 floor space ratio may be allocated to an infill one-family dwelling or infill two-family dwelling, or to another second principal building at the rear of the site.

4.7.4 For the purposes of section 4.7.3, the cost of an affordable housing share is the amount specified per m2 in the Affordable Housing and Amenity Share Cost Schedule, for the RM-8, RM-8A, RM-8N and RM-8AN Zoning Districts.

4.7.5 For the purposes of section 4.7.3, the cost of an amenity share is the amount specified per m2 in the Affordable Housing and Amenity Share Cost Schedule, for the RM-8 and for the RM-8, RM-8A, RM-8N and RM-8AN Zoning Districts.

4.7.6 Notwithstanding sections 4.7.3 and 4.7.7, the maximum floor space ratio achievable as a result of the provision of amenity shares or affordable housing shares must otherwise comply in all respects with the District Schedule and this by-law.

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

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

4.7.8 Computation of floor area must include:

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

(e) in the RM-8A and RM-8AN districts, accessory buildings ancillary to multiple dwellings and freehold rowhouses, except accessory buildings solely designed and constructed for the purpose of bicycle storage, or otherwise excluded in accordance with section 4.7.9(c) of this schedule.

4.7.9 Computation of floor area must exclude:

(a) ~~open residential~~ balconies ~~or~~ and ~~sun~~decks, and any other appurtenances which, in the opinion of the Director of Planning, are similar to the foregoing, if the total area of these exclusions does not exceed 12% of the ~~permitted~~ floor area being provided for multiple dwelling and freehold rowhouse and 8% of the ~~permitted~~ floor area being provided for all other uses;

(b) patios and roof decks ~~gardens~~, provided that the Director of Planning first ~~approves the design of sunroofs and walls~~consider the effect on privacy and overlook;

(c) for multiple dwelling and freehold rowhouse, where floors are used for:

(i) off-street parking and loading, those floors or portions thereof which are located underground, provided that the maximum exclusion for a parking space must not exceed 7.3 m in length,

(ii) bicycle storage located underground, or, if located at or above base surface are contained in an accessory building which complies with section 3.2.A of this schedule, and

(iii) heating and mechanical equipment, or uses which in the opinion of the Director of Planning, are similar to the foregoing, which are located below the base surface;

(d) for dwelling uses other than multiple dwelling and freehold rowhouse, where floors are used for off-street parking and loading, or bicycle storage in multiple conversion dwellings containing 3 or more dwelling units, or uses which, in the opinion of the Director of Planning, are similar to the foregoing:

(i) those floors or portions thereof not exceeding 7.3 m in length, which are located in an accessory building which complies with section 2.2.A of this schedule, or in an infill one family dwelling or principal building located within 7.9 m of the ultimate rear property line, up to a maximum of 48 m^2, and

(ii) on sites with no developed secondary access, those floors or portions thereof not exceeding 7.3 m in length and minimum required maneuvering aisle, which are located either in a principal building, an accessory building, or an infill one-family dwelling up to a maximum area that the Director of Planning may determine, provided the Director of Planning first considers all applicable Council policies and guidelines;

(e) for non-dwelling uses, where floors are used for off-street parking and loading, heating and mechanical equipment, or uses which, in the opinion of the Director of Planning, are similar to the foregoing, those floors or portions thereof not exceeding 7.3 m in length so used, which are located in an accessory building located within 7.9 m of the ultimate rear property line, or below base surface;

(f) areas of undeveloped floors which are located:

(i) above the highest storey or half-storey and to which there is no permanent means of access other than a hatch, or

(ii) adjacent to a storey or half-storey with a ceiling height of less than 1.2 m;

(g) floors located at or below finished grade with a ceiling height of less than 1.2 m;

(h) ~~covered~~ entries, porches and verandahs, and covered porches above the first storey if:

(i) the portion facing the street, rear property line, common open space, park or school, is open or protected by ~~partial walls or~~ guards ~~rails, which conform to the height minimum~~ which do not exceed the required minimum height ~~specified in the Building By-law~~,

(ii) the total ~~excluded~~ area of these exclusions, when combined with the balcony and ~~sun~~deck exclusions ~~permitted in~~under subsection 4.7.9 (a) ~~of this schedule~~, does not exceed 16% of the ~~permitted~~ floor area being provided for multiple dwellings and 13% of the ~~permitted~~ floor area being provided for all other uses,

(iii) the ceiling height, excluding roof structures, of the total area being excluded does not exceed 3.1 m measured from the entry, porch or verandah floor, and

(iv) for two-family dwellings and two-family dwellings with secondary suite, the depth of the total area being excluded for covered porches above the first storey does not exceed 1.83 m;

(i) for multiple dwelling and freehold rowhouse, all residential storage area above or below base surface, except that if residential storage area above base surface exceeds 3.7 m^2 per dwelling unit, there will be no exclusion for any of the residential storage area above base surface for that unit;

(j) above grade floor area built as open to below, designed in combination with venting skylights, opening clerestory windows or other similar features which, in the opinion of

the Director of Planning, reduce energy consumption or improve natural light and ventilation to a maximum exclusion of one percent of permitted floor area; ~~and~~

(k) for two-family dwellings and two-family dwellings with secondary suite, areas of floors existing, proposed or as may be extended over open-to-below space located directly below sloping roof rafters or a sloping ceiling where the ceiling is directly attached to the underside of sloping roof rafters, and where the roof joists have a minimum 7:12 pitch and the related ceiling maintains the same pitch as the roof joists, provided that:

(i) the distance from the floor to any part of the roof rafters or ceiling is no higher than 2.3 m and no lower than 1.2 m, both measured vertically, and

(ii) the excluded floor area does not exceed 10 percent of the permitted total floor area~~;~~ and

(l) unconditioned floor areas with a ceiling height or height to the underside of joists of less than 2.0 m located below the floors of entries, porches and verandahs complying with subsection 4.7.3(f), to which there is no access from the interior of the building.

4.7.10 Notwithstanding the definition of "half-storey" in section 2 of this By-law, for the purposes of this Schedule the maximum permitted floor area contained in a half-storey shall not include floor area excluded in section 4.7.9(k) of this Schedule.

4.7.11 The Director of Planning may vary the regulation in subsection 4.7.3(b) regarding the minimum percentage of dwelling units with floor areas between 83 m2 and 112 m2 , if the Director of Planning first considers the intent of this schedule and all applicable Council policies and guidelines.

4.8 Site Coverage and Impermeability

4.8.1 The maximum site coverage for buildings is 45% of the site area, except that, for multiple dwelling and freehold rowhouse, the maximum site coverage for all buildings is 55% of the site area.

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

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

4.8.4 For the purposes of section 4.8.3 of this schedule:

(a) the following are considered impermeable: the projected area of the outside of the outermost walls of all buildings including carports, ~~covered~~ entries, porches and ~~entries~~verandahs, asphalt, concrete, brick, stone, and wood; and

(b) the following are considered permeable: gravel, river rock less than 5 cm in size, wood chips, bark mulch, wood decking with spaced boards and other materials which, in the opinion of the Director of Planning, have fully permeable characteristics when placed or installed on grade with no associated layer of impermeable material (such as plastic sheeting) that would impede the movement of water directly to the soil below.

4.9 [Deleted – see Parking by-law.]

4.10 Horizontal Angle of Daylight

4.10.1 Each habitable room must have at least one window on an exterior wall of a building.

4.10.2 Each exterior window must be located so that a plane or planes extending from the window and formed by an angle of 50 degrees, or two angles with a sum of 70 degrees, will encounter no obstruction over a distance of 24.0 m.

4.10.3 The plane or planes referred to in section 4.10.2 must be measured horizontally from the centre of the bottom of each window.

4.10.4 The Director of Planning may ~~relax~~ vary the horizontal angle of daylight requirement, if:

(a) the Director of Planning first considers all the applicable policies and guidelines adopted by Council; and
(b) the minimum distance of unobstructed view is not less than 2.4 m.

4.10.5 An obstruction referred to in section 4.10.2 means:

(a) any part of the same building including permitted projections; or
(b) the largest building permitted under the zoning on any adjoining site.

4.10.6 A habitable room referred to in section 4.10.1 does not mean:

(a) a bathroom; or
(b) a kitchen whose floor area is the lesser of:
  (i) 10% or less of the total floor area of the dwelling unit, or
  (ii) 9.3 m^2.

4.11 Dedication of Land for Lane Purposes

4.11.1 Where a site does not abut a lane, or abuts a lane which is less than 6.1 m in width, a portion of the site, as determined by the City Engineer, to a maximum of 3.1 m, must be dedicated for lane purposes.

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

4.12 (Reserved)

4.13 (Reserved)

4.14 Dedication of Land for Sidewalk and Boulevard Purposes

4.14.1 For development sites which front Oak Street, a portion of the site must be dedicated to the City for sidewalk and boulevard improvements to achieve a distance from the centerline of the street to the property line of the development site of 14.6 m measured at right angles.

4.14.2 For development sites that front West King Edward Avenue, a portion of the site must be dedicated to the City for sidewalk and boulevard improvements to achieve a distance from the centerline of the street to the property line of the development site, measured at right angles, of:

(a) for sites on the north side of West King Edward Avenue:

(i)	from Manitoba Street to Ontario Street	15.5 m,
(ii)	from Columbia Street to Manitoba Street	15.6 m,
(iii)	from Willow Street to Heather Street	16.9 m, and
(iv)	from Laurel Street to Willow Street	19.2 m; and

(b) for sites on the south side of West King Edward Avenue:

(i) from Columbia Street to Ontario Street 15.2 m.

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

4.15 Acoustics

4.15.1 A development permit application for a dwelling use in the RM-8N and RM-8AN Districts requires evidence in the form of a report and recommendations prepared by a licensed professional acoustical engineer, demonstrating that the noise levels in those portions of the dwelling units listed below, do not exceed the noise levels expressed in decibels set opposite such portions of the dwelling units. For the purposes of this section the noise level is the A-weighted 24-hour equivalent (Leq) sound level and will be defined simply as the noise level in decibels.

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

4.16 Building Depth and Width

4.16.1 For all dwelling uses, the maximum distance between the required minimum front yard and the rear of a building is 40% of the site depth, measured prior to any required lane dedication.

4.16.2 Notwithstanding section 4.16.1 of this schedule, the Director of Planning may increase the maximum distance between the required minimum front yard and the rear of a multiple dwelling if the Director of Planning first considers the intent of this schedule and all applicable Council policies and guidelines.

4.16.3 Notwithstanding section 4.16.1 of this schedule, the Director of Planning may increase the maximum distance between the required minimum front yard and the rear yard of a two-family dwelling or a two-family dwelling with secondary suite to accommodate building features designed to reduce energy consumption in a Certified Passive House, if the Director of Planning first considers the intent of this schedule and all applicable Council policies and guidelines.

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

4.16.5 Notwithstanding section 4.16.1 of this schedule, the Director of Planning may permit an infill one-family dwelling or another principal building in the rear yard if the Director of Planning first considers the intent of this schedule and all applicable Council policies and guidelines.

4.16.6 On sites 24 m and wider, the maximum building width for a multiple dwelling is 22 m, except that the Director of Planning may increase the maximum building width, provided the Director of Planning first considers the intent of this schedule and all applicable Council policies and guidelines.

4.17 External Design

4.17.1 An infill one-family dwelling or another principal building located in the rear yard of a site, must be a minimum distance of 4.9 m, measured across the width of the site, from any other dwelling use on the site, except that the Director of Planning may decrease the minimum distance for an infill one-family dwelling, if the Director of Planning first considers the intent of this schedule and all applicable Council policies and guidelines.

4.17.2 Where a site has more than one multiple dwelling building, the exterior side wall of each multiple dwelling building must be a minimum of 2.4 m from the closest portion of the exterior side wall of any other multiple dwelling building on the site.

4.17.3 Where a site has more than one building containing freehold rowhouses, the exterior side wall of each building must be a minimum distance of 2.4 m from the closest portion of the exterior side wall of any other building containing freehold rowhouses on the site.

4.17.4 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.

4.17.5 In a two-family dwelling or a two-family dwelling with secondary suite on a site with one principal building:

(a) there must be one main entrance to each principal dwelling unit;
(b) on a corner site, one main entrance must face the front street and one main entrance must face the flanking street;
(c) there must be a covered entry at each main entrance, with a minimum width and depth of 1.8 m;
(d) all roofs except for dormer roofs shall have a minimum slope of 7:12 and a maximum slope of 12:12 and shall be either hip or gable or a combination of both, and shall intersect at its lower portion with the exterior wall face of the building or the vertical projection thereof at a line no higher than the lesser of 7.9 m above the base surface or the floor level of a half-storey or attic above the second storey;
(e) dormer roofs shall be gable, hip or shed in form and shall have a minimum slope of 4:12;
(f) the maximum total width of dormers provided on a half storey above the second storey must not exceed 50% of the width of the elevation of the storey below;
(g) all exterior dormer walls shall be set back a minimum of 0.6 m from the exterior face of the wall of the storey below; and
(h) notwithstanding section 4.17.5(g), one dormer, which faces an interior side yard and which provides headroom over a stair and any intermediate and top landings which provide access from the second storey to the half-storey above may have its face wall flush or continuous with the second storey exterior wall face below.

4.17.6 Exterior windows in a secondary suite or lock off unit 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.

4.17.7 The Director of Planning may vary the requirements of section 4.17 for two-family dwellings and two-family dwellings with secondary suite if, in the opinion of the Director of Planning, the design meets the intent of the regulations for quality and durability of design and architectural expression, or to facilitate a building designed for certification under the Passive House standard or International Living Future Institute's Zero Energy standard, or an equivalent to the satisfaction of the Director of Planning.

4.18 Dwelling Unit Density

4.18.1 For multiple dwelling and freehold rowhouse, the total number of dwelling units, excluding lock-off units, must not exceed:

(a) for development up to and including 0.90 floor space ratio, 100 units per hectare of site area; or
(b) for development over 0.90 and up to and including 1.20 floor space ratio, 145 units per hectare of site area.

4.18.2 Where the calculation of dwelling units per hectare results in a fractional number, the number must be rounded down.

4.19 Number of Buildings on Site

4.19.1 Notwithstanding section 10.5 of this by-law, the Director of Planning may permit a second principal building in conjunction with a one-family dwelling, a one-family dwelling with secondary suite, a two-family dwelling or a two-family dwelling with secondary suite on a site, if:

(a) the site meets one of the following criteria:
  (i) the rear or side property line of the site abuts a park or school site, with or without the intervention of a lane,
  (ii) the site is a corner site, or
  (iii) the lot depth is more than 45.7 m;

b) the principal building situated in the rear yard of the site contains no more than two dwelling units;

(c) the total number of dwelling units on the site does not exceed 4, excluding any secondary suites; and

(d) the Director of Planning first considers the intent of this schedule and all applicable Council policies and guidelines.

4.19.2 Notwithstanding section 10.5 of this by-law, the Director of Planning may permit a second principal building in conjunction with a multiple dwelling or freehold rowhouse building on a site, if:

(a) the site has a minimum site area of 445 m^2; and

(b) the Director of Planning first considers the intent of this schedule and all applicable Council policies and guidelines.

5 Relaxation of Regulations

~~5.1 The Director of Planning may relax the minimum site area requirements of section 4.1 of this schedule with respect to any of the following developments, if the lot was on record in the Land Title Office prior to September 18, 2018:~~

~~(a) two-family dwelling;~~
~~(b) two-family dwelling with secondary suite;~~
~~(c) infill one-family dwelling or infill two-family dwelling in conjunction with the retention of a building existing on the site prior to January 1, 1940; and~~
~~(d) multiple dwelling with no more than three dwelling units,~~

~~if the Director of Planning first considers the quality and liveability of the resulting units, the effect on neighbouring properties and all applicable Council policies and guidelines.~~

~~5.2 The Director of Planning may relax the regulation in subsection 4.7.3(b) of this schedule regarding the minimum percentage of dwelling units with floor areas between 83 m^2 and 112 m^2, if the Director of Planning first considers the intent of this schedule and all applicable Council policies and guidelines.~~

~~5.3 The Director of Planning may relax the regulations in sections 4.1, 4.2, 4.3, 4.4, 4.5, 4.6, 4.8, 4.10, 4.15, 4.16, 4.17, 4.18, and 4.19 of this schedule when a house listed on the Vancouver Heritage Register is retained, if consideration is first given to the intent of this schedule and all applicable Council policies and guidelines.~~

RM-9, RM-9A, RM-9N, RM-9AN and RM-9BN Districts Schedule

1 Intent

The intent of this Schedule is to permit medium density residential development. In the RM-9, RM-9N and RM-9BN Districts, this includes a variety of multiple dwelling types including low-rise apartments, ground-oriented stacked townhouses, and rowhouses, including courtyard and freehold rowhouses. In the RM-9A and RM-9AN Districts, dwelling uses are more limited: the emphasis is on 4-storey low-rise apartments, with stacked townhouses limited to exceptionally deep lots, which provide a transition between higher building forms and ground-oriented residential neighbourhoods.

In all Districts, emphasis is on a high standard of liveability and creation of a variety of dwelling unit sizes, including those appropriate for families with children. Secondary suites and lock-off units are permitted, within limits, to provide flexible housing choices. All new development will demonstrate high quality design and good neighbourhood fit.

The RM-9N, RM-9AN and RM-9BN Districts differ from the RM-9 and RM-9A Districts in that they require evidence of noise mitigation for residential development in close proximity to arterial streets or a rapid transit guideway.

2 Outright Approval Uses

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

2.2 Uses

2.2.A

- Accessory Buildings customarily ancillary to any of the uses listed in this Schedule, except for accessory buildings ancillary to multiple dwelling and freehold rowhouse use, if:

  (a) no accessory building exceeds 3.7 m in height, measured to the highest point of the roof if a flat roof, to the deck line of a mansard roof, or to the mean height of the level between the eaves and the ridge of a gable, hip or gambrel roof, except that no portion of an accessory building may exceed 4.6 m in height;
  (b) all accessory buildings are located:
    (i) within 7.9 m of the ultimate rear property line, and
    (ii) no less than 3.6 m from the ultimate centre line of any rear or flanking lane and 1.5 m from a flanking street;
  (c) the total floor area of all accessory buildings, measured to the extreme outer limits of the building, is not greater than 48 m²;
  (d) not more than 80% of the width of the site at the rear property line is occupied by accessory buildings;
  (e) no accessory building is closer than 3.7 m to any residential dwelling; and
  (f) roof decks and ~~sun~~decks are not located on an accessory building.

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

2.2.DW [Dwelling]

- Multiple Conversion Dwelling, if:
  (a) no additions are permitted;
  (b) no housekeeping or sleeping units are created;
  (c) there are no more than 2 dwelling units;
  (d) the development complies with section 4.8 of this schedule; and
  (e) no development permit will be issued until the requisite permits required by other by-laws that relate to design, construction and safety of buildings are issuable.

- One-Family Dwelling which complies with the current RS-1 District Schedule, if one-family dwelling is the only principal building on the site and if the lot was on record in the Land Title Office for Vancouver prior to January 16, 2018.

2.2.I [Institutional]

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

3 Conditional Approval Uses

3.1 Subject to all other provisions of this by-law, the Director of Planning may approve any of the uses listed in section 3.2 of this schedule, with or without conditions, if the Director of Planning first considers:
(a) the intent of this Schedule and all applicable Council policies and guidelines; and
(b) the submission of any advisory group, property owner or tenant.

3.2 Uses

3.2.A

- Accessory Buildings not provided for in section 2.2.A of this schedule and customarily ancillary to any of the uses listed in this schedule, provided that for multiple dwelling and freehold rowhouse,
  (a) no accessory building exceeds 3.7 m in height, measured to the highest point of the roof if a flat roof, to the deck line of a mansard roof, or to the mean height of the level between the eaves and the ridge of a gable, hip or gambrel roof, except that no portion of an accessory building may exceed 4.6 m in height;
  (b) all accessory buildings are located:
    (i) within 7.9 m of the ultimate rear property line, and
    (ii) no less than 3.6 m from the ultimate centre line of any rear or flanking lane, and 1.5 m from a flanking street;
  (c) the total floor area of all accessory buildings, measured to the extreme outer limits of the building, is not greater than 48 m², except that:
    (i) the Director of Planning may increase the total floor area of all accessory buildings to a maximum of 24 m² for each dwelling unit, not including lock-off units, if the Director of Planning first considers the intent of this schedule and all applicable Council policies and guidelines;
  (d) not more than 30% of the width of the site at the rear property line is occupied by accessory buildings, except that the Director of Planning may increase the amount of the width of the site at the rear property line that may be occupied by accessory buildings to a maximum of 80%, if the Director of Planning first considers the intent of this schedule and all applicable Council policies and guidelines;
  (e) no accessory building is closer than 3.7 m to any residential dwelling; and
  (f) roof decks and ~~sun~~decks are not located on an accessory building.

3.2.AG [Agricultural]

- Urban Farm - Class A.

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

3.2.C [Cultural and Recreational]

- Club.
- Community Centre or Neighbourhood House.
- Library in conjunction with a Community Centre.
- Park or Playground.

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

3.2.DW [Dwelling]

- Dwelling Units, up to a maximum of two, in conjunction with a Neighbourhood Grocery Store existing as of July 29, 1980.
- Freehold rowhouse, but only in the RM-9 and RM-9N Districts.
- Infill One-Family Dwelling, if it is in conjunction with the retention of a building existing on the site prior to January 1, 1940.
- Laneway House, subject to the RS-1 District Schedule.
- Multiple Conversion Dwelling not provided for in section 2.2.DW of this schedule, resulting from the conversion of a building existing as of May 27, 2014, if:

  (a) the Director of Planning first considers the quality and liveability of the resulting units, the suitability of the building for conversion in terms of age and size and the effect of the conversion on adjacent properties;
  (b) additions are not permitted for buildings constructed on or after January 1, 1940, except additions up to a maximum of 5 m² used as exits;
  (c) no housekeeping or sleeping units are created; and
  (d) there are no more than three dwelling units.

- Multiple Dwelling.
- One-Family Dwelling with Secondary Suite which complies with the current RS-1 District Schedule, if one-family dwelling is the only principal building on the site and if the lot was on record in the Land Title Office for Vancouver prior to January 16, 2018.
- One-Family Dwelling on sites with more than one principal building.
- One-Family Dwelling with Secondary Suite on sites with more than one principal building, provided that there is no more than one Secondary Suite for each dwelling unit.
- Principal Dwelling Unit with Lock-off Unit, provided that:

  (a) in multiple dwellings or freehold rowhouses, there may be one lock-off unit for every 3 principal dwelling units, except that the Director of Planning may permit a higher ratio after first considering the intent of this schedule and all applicable Council policies and guidelines.

- Seniors Supportive or Assisted Housing,.
- Two-Family Dwelling on sites with more than one principal building.
- Two-Family Dwelling with Secondary Suite on sites with more than one principal building, provided that there is no more than one Secondary Suite for each dwelling unit.

3.2.I [Institutional]

- Ambulance Station.
- Child Day Care Facility.

- Church.
- Community Care Facility – Class B.
- Group Residence.
- Hospital.
- Public Authority Use essential in this District.
- School – Elementary or Secondary.
- Social Service Centre.

3.2.R [Retail]

- Farmers' Market, ~~subject to the provisions of Section 11.21 of this By-law,~~ subject to compatibility with nearby sites, parking, traffic, noise, hours of operation, size of facility, and pedestrian amenity.
- Neighbourhood Grocery Store existing as of July 29, 1980.
- Public Bike Share.
- Retail Store existing as of October 4, 2016, but only in the RM-9BN District.

3.2.S [Service]

- Bed and Breakfast Accommodation.
- Short Term Rental Accommodation.

3.2.U [Utility and Communication]

- Public Utility.

4 Regulations

All approved uses are subject to the following regulations, except for:

(a) One-Family Dwelling and One-Family Dwelling with Secondary Suite, as the only principal building on the site, which are regulated by the RS-1 District Schedule; and
(b) Laneway House, which is only permitted in combination with 4(a).

4.1 Site Area

4.1.1 The minimum site area for:

(a) a multiple conversion dwelling with more than two dwelling units;
(b) a multiple conversion dwelling or a one-family dwelling or one-family dwelling with secondary suite, in combination with an infill one-family dwelling; or
(c) a multiple dwelling containing no more than 3 dwelling units, not including lock-off units,

is 303 m².

4.1.2 The minimum site area for:

(a) One-Family Dwelling on sites with more than one principal building;
(b) One-Family Dwelling with Secondary Suite on sites with more than one principal building

(c) Two-Family Dwelling on sites with more than one principal building; or
(d) Two-Family Dwelling with Secondary Suite on sites with more than one principal building

is 334 m².

4.1.3 The minimum site area for a multiple dwelling containing 4 or more dwelling units, not including lock-off units, or for a building containing freehold rowhouses, or for senior supported or assisted housing is 445 m².

4.1.4 Notwithstanding section 4.1.~~2~~ 3 of this schedule, if the Director of Planning first considers the intent of this schedule and all applicable Council policies and guidelines, the Director of Planning may permit a freehold rowhouse or a multiple dwelling containing 4 or more dwelling units, not including lock-off units, on a site smaller than 445 m².

4.1.5 The Director of Planning may permit a reduction to the minimum site area requirements of section 4.1 with respect to any of the following developments, if the lot was on record in the Land Title Office prior to May 27, 2014:
(a) infill one-family dwelling in conjunction with the retention of a building existing on the site prior to January 1, 1940; and
(b) multiple dwelling with no more than three dwelling units, if the Director of Planning first considers the quality and liveability of the resulting units, the effect on neighbouring properties and all applicable Council policies and guidelines.

4.2 Frontage

4.2.1 The minimum frontage for a multiple dwelling containing 4 or more dwelling units, not including lock-off units, is:

(a) 12.8 m in the RM-9, RM-9N and RM-9BN Districts; and
(b) 15.2 m in the RM-9A and RM-9AN Districts.

4.2.2 The maximum frontage for a site for a multiple dwelling containing 4 or more dwelling units, not including lock-off units, is 50 m.

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

4.3 Height

4.3.1 A building must not exceed 10.7 m in height.

4.3.2 Notwithstanding section 4.3.1 of this schedule, the Director of Planning may permit a height increase in a multiple dwelling containing 4 or more dwelling units, not including lock-off units, to 13.7 m and 4 storeys, if the Director of Planning first considers the intent of this schedule and all applicable Council policies and guidelines.

4.4 Front Yard

4.4.1 A front yard must have a minimum depth of:

(a) 4.9 m in the RM-9, RM-9N and RM-9BN Districts; and
(b) 3.7 m in the RM-9A and RM-9AN Districts.

4.4.2 Notwithstanding sections 4.4.1 of this schedule, the Director of Planning may decrease the front yard requirement for multiple dwellings, if the Director of Planning first considers the intent of this schedule and all applicable Council policies and guidelines.

4.4.3 ~~Covered~~ Entries, porches and verandahs complying with section ~~4.7.13 (i)~~ 4.7.15 (j) of this schedule, may project up to 1.~~2~~8 m into the required front yard.

4.4.4 For multiple dwellings, portions of basement floor area directly below ~~covered~~ entries, porches and verandahs may project up to 1.~~2~~8 m into the required front yard.

4.4.5 Notwithstanding section 10.32.1 (b) of this by-law, eaves and gutters or other projections, which in the opinion of the Director of Planning are similar, may project into the minimum front yard to a maximum of 1.0 m measured horizontally.

4.5 Side Yard

4.5.1 Side yards must have a minimum width of 2.1 m.

4.5.2 Notwithstanding section 4.5.1 of this schedule, side yards for a multiple conversion dwelling with more than two dwelling units, an infill one-family dwelling, multiple dwelling containing no more than 3 dwelling units, not including lock-off units, and freehold rowhouses, must have a minimum width of 1.2 m.

4.5.3 Notwithstanding section 4.5.1 of this schedule, the Director of Planning may decrease the side yard requirement for multiple dwellings, if the Director of Planning first considers the intent of this schedule and all applicable Council policies and guidelines.

4.5.4 Notwithstanding section 10.32.1 (b) of this by-law, eaves and gutters or other projections, which in the opinion of the Director of Planning are similar, may project into the minimum side yard to a maximum of 1.0 m measured horizontally.

4.6 Rear Yard

4.6.1 A rear yard must have a minimum depth of 7.6 m.

4.6.2 Notwithstanding section 4.6.1 of this schedule, the Director of Planning may decrease the rear yard requirement for multiple dwellings to a minimum of 1.2 m, if the Director of Planning first considers the intent of this schedule and all applicable Council policies and guidelines.

4.6.3 Notwithstanding section 10.32.1 (b) of this by-law, eaves and gutters or other projections, which in the opinion of the Director of Planning are similar, may project into the minimum rear yard to a maximum of 1.0 m measured horizontally.

4.7 Floor Area and Density

4.7.1 Except as provided in sections 4.7.2, 4.7.3, 4.7.6 and 4.7.7 of this schedule, floor space ratio must not exceed:

(a) 0.75 for all uses in the RM-9 and RM-9N Districts;
(b) 0.70 for all uses in the RM-9A and RM-9AN Districts; and
(c) 0.70 for all uses in the RM-9BN District.

Floor Area and Density in RM-9, RM-9N and RM-9BN

4.7.2 Notwithstanding section 4.7.1 of this schedule, in the RM-9, RM-9N and RM-9BN Districts, if the Director of Planning first considers the intent of this schedule, all applicable Council

policies and guidelines, and the submissions of any advisory groups, property owners or tenants, the Director of Planning may permit an increase in floor area as follows:

(a) for multiple dwelling or seniors supportive or assisted housing developed as secured market rental housing or social housing on sites that are 445 m² and larger:
  (i) with a minimum frontage of 12.8 m, the permitted floor area may be increased to a maximum floor space ratio of 1.20,

  (ii) with a minimum frontage of 15.2 m, the permitted floor area may be increased to a maximum floor space ratio of 1.50, and
  (iii) with a minimum frontage of 27.4 m, the permitted floor area may be increased to a maximum floor space ratio of 2.0;
(b) for freehold rowhouse developed as secured market rental housing or social housing, the permitted floor area may be increased to a maximum floor space ratio of 1.20;
(c) for multiple dwelling or seniors supportive or assisted housing developed as secured market rental housing or social housing on sites that are less than 445 m² in size or with a frontage less than 12.8 m, the permitted floor area may be increased to a maximum floor space ratio of 0.90; and
(d) for multiple conversion dwelling or infill on sites where buildings existing prior to January 1, 1940 are retained, the permitted floor space ratio may be increased to a maximum of 0.90.

4.7.3 Notwithstanding section 4.7.1 of this schedule, in the RM-9, RM-9N and RM-9BN Districts, if the Director of Planning first considers the intent of this schedule and all applicable Council policies and guidelines, and the submissions of any advisory groups, property owners or tenants, the Director of Planning may permit an increase in floor area as follows:

(a) for multiple dwelling or seniors supportive or assisted housing on sites that are 445 m² and larger:
  (i) with a minimum frontage of 12.8 m, the permitted floor area may be increased by one m² per amenity share or affordable housing share provided to the city at no cost to the city, to a maximum floor space ratio of 1.20,
  (ii) with a minimum frontage of 15.2 m, the permitted floor area may be increased by one m² per amenity share or affordable housing share provided to the city at no cost to the city to a maximum floor space ratio of 1.50, and
  (iii) with a minimum frontage of 27.4 m, the permitted floor area may be increased by one m² per amenity share or affordable housing share provided to the city at no cost to the city to a maximum floor space ratio of 2.0;
(b) for freehold rowhouse, the permitted floor area may be increased by one m² per amenity share or affordable housing share provided to the city at no cost to the city, to a maximum floor space ratio of 1.20; and
(c) for multiple dwelling or seniors supportive or assisted housing on sites that are less than 445 m² in size or with a frontage less than 12.8 m, the permitted floor area may be increased by one m² per amenity share or affordable housing share provided to the city at no cost to the city, to a maximum floor space ratio of 0.90.

4.7.4 For the purposes of section 4.7.3, the cost of an affordable housing share in the RM-9 and RM-9N Zoning Districts, is the amount specified per m^2 in the Affordable Housing and Amenity Share Cost Schedule that applies:

(a) to a maximum floor space ratio of 1.20; and
(b) to any increase in floor space ratio above 1.20.

4.7.5 For the purposes of section 4.7.3, the cost of an amenity share in the RM-9 and RM-9N Zoning Districts, is the amount specified per m^2 in the Affordable Housing and Amenity Share Cost Schedule that applies:

(a) to a maximum floor space ratio of 1.20; and
(b) to any increase in floor space ratio above 1.20.

4.7.6 For the purposes of section 4.7.3, the cost of an affordable housing share is the amount specified per m^2 in the Affordable Housing and Amenity Share Cost Schedule, for the RM-9BN Zoning District.

4.7.7 For the purposes of section 4.7.3, the cost of an amenity share is the amount specified per m^2 in the Affordable Housing and Amenity Share Cost Schedule, for the RM-9BN Zoning District.

Floor Area and Density in RM-9A and RM-9AN

4.7.8 Notwithstanding section 4.7.1 of this schedule, in the RM-9A and RM-9AN Districts, if the Director of Planning first considers the intent of this schedule, all applicable Council policies and guidelines, and the submissions of any advisory groups, property owners or tenants, the Director of Planning may permit an increase in floor area as follows:

(a) for multiple dwelling or seniors supportive or assisted housing developed as secured market rental housing or social housing on sites that are 303 m² and larger:
  (i) with a frontage less than 15.2 m and where the Director of Planning considers the development site to consist of locked in lots and provided the Director of Planning also considers the intent of this Schedule and all applicable policies and guidelines adopted by Council, the permitted floor area may be increased to a maximum floor space ratio of 1.20;
  (ii) with a minimum frontage of 15.2 m, the permitted floor area may be increased to a maximum floor space ratio of 1.50;
  (iii) with a minimum frontage of 15.2 m and located on corner sites, the permitted floor area may be increased to a maximum floor space ratio of 1.75; and
  (iv) with a minimum frontage of 27.4 m, the permitted floor area may be increased to a maximum floor space ratio of 2.0;
(b) for multiple dwelling or seniors supportive or assisted housing developed as secured market rental housing or social housing on sites that are less than 303 m² in size or with a frontage less than 12.8 m, the permitted floor area may be increased to a maximum floor space ratio of 0.90; and
(c) for multiple conversion dwelling or infill on sites where buildings existing prior to January 1, 1940 are retained, the permitted floor space ratio may be increased to a maximum of 0.90.

4.7.9 Notwithstanding section 4.7.1 of this schedule, in the RM-9A and RM-9AN Districts, if the Director of Planning first considers the intent of this schedule and all applicable Council policies and guidelines, and the submissions of any advisory groups, property owners or tenants, the Director of Planning may permit an increase in floor area as follows:

(a) for multiple dwelling or seniors supportive or assisted housing on sites that are 303 m² and larger:
  (i) with a frontage less than 15.2 m and where the Director of Planning considers the development site to consist of locked in lots and provided the Director of Planning also considers the intent of this Schedule and all applicable policies and guidelines adopted by Council, the permitted floor area may be increased by one m^2 per amenity share or affordable housing share provided to the city at no cost to the city to a maximum floor space ratio of 1.20;
  (ii) with a minimum frontage of 15.2 m, the permitted floor area may be increased by one m² per amenity share or affordable housing share provided to the city at no cost to the city to a maximum floor space ratio of 1.50,

(iii) with a minimum frontage of 15.2 m and on corner sites, the permitted floor area may be increased by one m^2 per amenity share or affordable housing share provided to the city at no cost to the city to a maximum floor space ratio of 1.75; and

(iv) with a minimum frontage of 27.4 m, the permitted floor area may be increased by one m^2 per amenity share or affordable housing share provided to the city at no cost to the city to a maximum floor space ratio of 2.0;

(b) for multiple dwelling or seniors supportive or assisted housing on sites that are less than 303 m^2 in size or with a frontage less than 12.8 m, the permitted floor area may be increased by one m^2 per amenity share or affordable housing share provided to the city at no cost to the city, to a maximum floor space ratio of 0.90.

4.7.10 For the purposes of section 4.7.9, the cost of an affordable housing share is the amount specified per m^2 in the Affordable Housing and Amenity Share Cost Schedule for the RM-9A and RM-9AN Zoning Districts.

4.7.11 For the purposes of section 4.7.9, the cost of an amenity share is the amount specified per m^2 in the Affordable Housing and Amenity Share Cost Schedule for the RM-9A and RM-9AN Zoning Districts.

Floor Area and Density in RM-9, RM-9N, RM-9A, RM-9AN and RM-9BN

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

4.7.13 For the purposes of this schedule, amenity means one or more of the following:

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

4.7.14 Computation of floor area must include:

(a) all floors, including earthen floor, to be measured to the extreme outer limits of the building;
(b) stairways, fire escapes, elevator shafts, and other features which the Director of Planning considers similar, measured by their gross cross-sectional areas and included in the measurements for each floor at which they are located; and
(c) the floor area of bay windows, regardless of seat height, location in building or relationship to yard setbacks, which is greater than the product of the total floor area permitted above the basement multiplied by 0.01.

4.7.15 Computation of floor area must exclude:

(a) ~~open residential~~ balconies ~~or~~ and ~~sun~~decks~~,~~ and any other appurtenances which, in the opinion of the Director of Planning, are similar to the foregoing, ~~if the~~provided that the total area of these exclusions does not exceed 12% of the ~~permitted~~ floor area being

provided for multiple dwelling and freehold rowhouse and 8% of the ~~permitted~~ floor area being provided for all other uses;

(b) patios and roof decks~~gardens~~, ~~if~~ provided that the Director of Planning first ~~approves the design of sunroofs and walls~~considers the effect on privacy and overlook;

(c) for multiple dwelling and freehold rowhouse, where floors are used for:

(i) off-street parking and loading, those floors or portions thereof which are located underground, except that the maximum exclusion for a parking space must not exceed 7.3 m in length,

(ii) bicycle storage located underground, or, if located at or above base surface are contained in an accessory building which complies with section 3.2.A of this schedule, and

(iii) heating and mechanical equipment, or uses which in the opinion of the Director of Planning, are similar to the foregoing, which are located below the base surface;

(d) for dwelling uses other than multiple dwelling and freehold rowhouse, where floors are used for off-street parking and loading, or bicycle storage in multiple conversion dwellings containing 3 or more dwelling units, or uses which, in the opinion of the Director of Planning, are similar to the foregoing:

(i) those floors or portions thereof not exceeding 7.3 m in length, which are located in an accessory building which complies with section 2.2.A of this schedule, or in an infill one-family dwelling located within 7.9 m of the ultimate rear property line, up to a maximum of 48 m², and

(ii) on sites with no developed secondary access, those floors or portions thereof not exceeding 7.3 m in length and minimum required maneuvering aisle, which are located either in a principal building, an accessory building, or an infill one-family dwelling up to a maximum area that the Director of Planning may determine, provided the Director of Planning first considers all applicable Council policies and guidelines;

(e) amenity areas, including day care facilities, recreation facilities, and meeting rooms, to a maximum of 10 percent of the total permitted floor area;

(f) for non-dwelling uses, where floors are used for off-street parking and loading, heating and mechanical equipment, or uses which, in the opinion of the Director of Planning, are similar to the foregoing, those floors or portions thereof not exceeding 7.3 m in length so used, which are located in an accessory building located within 7.9 m of the ultimate rear property line, or underground;

(g) areas of undeveloped floors which are located:

(i) above the highest storey or half-storey and to which there is no permanent means of access other than a hatch, or

(ii) adjacent to a storey or half-storey with a ceiling height of less than 1.2 m;

(h) floors located at or below finished grade with a ceiling height of less than 1.2 m;

(i) for multiple dwelling and freehold rowhouse, all residential storage area above or below base surface, except that if residential storage area above base surface exceeds 3.7 m² per dwelling unit, there will be no exclusion for any of the residential storage area above base surface for that unit;

(j) ~~covered~~ entries, ~~verandas or~~ porches and verandahs and covered porches above the first storey, provided that~~, if~~:

(i) the portion facing a street, rear property line, common open space, park or school, is open or protected by ~~partial walls or~~ guards that do not exceed the required minimum height ~~rails, which conform to the height minimum specified in the Building By-law~~,

(ii) the total excluded area, combined with the balcony and ~~sun~~deck exclusions permitted in section 4.7.15 (a) of this schedule, does not exceed 16% of the ~~permitted~~ floor area being provided for multiple dwellings and 13% of the ~~permitted~~ floor area being provided for all other uses, ~~and~~

(iii) the ceiling height, excluding roof structures, of the total area being excluded does not exceed 3.1 m measured from the entry, ~~-~~porch or verandah floor; ~~and~~

(k) above grade floor area built as open to below, designed in combination with venting skylights, opening clerestory windows or other similar features which, in the opinion of the Director of Planning, reduce energy consumption or improve natural light and ventilation to a maximum exclusion of one percent of permitted floor area; ~~.~~ and

(l) unconditioned floor areas with a ceiling height or height to the underside of joists of less than 2.0 m located below the floors of entries, porches and verandahs complying with subsection 4.7.15(j), to which there is no access from the interior of the building.

4.8 Site Coverage

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

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

4.8.3 The area of impermeable materials, including site coverage for buildings, must not exceed 75% of the total site area, except that for multiple dwelling, the Director of Planning may increase the area of impermeable materials, for developments providing underground parking.

4.8.4 For the purposes of section 4.8.3 of this schedule:

(a) the following are considered impermeable: the projected area of the outside of the outermost walls of all buildings including carports, ~~covered~~ entries, porches and ~~entries~~verandahs, asphalt, concrete, brick, stone, and wood; and

(b) the following are considered permeable: gravel, river rock less than 5 cm in size, wood chips, bark mulch, wood decking with spaced boards and other materials which, in the opinion of the Director of Planning, have fully permeable characteristics when placed or installed on grade with no associated layer of impermeable material (such as plastic sheeting) that would impede the movement of water directly to the soil below.

4.8.5 In the case of a sloping site where a structure is located in or beneath a yard, the structure will be excluded from the site coverage calculation if it does not, except for required earth cover, permitted fences and similar items, project above the average elevation of the portions of the streets, lanes or sites located adjacent to such structure, and does not, in any event, project more than 1.0 m above the actual elevation of adjoining streets, lanes and sites.

4.9 [Deleted - see Parking By-law.]

4.10 Horizontal Angle of Daylight

4.10.1 Each habitable room must have at least one window on an exterior wall of a building.

4.10.2 Each exterior window must be located so that a plane or planes extending from the window and formed by an angle of 50 degrees, or two angles with a sum of 70 degrees, will encounter no obstruction over a distance of 24.0 m.

4.10.3 The plane or planes referred to in section 4.10.2 must be measured horizontally from the centre of the bottom of each window.

4.10.4 The Director of Planning may ~~relax~~ vary the horizontal angle of daylight requirement, if:

(a) the Director of Planning first considers all the applicable policies and guidelines adopted by Council; and
(b) the minimum distance of unobstructed view is not less than:
  (i) 2.4 m in the RM-9, RM-9N and RM-9BN Districts; and
  (ii) 4.2 m in the RM-9A and RM-9AN Districts.

4.10.5 An obstruction referred to in section 4.10.2 means:

(a) any part of the same building including permitted projections; or
(b) the largest building permitted under the zoning on any adjoining site.

4.10.6 A habitable room referred to in section 4.10.1 does not mean:

(a) a bathroom; or
(b) a kitchen whose floor area is the lesser of:
  (i) 10% or less of the total floor area of the dwelling unit, or
  (ii) 9.3 m^2.

4.11-4.14 (Reserved)

4.15 Acoustics

4.15.1 A development permit application for dwelling uses in the RM-9N and RM-9AN Districts requires evidence in the form of a report and recommendations prepared by persons trained in acoustics and current techniques of noise measurements, demonstrating that the noise levels in those portions of the dwelling units listed below do not exceed the noise levels expressed in decibels set opposite such portions of the dwelling units. For the purposes of this section the noise level is the A-weighted 24-hour equivalent (Leq) sound level and will be defined simply as the noise level in decibels.

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

4.16 (Reserved)

4.17 (Reserved)

4.18 Dwelling Unit Density

4.18.1 For multiple dwelling and freehold rowhouse, the total number of dwelling units, excluding lock-off units, must not exceed:

(a) for development up to and including 0.90 floor space ratio, 100 units per hectare of site area;
(b) for development over 0.90 and up to and including 1.20 floor space ratio, 132 units per hectare of site area;
(c) for development over 1.20 and up to and including 2.0 floor space ratio, 140 units per hectare of site area.

4.18.2 Notwithstanding section 4.18.1 of this by-law, if the Director of Planning first considers the intent of this schedule and all applicable Council policies and guidelines, and the submissions of any advisory groups, property owners or tenants, the Director of Planning may permit an increase to the Dwelling Unit Density, in combination with a multiple dwelling or freehold rowhouse, as follows:

(a) for development over 1.20 and up to and including 1.75 floor space ratio, 180 units per hectare of site area;
(b) for development over 1.75 and up to and including 2.0 floor space ratio, 240 units per hectare of site area.

4.18.3 Where the calculation of dwelling units per hectare results in a fractional number, the number must be rounded down.

4.19 Number of Buildings on Site

4.19.1 Notwithstanding section 10.5 of this by-law, the Director of Planning may permit more than one building on a site if the Director of Planning first considers the intent of this schedule and all applicable Council policies and guidelines.

~~5 Relaxation of Regulations~~

~~5.1 The Director of Planning may relax the minimum site area requirements of section 4.1 of this schedule with respect to any of the following developments, if the lot was on record in the Land Title Office prior to May 27, 2014:~~

~~(a) infill one-family dwelling in conjunction with the retention of a building existing on the site prior to January 1, 1940; and~~
~~(b) multiple dwelling with no more than three dwelling units,~~

~~if the Director of Planning first considers the quality and liveability of the resulting units, the effect on neighbouring properties and all applicable Council policies and guidelines.~~

RM-10 and RM-10N Districts Schedule

1 Intent

The intent of this Schedule is to permit medium density residential development primarily in the form of 6-storey apartments, and to foster compact, sustainable, multi-family neighbourhoods that support walking, cycling and transit use, with additional allowances to enable small-scale, neighbourhood-serving retail and services. Where lot-depth is sufficient, ground oriented townhouses are encouraged at the rear of sites.

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

2 Outright Approval Uses

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

2.2 Uses

2.2.A

- Accessory Buildings customarily ancillary to any of the uses listed in this Schedule, provided that:

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

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

2.2.DW [Dwelling]

- Multiple Conversion Dwelling, if:

  (a) there are no more than 2 dwelling units;
  (b) no housekeeping or sleeping units are created;

(c) no additions are permitted;
(d) the development complies with section 4.8 of this Schedule, and
(e) no development permit will be issued until the requisite permits required by other By-laws that relate to design, construction and safety of buildings are issuable.

- Multiple Dwelling consisting of three dwelling units.
- One-Family Dwelling, lawfully existing as of January 31, 2018 which complies with the current RS-1 District Schedule.
- Two-Family Dwelling, lawfully existing as of January 31, 2018 which complies with the current RT-5 District Schedule.

2.2.I [Institutional]

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

3 Conditional Approval Uses

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

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

3.2 Uses

3.2.A
- Accessory Buildings not provided for in section 2.2.A of this Schedule and customarily ancillary to any of the uses listed in this Schedule.

3.2.AG [Agricultural]

- Urban Farm – Class A.

3.2.C [Cultural and Recreational]

- Artist Studio – Class A, in conjunction with a Multiple Dwelling.
- Club.
- Community Centre or Neighbourhood House.
- Library in conjunction with a Community Centre.
- Park or Playground.
- Plaza.

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

3.2.DW [Dwelling]

- Dwelling Units, up to a maximum of two, in conjunction with a Neighbourhood Grocery Store existing as of July 29, 1980.
- Infill dwelling, if it is in conjunction with the retention of a building existing on the site prior to January 1, 1940.

- Laneway house, lawfully existing as of January 31, 2018.
- Multiple Conversion Dwelling not provided for in section 2.2DW of this Schedule, resulting from the conversion of an building existing as January 31, 2018 if:

  (a) the Director of Planning first considers the quality and liveability of the resulting units, the suitability of the building for conversion in terms of age and size and the effect of the conversion on adjacent properties; and
  (b) no housekeeping or sleeping units are created.

- Multiple Dwelling consisting of four or more dwelling units.
- One-Family Dwelling with Secondary Suite, lawfully existing as of [date of enactment], which complies with the current RS-1 District Schedule.
- Principal Dwelling Unit with Lock-off Unit, provided that in Multiple Dwellings there may be one lock-off unit for every 3 principal dwelling units, except that the Director of Planning may permit a higher ratio after first considering the intent of this Schedule and all applicable Council policies and guidelines.
- Residential Unit associated with and forming an integral part of an Artist Studio.
- Seniors Supportive or Assisted Housing.

3.2.I [Institutional]

- Ambulance Station.
- Child Day Care Facility.
- Church.
- Community Care Facility – Class B.
- Group Residence.
- Hospital.
- Public Authority Use essential in this District.
- School – Elementary or Secondary.
- Social Service Centre.

3.2.J [Live-Work]

- Live-Work Use, in conjunction with a multiple dwelling.

3.2.O [Office]

- Health Care Office.
- Temporary Sales Office.

3.2.R [Retail]

- Farmers' Market, subject to compatibility with nearby sites, parking, traffic, noise, hours of operation, size of facility, and pedestrian amenity.

- Neighbourhood Grocery Store, in conjunction with a multiple dwelling.
- Public Bike Share.
- Retail Store, in conjunction with a Multiple Dwelling.

3.2.S [Service]

- Barber Shop or Beauty Salon.
- Beauty and Wellness Centre.
- Short Term Rental Accommodation.

3.2.U [Utility and Communication]

- Public Utility.

3.3 Conditions of Use

3.3.1 Multiple Dwellings, consisting of four or more dwelling units must include:

(a) a minimum of 25% of the total dwelling units with 2-bedrooms;
(b) a minimum of 10% of the total dwelling units with 3-bedrooms;
(c) a minimum of 50% of the 2 and 3-bedroom units within the first three floors of the building;
(d) private open space directly accessible from the unit; and
(e) a common outdoor area, in an appropriate location so that it could be developed as a children's play area.

3.3.2 Notwithstanding sections 3.3.1, the Director of Planning may vary the distribution and location of units, provided there are no less than 35% of the total dwelling units with 2-or 3-bedrooms, and provided the Director of Planning first considers the intent of this Schedule and all applicable policies and guidelines adopted by Council.

4 Regulations

All approved uses are subject to the following regulations, except for One-Family Dwelling, One-Family Dwelling with Secondary Suite, Two-Family Dwelling, and Laneway House.

4.1 Site Area

4.1.1 The minimum site area for a Multiple Dwelling consisting of three dwelling units, not including lock-off units, is 285 m^2.

4.1.2 The minimum site area for a Multiple Dwelling consisting of four or more dwelling units, not including lock-off units, or for Seniors Supported or Assisted Housing is 855m^2.

4.2 Frontage

4.2.1 The minimum frontage for a Multiple Dwelling of three dwelling units is 10m.

4.2.2 The maximum frontage for a Multiple Dwelling of three dwelling units is 15m.

4.2.3 The minimum frontage for Multiple Dwellings of four or more dwelling units is 30m.

4.2.4 The maximum frontage for Multiple Dwelling of four or more dwelling units is 50m.

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

4.3 Height

4.3.1 A Multiple Dwelling of three dwelling units must not exceed 12.2m (40 ft.) in height.

4.3.2 A Multiple Dwelling of four or more dwelling units must not exceed:

(a) 20 m (65.6ft.) in height, except that
(b) on lots with more than one principle building, the building adjacent to the rear of the site may not exceed 10.7m.

4.3.3 Notwithstanding section 4.3.2 (a), the Director of Planning may permit a height increase up to 21.3m if the Director of Planning first considers the intent of this Schedule and all applicable Council policies and guidelines.

4.3.4 Notwithstanding section 4.3.2 (b), the Director of Planning may permit a height increase for the building adjacent to the rear of the site to 12.2m, if the Director of Planning first considers the intent of this Schedule and all applicable Council policies and guidelines.

4.4 Front Yard

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

4.4.2 Notwithstanding section 4.4.1 of this Schedule, the Director of Planning may vary the front yard for Multiple Dwellings, if the Director of Planning first considers the intent of this Schedule and all applicable Council policies and guidelines.

4.4.3 ~~Covered~~ Entries, porches and verandas ~~or porches~~ complying with the conditions of subsection 4.7.9 (j) are permitted to project a maximum of 1.8 m into the required front yard.

4.4.4 Notwithstanding section 10.32.1 (b) of this By-law, eaves and gutters or other projections, which in the opinion of the Director of Planning are similar, may project into the minimum front yard to a maximum of 1.0 m measured horizontally.

4.5 Side Yard and Setback

4.5.1 Side yards must have a minimum depth of 3.0m.

4.5.2 If the side of the site adjoins, without the intervention of a lane, the side yard of a site located in an RS or RT district, the minimum width of a side yard:

(i) shall be 3.0 m for all parts of a building below the fourth storey; and

(ii) shall be 10.7 m for all parts of a building at or above the fourth storey,

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

4.5.3 Notwithstanding section 4.5.1 of this Schedule, if the Director of Planning first considers the intent of this Schedule and all applicable Council policies and guidelines, the Director of Planning may decrease the side yard requirement for Multiple Dwellings to 2.1m (7 ft.) for 50% of the building depth.

4.5.4 Notwithstanding section 10.32.1 (b) of this By-law, eaves and gutters or other projections, which in the opinion of the Director of Planning are similar, may project into the minimum side yard to a maximum of 1.0 m measured horizontally.

4.6 Rear Yard

4.6.1 For sites with a depth of 36.2 m or less, rear yards must have a minimum depth of 3.7 m and a rear setback of 6.1m above the fourth storey.

4.6.2 Sites with a depth greater than 36.2 m must have a minimum rear yard setback of 6.1m.

4.6.3 If the rear of the site adjoins, without the intervention of a lane, the side yard of a site located in an RS or RT district, the minimum depth of a rear yard:

(i) shall be 3.0 m for all parts of a building below the fourth storey; and
(ii) shall be 10.7 m for all parts of a building at or above the fourth storey,

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

4.6.4 Notwithstanding sections 4.6.1 and 4.6.2 of this Schedule, the Director of Planning may decrease the rear yard to a minimum of 1.8 m, provided the Director of Planning first considers the intent of this Schedule and all applicable Council policies and guidelines.

4.6.5 Notwithstanding section 10.32.1 (b) of this By-law, eaves and gutters or other projections, which in the opinion of the Director of Planning are similar, may project into the minimum rear yard to a maximum of 1.0 m measured horizontally.

4.7 Floor Area and Density

4.7.1 Except as provided in sections 4.7.2 of this Schedule, floor space ratio must not exceed 0.9 FSR for all uses.

4.7.2 For a Multiple Dwelling of four or more dwelling units where 100% of the residential floor area is either developed as:

(i) “for-profit affordable rental housing”, and is subject to a waiver of development cost charges in accordance with the Vancouver Development Cost Levy By-law,
(ii) “social housing” exempt from development cost charges in accordance with section 523D (10) (d) of the Vancouver Charter, or
(iii) Seniors Supportive or Assisted Housing that is secured market rental housing subject to an agreed upon rental increase limit; and

if the Director of Planning first considers the intent of this Schedule, all applicable Council policies and guidelines, and the submissions of any advisory groups, property owners or tenants, the Director of Planning may permit an increase in floor area as follows:

(a) On sites with a minimum frontage of 30m, and a minimum site area of 855 m^2, the permitted floor area may be increased to a maximum floor space ratio of 2.4 FSR; or
(b) On sites with a minimum frontage of 40m, and a minimum site area of 1115 m^2, the permitted floor area may be increased to a maximum floor space ratio of 2.6 FSR.

4.7.3 For a Multiple Dwelling of four or more dwelling units, or Seniors Supportive or Assisted Housing, if the Director of Planning first considers the intent of this Schedule, all applicable Council policies and guidelines, and the submissions of any advisory groups, property owners or tenants, the Director of Planning may permit an increase in floor area as follows:

(a) On sites with a minimum frontage of 30m, and a minimum site area of 855 m^2, the permitted floor area may be increased by one m^2 per amenity share or affordable housing share provided to the city at no cost to the city, to a maximum floor space ratio of 2.4 FSR; or
(b) On sites with a minimum frontage of 40m, and a minimum site area of 1115 m^2, the permitted floor area may be increased by one m^2 per amenity share or affordable housing share provided to the city at no cost to the city, to a maximum floor space ratio of 2.6 FSR.

4.7.4 For the purposes of section 4.7.3, the cost of an affordable housing share in the RM-10 and RM-10N Districts is the amount specified per m^2 in Schedule F of this By-law, for any increase in floor space ratio above 0.90.

4.7.5 For the purposes of section 4.7.3, the cost of an amenity share in the RM-10 and RM-10N Districts is the amount specified per m^2 in Schedule F of this By-law, for any increase in floor space ratio above 0.90.

4.7.6 For the purposes of this Schedule, amenity means one or more of the following:

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

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

4.7.8 Computation of floor area must include:

(a) all floors, including earthen floor, to be measured to the extreme outer limits of the building;
(b) stairways, fire escapes, elevator shafts, and other features which the Director of Planning considers similar, measured by their gross cross-sectional areas and included in the measurements for each floor at which they are located; and

(c) the floor area of bay windows, regardless of seat height, location in building or relationship to yard setbacks, which is greater than the product of the total floor area permitted above the basement multiplied by 0.01.

4.7.9 Computation of floor area must exclude:

(a) ~~open residential~~ balconies ~~or~~ and ~~sun~~decks, and any other appurtenances which, in the opinion of the Director of Planning, are similar to the foregoing, if the total area of these exclusions does not exceed 12% of the ~~permitted residential~~ floor area being provided for multiple dwellings of four or more units, and 8% of the ~~permitted~~ floor area being provided for all other uses ;

(b) patios and roof decks~~gardens~~, ~~if~~ provided that the Director of Planning first ~~approves the design of sunroofs and walls~~considers the effect on privacy and overlook;

(c) for multiple dwelling, where floors are used for:

(i) off-street parking and loading, those floors or portions thereof which are located at or below base surface, provided that the maximum exclusion for a parking space must not exceed 7.3 m in length,

(ii) bicycle storage located below base surface, or, if located at or above base surface are contained in an accessory building which complies with section 2.2.A of this Schedule, and

(iii) heating and mechanical equipment, or uses which in the opinion of the Director of Planning, are similar to the forgoing, which are located below the base surface;

(d) for multiple dwelling consisting of three units, and for dwelling uses other than multiple dwelling, where floors are used for off-street parking and loading, or bicycle storage in multiple conversion dwellings containing 3 or more dwelling units, or uses which, in the opinion of the Director of Planning, are similar to the foregoing:

(i) those floors or portions thereof not exceeding 7.3 m in length, which are located in an accessory building which complies with section 2.2.A of this Schedule, or in an infill one family dwelling or principal building located within 7.9 m of the ultimate rear property line, up to a maximum of 48 m^2 , and

(ii) on sites with no developed secondary access, those floors or portions thereof not exceeding 7.3 m in length and minimum required maneuvering aisle, which are located either in a principal building, an accessory building, or an infill building up to a maximum area that the Director of Planning may determine, provided Director of Planning first considers all applicable Council policies and guidelines;

(e) for non-dwelling uses, where floors are used for off-street parking and loading, heating and mechanical equipment, or uses which, in the opinion of the Director of Planning, are similar to the foregoing, those floors or portions thereof not exceeding 7.3 m in length so used, which are located in an accessory building located within 7.9 m of the ultimate rear property line, or below base surface;

(f) amenity areas, including day care facilities, recreation facilities, and meeting rooms to a maximum total of 10 percent of the total permitted floor area;

(g) areas of undeveloped floors which are located:

(i) above the highest storey or half-storey and to which there is no permanent means of access other than a hatch, or

(ii) adjacent to a storey or half-storey with a ceiling height of less than 1.2 m;

(h) floors located at or below finished grade with a ceiling height of less than 1.2 m;

(i) for multiple dwelling, all residential storage area above or below base surface, except that if the residential storage area above base surface exceeds 3.7 m^2 per dwelling unit, there will be no exclusion for any of the residential storage space above base surface for that unit;

(j) ~~covered~~ entries, porches or verandas ~~or porches~~ and covered porches above the first storey, provided that:

(i) the portion facing the street, side property line or rear property line is open or protected by partial walls or guards which do not exceed the required minimum height ~~rails, which conform to the height minimum specified in the Building By-law~~;

(ii) the total ~~excluded~~ area of these exclusions, when combined with the balcony and ~~sun~~deck exclusions ~~permitted in~~under subsection 4.7.~~8~~ 9 (a) ~~of this Schedule~~, does not exceed 16% of the ~~permitted~~ floor area being provided for multiple dwellings of four or more units, and 13% of the ~~permitted~~ floor area being provided for all other dwelling uses; ~~and~~

(iii) the ceiling height, excluding roof structures, of the total area being excluded does not exceed 3.1 m measured from the entry, ~~-~~porch or verandah floor;

(k) above grade floor area built as open to below, designed in combination with venting skylights, opening clerestory windows or other similar features which, in the opinion of the Director of Planning, reduce energy consumption or improve natural light and ventilation to a maximum exclusion of one percent of permitted floor area; ~~-~~and

(l) unconditioned floor areas with a ceiling height or height to the underside of joists of less than 2.0 m, located below the floors of entries, porches and verandahs complying with subsection 4.7.9(j), to which there is no access from the interior of the building.

4.7.10 For Multiple Dwellings consisting of four or more dwelling units, not including lock-off units, or for Seniors Supported or Assisted Housing, the Director of Planning may increase the permitted floor area by one m² per amenity share or affordable housing share provided to the city at no cost to the city, to a maximum allowable density of 2.0 FSR, on sites:

(a) with a frontage greater than 15 m and less than 30 m;

(b) with a minimum site area of 557 m2 ; and

(c) where the Director of Planning considers the development site to consist of Locked in Lots, provided the Director of Planning first considers the intent of this Schedule, all applicable Council policies and guidelines, and the submissions of any advisory groups, property owners or tenants.

4.7.11 For Multiple Dwellings consisting of four or more dwelling units, not including lock-off units, where 100% of the residential floor area is developed as “for-profit affordable rental housing” and is subject to a waiver of development costs charges in accordance with the Vancouver Development Cost Levy By-law, as “social housing” exempt from development costs charges in accordance with 523D (10)(d) of the Vancouver Charter, or as Seniors Supportive or Assisted Housing that is secured market rental housing subject to an agreed upon rental increase limit, the Director of Planning may increase the permitted floor area to a maximum allowable density of 2.0 FSR, on sites:

(a) with a frontage greater than 15 m and less than 30 m;

(b) with a minimum site area of 557 m2 ; and

(c) where the Director of Planning considers the development site to consist of Locked in Lots, provided that the Director of Planning first considers the intent of this Schedule, all applicable Council policies and guidelines, and the submissions of any advisory groups, property owners or tenants.

4.8 Site Coverage

4.8.1 The maximum site coverage for buildings is 50% of the site area, except that, for Multiple Dwelling, the Director of Planning may increase the maximum site coverage if the Director of Planning first considers the intent of this Schedule and all applicable Council policies and guidelines.

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

4.8.3 In the case of a sloping site where a structure is located in or beneath a yard, the structure will be excluded from the site coverage calculation if it does not, except for required earth cover,

permitted fences and similar items, project above the average elevation of the portions of the streets, lanes or sites located adjacent to such structure, and does not, in any event, project more than 1.0 m above the actual elevation of adjoining streets, lanes and sites.

4.8.4 The area of impermeable materials, including site coverage for buildings, must not exceed 75% of the total site area, except that for multiple dwelling, the Director of Planning may increase the area of impermeable materials, provided that the Director of Planning first considers the intent of this Schedule and all applicable Council policies and guidelines.

4.8.5 For the purposes of section 4.8.4 of this Schedule:

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

4.9 [Deleted - see Parking By-law.]

4.10 Horizontal Angle of Daylight

4.10.1 Each habitable room must have at least one window on an exterior wall of the building.

4.10.2 Each exterior window must be located so that a plane or planes extending from the window and formed by an angle of 50 degrees, or two angles with a sum of 70 degrees, will encounter no obstruction over a distance of 24.0 m.

4.10.3 The plane or planes referred to in section 4.10.2 must be measured horizontally from the centre of the bottom of each window.

4.10.4 The Director of Planning may ~~relax~~ vary the horizontal angle of daylight requirement, if:

(a) the Director of Planning first considers all the applicable policies and guidelines adopted by Council; and
(b) the minimum distance of unobstructed view in a multiple dwelling consisting of 3 units is not less than 3.7m (12 ft); or
(c) the minimum distance of unobstructed view in a multiple dwelling with 4 or more units is not less than 6.1m (20 ft.)

4.10.5 An obstruction referred to in section 4.10.2 means:

(a) any part of the same building including permitted projections; or
(b) the largest building permitted under the zoning on any adjoining site.

4.10.6 A habitable room referred to in section 4.10.1 does not mean:

(a) a bathroom; or
(b) a kitchen whose floor area is the lesser of:
  (i) 10 % or less of the total floor area of the dwelling unit; or
  (ii) 9.3 m².

4.11 Dedication of Land for Lane Purposes

4.11.1 Where a site does not abut a lane, or abuts a lane which is less than 6.1 m in width, a portion of the site, as determined by the City Engineer, to a maximum of 3.1 m, must be dedicated for lane purposes.

4.12 (Reserved)

4.13 (Reserved)

4.14 Dedication of Land for Sidewalk and Boulevard Purposes

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

(i) Joyce Street 12.1m;
(ii) Payne Street 7.6m; or
(iii) Vanness Street 7.6m.

4.15 Acoustics

4.15.1 A development permit application for a dwelling use in the RM-10N District requires evidence in the form of a report and recommendations prepared by persons trained in acoustics and current techniques of noise measurements, demonstrating that the noise levels in those portions of the dwelling units listed below, do not exceed the noise levels expressed in decibels set opposite such portions of the dwelling units. For the purposes of this section the noise level is the A-weighted 24-hour equivalent (Leq) sound level and will be defined simply as the noise level in decibels.

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

4.16 Building Depth

4.16.1 For a Multiple Dwelling with four or more dwelling units, the maximum distance between the required minimum front yard and the rear of a building may not exceed 21.3 m (70ft).

4.16.2 Notwithstanding 4.16.1 of this schedule, the Director of Planning may increase the maximum distance between the required minimum front yard and the rear of a Multiple Dwelling if the Director of Planning first considers the intent of this Schedule and all applicable Council policies and guidelines.

4.17 External Design

4.17.1 An infill dwelling must be a minimum distance of 4.9 m, measured across the width of the site, from any other dwelling use on the site, except that the Director of Planning may decrease the minimum distance for an infill one-family dwelling, provided the Director of Planning first considers the intent of this Schedule and all applicable Council policies and guidelines.

4.18 (Reserved)

4.19 Number of Buildings on Site

4.19.1 Notwithstanding section 10.5 of this By-law, the Director of Planning may permit more than one building on a site, in combination with a Multiple Dwelling with four or more dwelling units, if the Director of Planning first considers the intent of this Schedule and all applicable Council policies and guidelines.

5 Relaxation of Regulations

5.1 For Multiple Dwellings consisting of three dwelling units, if the lot was on record in the Land Title Office for Vancouver prior to January 31, 2018, the Director of Planning may reduce the minimum site area requirements of section 4.1 or the frontage requirements of section 4.2 in situations where meeting the exact provisions creates unnecessary hardship, provided that the Director of Planning first considers the quality and liveability of the resulting units.

~~5.2 For Multiple Dwellings consisting of four or more dwelling units, not including lock-off units, or for Seniors Supported or Assisted Housing, the Director of Planning may increase the permitted floor area by one m² per amenity share or affordable housing share provided to the city at no cost to the city, to a maximum allowable density of 2.0 FSR, on sites:~~

~~(a) with a frontage greater than 15 m and less than 30 m;~~
~~(b) with a minimum site area of 557 m^2; and~~
~~(c) where the Director of Planning considers the development site to consist of Locked in Lots,~~

~~provided the Director of Planning first considers the intent of this Schedule, all applicable Council policies and guidelines, and the submissions of any advisory groups, property owners or tenants.~~

~~5.3 For Multiple Dwellings consisting of four or more dwelling units, not including lock-off units, where 100% of the residential floor area is developed as "for-profit affordable rental housing" and is subject to a waiver of development costs charges in accordance with the Vancouver Development Cost Levy By-law, as "social housing" exempt from development costs charges in accordance with 523D (10)(d) of the Vancouver Charter, or as Seniors Supportive or Assisted Housing that is secured market rental housing subject to an agreed upon rental increase limit, the Director of Planning may increase the permitted floor area to a maximum allowable density of 2.0 FSR, on sites:~~

~~1) with a frontage greater than 15 m and less than 30 m;~~
~~2) with a minimum site area of 557 m^2; and~~
~~3) where the Director of Planning considers the development site to consist of Locked in Lots, provided that the Director of Planning first considers the intent of this Schedule, all applicable Council policies and guidelines, and the submissions of any advisory groups, property owners or tenants.~~

RM-11 and RM-11N Districts Schedule

1 Intent

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

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

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

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

2 Outright Approval Uses

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

2.2 Uses

2.2.A

- Accessory Buildings customarily ancillary to any of the uses listed in this Schedule, provided that:

  (a) no accessory building exceeds 3.7 m in height, measured to the highest point of the roof if a flat roof, to the deck line of a mansard roof, or to the mean height of the level between the eaves and the ridge of a gable, hip or gambrel roof, except that no portion of an accessory building may exceed 4.6 m in height;
  (b) all accessory buildings are located:
  (i) within 7.9 m of the ultimate rear property line, and
  (ii) no less than 3.6 m from the ultimate centre line of any rear or flanking lane and 1.5 m from a flanking street;
  (c) the total floor area of all accessory buildings, measured to the extreme outer limits of the building, is not greater than 48 m²;
  (d) not more than 80% of the width of the site at the rear property line is occupied by accessory buildings;
  (e) no accessory building is closer than 3.7 m to any residential dwelling;
  (f) no accessory building obstructs the daylight access prescribed in this Schedule; and
  (g) roof decks and ~~sun~~decks are not located on an accessory building.

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

2.2.DW [Dwelling]

- Laneway house, lawfully existing as of September 18, 2018.
- One-Family Dwelling, lawfully existing as of September 18, 2018.
- One-Family Dwelling with Secondary Suite, lawfully existing as of September 18, 2018.

2.2.I [Institutional]

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

3 Conditional Approval Uses

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

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

3.2 Uses

3.2A

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

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

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

3.2.AG [Agricultural]

- Urban Farm – Class A.

3.2.C [Cultural and Recreational]

- Artist Studio – Class A, in conjunction with a Multiple Dwelling.
- Club.
- Community Centre or Neighbourhood House.
- Library in conjunction with a Community Centre.
- Park or Playground.
- Plaza.

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

3.2.DW [Dwelling]

- Infill in conjunction with retention of a character house existing as of September 18, 2018, where the Director of Planning considers the development site to consist of locked in lots.
- Multiple Conversion Dwelling, in conjunction with the retention of a character house existing on the site as of September 18, 2018, that contains no housekeeping or sleeping units, where the Director of Planning considers the development site to consist of locked in lots.
- Multiple Dwelling consisting of four or more dwelling units.
- Multiple Dwelling consisting of no more than three dwelling units, where the Director of Planning considers the development site to consist of locked in lots.
- Principal Dwelling Unit with Lock-off Unit, provided that in Multiple Dwellings there may be one lock-off unit for every three principal dwelling units, except that the Director of Planning may permit a higher ratio after first considering the intent of this Schedule and all applicable Council policies and guidelines.
- Residential Unit associated with and forming an integral part of an Artist Studio.
- Secondary Suite, in a One-Family Dwelling or Two-Family Dwelling lawfully existing as of September 18, 2018.
- Seniors Supportive or Assisted Housing.
- Two-Family Dwelling, where the Director of Planning considers the development site to consist of locked in lots.
- Two-Family Dwelling with Secondary Suite, where the Director of Planning considers the development site to consist of locked in lots.

3.2.I [Institutional]

- Ambulance Station.
- Child Day Care Facility.
- Church.
- Community Care Facility – Class B.
- Group Residence.
- Hospital.
- Public Authority Use essential in this District.
- School – Elementary or Secondary.
- Social Service Centre.

3.2.R [Retail]

- Farmers' Market, subject to compatibility with nearby sites, parking, traffic, noise, hours of operation, size of facility, and pedestrian amenity.
- Public Bike Share.

3.2.S [Service]

- Short Term Rental Accommodation.

3.2.U [Utility and Communication]

- Public Utility.

3.3 Conditions of Use

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

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

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

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

4 Regulations

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

4.1 Site Area

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

4.2 Frontage

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

(i) East 1st Avenue,
(ii) East 12th Avenue, or
(iii) Garden Drive.

4.2.2 Notwithstanding section 4.2.1 of this Schedule, for development sites that include a corner lot consolidation where the intervention of a lane prevents the achievement of a 36.6 m site frontage, if the Director of Planning first considers the intent of this Schedule and all applicable

Council policies and guidelines, the Director of Planning may permit a minimum site frontage of 36.6 m along either street frontage, for sites along the streets set forth below:

(i) East 1st Avenue, or
(ii) East 12th Avenue.

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

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

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

4.3 Height

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

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

4.4 Front Yard

4.4.1 Front yards must have a minimum depth of 3.7 m from the ultimate property line.

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

4.4.3 ~~Covered~~Entries, porches and verandahs complying with section 4.7.9 (j) of this Schedule, may project up to 1.~~5~~8 m into the required front yard.

4.4.4 Notwithstanding section 10.32.1 (b) of this By-law, eaves and gutters or other projections, which in the opinion of the Director of Planning are similar, may project into the minimum front yard to a maximum of 1.0 m measured horizontally.

4.5 Side Yard and Setback

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

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

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

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

4.5.3 Notwithstanding section 10.32.1 (b) of this By-law, eaves and gutters or other projections, which in the opinion of the Director of Planning are similar, may project into the minimum side yard to a maximum of 1.0 m measured horizontally.

4.6 Rear Yard

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

4.6.2 Notwithstanding section 10.32.1 (b) of this By-law, eaves and gutters or other projections, which in the opinion of the Director of Planning are similar, may project into the minimum rear yard to a maximum of 1.0 m measured horizontally.

4.7 Floor Area and Density

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

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

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

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

4.7.3 For multiple dwellings consisting of four or more dwelling units, not including lock-off units, or seniors supportive or assisted housing, if the Director of Planning first considers the intent of this Schedule, all applicable Council policies and guidelines, and the submissions of any advisory groups, property owners or tenants, on sites with a minimum frontage of 36.6 m, and a minimum site area of 1000 m^2, the Director of Planning may permit an increase in floor area by one m^2 per amenity share or affordable housing share provided to the city at no cost to the city, to a maximum floor space ratio of 1.7 FSR.

4.7.4 For the purposes of section 4.7.3 of this Schedule, the cost of an affordable housing share in the RM-11 and RM-11N Zoning Districts is the amount specified per m^2 in Schedule F of this By-law, for any increase in floor space ratio above 0.75.

4.7.5 For the purposes of section 4.7.3 of this Schedule, the cost of an amenity share in the RM-11 and RM-11N Zoning Districts is the amount specified per m^2 in Schedule F of this By-law, for any increase in floor space ratio above 0.75.

4.7.6 For the purposes of this Schedule, amenity means one or more of the following:

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

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

4.7.8 Computation of floor area must include:

(a) all floors, including earthen floor, to be measured to the extreme outer limits of the building;
(b) stairways, fire escapes, elevator shafts, and other features which the Director of Planning considers similar, measured by their gross cross-sectional areas and included in the measurements for each floor at which they are located; and
(c) the floor area of bay windows, regardless of seat height, location in building or relationship to yard setbacks, which is greater than the product of the total floor area permitted above the basement multiplied by 0.01.

4.7.9 Computation of floor area must exclude:

(a) ~~open residential~~ balconies ~~or~~ and ~~sun~~decks~~,~~ and any other appurtenances which, in the opinion of the Director of Planning, are similar to the foregoing, ~~if~~ provided that the total area of these exclusions does not exceed 12% of the ~~permitted residential~~ floor area being provided for multiple dwellings of four or more units, and 8% of the ~~permitted~~ floor area being provided for all other uses;
(b) patios and roof decks~~gardens~~, ~~if~~ provided that the Director of Planning first ~~approves the design of sunroofs and walls~~considers the effect on privacy and overlook;
(c) for multiple dwellings, where floors are used for:
  (i) off-street parking and loading, those floors or portions thereof which are located at or below base surface, provided that the maximum exclusion for a parking space must not exceed 7.3 m in length,
  (ii) bicycle storage located below base surface, or, if located at or above base surface are contained in an accessory building which complies with section 2.2.A of this Schedule, and
  (iii) heating and mechanical equipment, or uses which in the opinion of the Director of Planning, are similar to the forgoing, which are located below the base surface;

(d) for multiple dwellings consisting of three units, and for dwelling uses other than multiple dwellings, where floors are used for off-street parking and loading, or bicycle storage in multiple conversion dwellings consisting of three or more dwelling units, or uses which, in the opinion of the Director of Planning, are similar to the foregoing:
  (i) those floors or portions thereof not exceeding 7.3 m in length, which are located in an accessory building which complies with section 2.2.A of this Schedule, or in an infill one-family dwelling or principal building located within 7.9 m of the ultimate rear property line, up to a maximum of 48 m^2, and
  (ii) on sites with no developed secondary access, those floors or portions thereof not exceeding 7.3 m in length and minimum required maneuvering aisle, which are located either in a principal building, an accessory building, or an infill building up

to a maximum area that the Director of Planning may determine, provided Director of Planning first considers all applicable Council policies and guidelines;

(e) for non-dwelling uses, where floors are used for off-street parking and loading, heating and mechanical equipment, or uses which, in the opinion of the Director of Planning, are similar to the foregoing, those floors or portions thereof not exceeding 7.3 m in length so used, which are located in an accessory building located within 7.9 m of the ultimate rear property line, or below base surface;

(f) amenity areas, including day care facilities, recreation facilities, and meeting rooms to a maximum total of 10 percent of the total permitted floor area;

(g) areas of undeveloped floors which are located:

(i) above the highest storey or half-storey and to which there is no permanent means of access other than a hatch, or

(ii) adjacent to a storey or half-storey with a ceiling height of less than 1.2 m;

(h) floors located at or below finished grade with a ceiling height of less than 1.2 m;

(i) for multiple dwellings, all residential storage area above or below base surface, except that if the residential storage area above base surface exceeds 3.7 m^2 per dwelling unit, there will be no exclusion for any of the residential storage space above base surface for that unit;

(j) ~~covered~~ entries, porches or verandas and covered porches above the first storey ~~or porches~~, provided that:

(i) the portion facing the street, side property line or rear property line is open or protected by ~~partial walls or~~ guards which do not exceed the required minimum height ~~rails, which conform to the height minimum specified in the Building By-law~~,

(ii) the total ~~excluded~~ area of these exclusions, when combined with the balcony and ~~sun~~deck exclusions ~~permitted in~~under subsection 4.7.9~~8~~ (a) ~~of this Schedule~~, does not exceed 16% of the ~~permitted~~ floor area being provided for multiple dwellings of four or more units, and 13% of the ~~permitted~~ floor area being provided for all other dwelling uses, and

(iii) the ceiling height, excluding roof structures, of the total area being excluded does not exceed 3.1 m measured from the entry, porch or verandah floor; ~~and~~

(k) above grade floor area built as open to below, designed in combination with venting skylights, opening clerestory windows or other similar features which, in the opinion of the Director of Planning, reduce energy consumption or improve natural light and ventilation to a maximum exclusion of one percent of permitted floor area; ~~.~~and

(l) unconditioned floor areas with a ceiling height or height to the underside of joists of less than 2.0 m located below the floors of entries, porches and verandahs complying with subsection 4.7.9(j), to which there is no access from the interior of the building.

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

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

(i) a minimum site area of 303 m2 ,
(ii) a frontage less than 12.8 m,
(iii) a maximum height of 10.7 m,
(iv) a minimum side yard width of 1.2 m, and
~~(iv)~~(v) a minimum rear yard depth of 10.7 m,

the permitted floor area may be increased by one m2 per amenity share or affordable housing share provided to the city at no cost to the city, to a maximum allowable density of 0.9 FSR;

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

(i) a minimum site area of 303 m2 ,
(ii) a frontage less than 12.8 m,
(iii) a maximum height of 10.7 m,
(iv) a minimum side yard width of 1.2 m, and
(v) a minimum rear yard depth of 10.7 m,

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

(c) For multiple dwellings consisting of four or more dwelling units, not including lock-off units, or for seniors supported or assisted housing, and which are on sites with:
(i) a minimum site area of 566 m2 ,
(ii) a frontage greater than 12.8 m and less than 36.6 m,
(iii) a maximum height of 11.5 m,
(iv) a maximum height of 10.1 m for buildings adjacent to the lane, and
(v) a minimum rear yard depth of 1.8 m;

the permitted floor area may be increased by one m2 per amenity share or affordable housing share provided to the city at no cost to the city, to a maximum allowable density of 1.2 FSR; and

(d) For multiple dwellings consisting of four or more dwelling units, not including lock-off units, where 100% of the residential floor area is developed as either secured market rental housing secured by a housing agreement that restricts the rates at which rents may be increased, social housing exempt from development costs charges in accordance with 523D (10)(d) of the Vancouver Charter, or seniors supportive or assisted housing that is secured market rental housing subject to an agreed upon rental increase limit, and which are on sites with:

(i) a minimum site area of 566 m2 ,
(ii) a frontage greater than 12.8 m and less than 36.6 m,
(iii) a maximum height of 11.5 m,
(iv) a maximum height of 10.1 m for buildings adjacent to the lane, and
(v) a minimum rear yard depth of 1.8 m;

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

4.8 Site Coverage

4.8.1 The maximum site coverage for buildings is 45% of the site area, except that, for multiple dwellings, the maximum site coverage for all buildings is 55% of the site area, and the Director of Planning may increase the maximum site coverage for multiple dwellings if the Director of

Planning first considers the intent of this Schedule and all applicable Council policies and guidelines.

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

4.8.3 In the case of a sloping site where a structure is located in or beneath a yard, the structure will be excluded from the site coverage calculation if it does not, except for required earth cover, permitted fences and similar items, project above the average elevation of the portions of the streets, lanes or sites located adjacent to such structure, and does not, in any event, project more than 1.0 m above the actual elevation of adjoining streets, lanes and sites.

4.8.4 The area of impermeable materials, including site coverage for buildings, must not exceed 75% of the total site area, except that for multiple dwellings, the Director of Planning may increase the area of impermeable materials, provided that the Director of Planning first considers the intent of this Schedule and all applicable Council policies and guidelines.

4.8.5 For the purposes of section 4.8.4 of this Schedule:

(a) the following are considered impermeable: the projected area of the outside of the outermost walls of all buildings including carports, ~~covered~~entries, porches and verandahs~~entries~~, asphalt, concrete, brick, stone, and wood; and

(b) the following are considered permeable: gravel, river rock less than 5 cm in size, wood chips, bark mulch, wood decking with spaced boards and other materials which, in the opinion of the Director of Planning, have fully permeable characteristics when placed or installed on grade with no associated layer of impermeable material (such as plastic sheeting) that would impede the movement of water directly to the soil below.

4.9 (Reserved)

4.10 Horizontal Angle of Daylight

4.10.1 Each habitable room must have at least one window on an exterior wall of the building.

4.10.2 Each exterior window must be located so that a plane or planes extending from the window and formed by an angle of 50 degrees, or two angles with a sum of 70 degrees, will encounter no obstruction over a distance of 24.0 m.

4.10.3 The plane or planes referred to in section 4.10.2 must be measured horizontally from the centre of the bottom of each window.

4.10.4 The Director of Planning may ~~relax~~ vary the horizontal angle of daylight requirement, if:

(a) the Director of Planning first considers all the applicable policies and guidelines adopted by Council; and

(b) the minimum distance of unobstructed view in multiple dwellings consisting of three units is not less than 3.7 m; or

(c) the minimum distance of unobstructed view in multiple dwellings consisting of four or more units is not less than 6.1 m.

4.10.5 An obstruction referred to in section 4.10.2 means:

(a) any part of the same building including permitted projections; or

(b) the largest building permitted under the zoning on any adjoining site.

4.10.6 A habitable room referred to in section 4.10.1 does not mean:

(a) a bathroom; or
(b) a kitchen whose floor area is the lesser of:
  (i) 10 % or less of the total floor area of the dwelling unit, or
  (ii) 9.3 m².

4.11 Dedication of Land for Lane Purposes

4.11.1 Where a site does not abut a lane, or abuts a lane which is less than 6.1 m in width, a portion of the site, as determined by the City Engineer, to a maximum of 3.1 m, must be dedicated for lane purposes.

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

4.12 (Reserved)

4.13 (Reserved)

4.14 Dedication of Land for Sidewalk and Boulevard Purposes

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

(i)	East 1st Avenue, from Commercial Drive to Salsbury Drive	12.7 m;
(ii)	East 1st Avenue, from Salsbury Drive to Semlin Drive	12.2 m; or
(iii)	East 12th Avenue	12.2 m.

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

4.15 Acoustics

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

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

4.16 (Reserved)

4.17 External Design

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

4.18 (Reserved)

4.19 Number of Buildings on Site

4.19.1 Notwithstanding section 10.5 of this By-law, the Director of Planning may permit more than one building on a site, in combination with a multiple dwelling consisting of four or more dwelling units, not including lock-off units, if the Director of Planning first considers the intent of this Schedule and all applicable Council policies and guidelines.

5 Relaxation of Regulations

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

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

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

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

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

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

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

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

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

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

~~(a) For multiple dwellings consisting of four or more dwelling units, not including lock-off units, where 100% of the residential floor area is developed as either secured market rental housing secured by a housing agreement that restricts the rates at which rents may be increased, social housing exempt from development costs charges in accordance with 523D (10)(d) of the Vancouver Charter, or seniors supportive or assisted housing that is secured market rental housing subject to an agreed upon rental increase limit, and which are on sites with:~~

~~(i) a minimum site area of 566 m²,~~
~~(ii) a frontage greater than 12.8 m and less than 36.6 m,~~
~~(iii) a maximum height of 11.5 m,~~
~~(iv) a maximum height of 10.1 m for buildings adjacent to the lane, and~~
~~(v) a minimum rear yard depth of 1.8 m;~~

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

5.1~~2~~ The Director of Planning may relax the provisions of this Districts Schedule regarding site area, frontage, height, required yards and setbacks, site coverage, horizontal angle of daylight, acoustics, external design, and number of buildings on a site when a building listed on the Vancouver Heritage Register is retained, if consideration is first given to the intent of this Schedule and all applicable Council policies and guidelines.

RM-12N District Schedule

1 Intent

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

2 Outright Approval Uses

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

2.2 Uses

2.2.A

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

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

2.2.DW [Dwelling]

- Laneway house, lawfully existing as of September 18, 2018.
- Multiple Conversion Dwelling, if:
  - (a) no additions are permitted;
  - (b) no housekeeping or sleeping units are created; and
  - (c) there are no more than two dwelling units.
- One-Family Dwelling, lawfully existing as of September 18, 2018.
- One-Family Dwelling with Secondary Suite, lawfully existing as of September 18, 2018.
- Two-Family Dwelling.

2.2.I [Institutional]

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

3 Conditional Approval Uses

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

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

3.2 Uses

3.2.A

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

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

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

3.2.AG [Agricultural]

- Urban Farm - Class A.

3.2.C [Cultural and Recreational]

- Artist Studio – Class A, in conjunction with a Multiple Dwelling.
- Club.
- Community Centre or Neighbourhood House.
- Library in conjunction with a Community Centre.
- Park or Playground.
- Plaza.

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

3.2.DW [Dwelling]

- Infill in conjunction with retention of a character house existing as of September 18, 2018.
- Multiple Conversion Dwelling (other than as provided for in section 2.2 DW of this Schedule) in conjunction with the retention of a character house existing on the site as of September 18, 2018, that contains no housekeeping or sleeping units.
- Multiple Dwelling.
- Principal Dwelling Unit with Lock-off Unit, provided that in Multiple Dwellings there may be one lock-off unit for every three principal dwelling units, except that the Director of Planning may permit a higher ratio after first considering the intent of this Schedule and all applicable Council policies and guidelines.
- Residential Unit associated with and forming an integral part of an Artist Studio.
- Secondary Suite, in a One-Family Dwelling lawfully existing as of September 18, 2018.
- Seniors Supportive or Assisted Housing.
- Two-Family Dwelling with Secondary Suite.

3.2.I [Institutional]

- Ambulance Station.
- Child Day Care Facility.
- Church.
- Community Care Facility – Class B.
- Group Residence.
- Hospital.
- Public Authority Use essential in this district.
- School - Elementary or Secondary.
- Social Service Centre.

3.2.J [Live-Work]

- Live-Work Use, in conjunction with a Multiple Dwelling.

3.2.R [Retail]

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

3.2.S [Service]

- Bed and Breakfast Accommodation.
- Barber Shop or Beauty Salon.
- Beauty and Wellness Centre.
- Restaurant – Class 1.
- Short Term Rental Accommodation.

3.2.U [Utilities and Communication]

- Public Utility.

3.3 Conditions of Use

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

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

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

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

4 Regulations

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

4.1 Site Area

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

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

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

4.2 Frontage

4.2.1 The minimum site frontage for multiple dwellings consisting of no more than three dwelling units, not including lock-off units, is 12.8 m.

4.2.2 The minimum site frontage for multiple dwellings consisting of four or more dwelling units, not including lock-off units, is 27.4 m.

4.2.3 The maximum frontage for any commercial use is 15.3 m.

4.2.4 The Director of Planning may increase the maximum frontage regulation in section 4.2.3 of this Schedule provided consideration is first given to the intent of this Schedule and all applicable policies and guidelines adopted by Council.

4.3 Height

4.3.1 A multiple dwelling must not exceed 10.7 m and 2.5 storeys in height.

4.3.2 Notwithstanding section 4.3.1 of this Schedule, the Director of Planning may permit a height increase in multiple dwellings consisting of four or more dwelling units, not including lock-off units, to 12.2 m and a partial fourth storey, if:

(a) the fourth storey, meaning the uppermost level of a building where the floor area, existing, proposed or as may be extended over open-to-below space, and having a minimum ceiling height of 1.2 m, does not exceed 60% of the storey immediately below; and
(b) the Director of Planning first considers the intent of this Schedule and all applicable Council policies and guidelines.

4.3.3 Notwithstanding section 4.3.2 of this Schedule, for Retail, Service, Cultural and Recreational, or Live-Work Use, in conjunction with a multiple dwelling, the Director of Planning may increase the maximum height to 13.7 m and four storeys, if the Director of Planning first considers the intent of this Schedule and all applicable Council policies and guidelines.

4.3.4 Notwithstanding sections 4.3.1, 4.3.2, and 4.3.3 of this Schedule, the maximum building height for multiple dwellings consisting of four or more dwelling units, not including lock-off units, situated adjacent to the lane at the rear of a site is the lesser of 9.5 m and a partial third storey, if:

(a) the third storey, meaning the uppermost level of a building where the floor area, existing, proposed or as may be extended over open-to-below space, and having a minimum ceiling height of 1.2 m, does not exceed 60% of the storey immediately below; and
(b) the Director of Planning first considers the intent of this Schedule and all applicable Council policies and guidelines.

4.3.5 Notwithstanding section 4.3.4 of this Schedule, the Director of Planning may increase the maximum height for multiple dwellings consisting of four or more dwelling units, not including lock-off units, situated adjacent to the lane at the rear of a site to 10.7 m and a partial third storey if the Director of Planning first considers the intent of this Schedule and all applicable Council policies and guidelines.

4.3.6 If the Director of Planning first considers the intent of this Schedule, all applicable Council policies and guidelines, and the submissions of any advisory groups, property owners or tenants, the Director of Planning may permit an increase to the maximum height requirements of section 4.3 as follows:

(a) For multiple dwellings consisting of four or more dwelling units, or for seniors supported or assisted housing, which are on sites with:
(i) a 36.6 m minimum site frontage; and
(ii) a minimum site area of 1000 m2,

the maximum height may be increased to 13.7 m; and

(b) For multiple dwellings consisting of four or more dwelling units, where 100% of the residential floor area is developed as either secured market rental housing secured by a housing agreement that restricts the rates at which rents may be increased, social housing exempt from development costs charges in accordance with 523D (10)(d) of the *Vancouver Charter*, or seniors supportive or assisted housing that is secured market rental housing subject to an agreed upon rental increase limit, and which are on sites with:
(i) a 36.6 m minimum site frontage; and
(ii) a minimum site area of 1000 m2,

the maximum height may be increased to 13.7 m.

4.4 Front Yard

4.4.1 Front yards must have a minimum depth of 3.7 m from the ultimate property line.

4.4.2 Notwithstanding section 4.4.1 of this Schedule, the Director of Planning may decrease the front yard requirement for multiple dwellings, if the Director of Planning first considers the intent of this Schedule and all applicable Council policies and guidelines.

4.4.3 ~~Covered~~ Entries, porches and verandahs complying with section 4.7.11 (h) of this Schedule, may project up to 1.~~5~~8 m into the required front yard.

4.4.4 Notwithstanding section 10.32.1 (b) of this By-law, eaves and gutters or other projections, which in the opinion of the Director of Planning are similar, may project into the minimum front yard to a maximum of 1.0 m measured horizontally.

4.5 Side Yards

4.5.1 Side yards must have a minimum width of 1.2 m from the ultimate property line.

4.5.2 Notwithstanding section 10.32.1(b) of this By-law, eaves and gutters or other projections, which, in the opinion of the Director of Planning are similar, may project into the minimum side yard up to a maximum of 1.0 m measured horizontally, except that they must not be closer than 0.7 m to a side property line.

4.6 Rear Yard

4.6.1 A rear yard with a minimum depth of 1.8 m must be provided. Where the rear property line abuts a lane that is only partially dedicated, or where a lane dedication is required, the rear yard must be measured from the ultimate rear property line.

4.6.2 Notwithstanding the provisions of section 10.32.1 (b) of this By-law, eaves and gutters or other similar projections as determined by the Director of Planning may project into a minimum rear yard to a maximum of 1.0 m measured horizontally.

4.7 Floor Area and Density

4.7.1 Except as provided in sections 4.7.2, 4.7.3, 4.7.4, and 4.7.5 of this Schedule, floor space ratio must not exceed 0.75 for all uses.

4.7.2 For multiple dwellings consisting of no more than three dwelling units, where 100% of the residential floor area is developed as secured market rental housing secured by a housing agreement that restricts the rates at which rents may be increased, if the Director of Planning first considers the intent of this Schedule, all applicable Council policies and guidelines, and the submissions of any advisory groups, property owners or tenants, on sites with a minimum frontage of 12.8 m and a minimum site area of 306 m^2 the Director of Planning may permit an increase in floor area to a maximum floor space ratio of 0.9 FSR.

4.7.3 For multiple dwellings consisting of no more than three dwelling units, if the Director of Planning first considers the intent of this Schedule, all applicable Council policies and guidelines, and the submissions of any advisory groups, property owners or tenants, on sites

with a minimum frontage of 12.8 m and a minimum site area of 306 m^2 the Director of Planning may permit an increase in floor area by one m^2 per amenity share or affordable housing share provided to the city at no cost to the city, to a maximum floor space ratio of 0.9 FSR.

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

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

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

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

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

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

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

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

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

4.7.10 Computation of floor area must include:

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

4.7.11 Computation of floor area must exclude:

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

(i) above the highest storey or half-storey and to which there is no permanent means of access other than a hatch, or

(ii) adjacent to a storey or half-storey with a ceiling height of less than 1.2 m;

(g) floors located at or below finished grade with a ceiling height of less than 1.2 m;

(h) ~~covered~~ entries, porches or verandas and covered porches above the first storey, provided that ~~or porches, if~~:

(i) the portion facing the street, rear property line, common open space, park or school, is open or protected by ~~partial walls or~~ guards which do not exceed the required minimum height ~~rails, which conform to the height minimum specified in the Building By-law,~~

(ii) the total ~~excluded~~ area of these exclusions, when combined with the balcony and ~~sun~~deck exclusions ~~permitted in~~under subsection 4.7.11 (a) ~~of this Schedule~~, does not exceed 16% of the ~~permitted~~ floor area being provided for multiple dwellings and 13% of the ~~permitted~~ floor area being provided for all other uses, and

(iii) the ceiling height, excluding roof structures, of the total area being excluded does not exceed 3.1 m measured from the entry, porch or verandah floor;

(i) for multiple dwellings, all residential storage area above or below base surface, except that if residential storage area above base surface exceeds 3.7 m² per dwelling unit, there will be no exclusion for any of the residential storage area above base surface for that unit; ~~and~~

(j) above grade floor area built as open to below, designed in combination with venting skylights, opening clerestory windows or other similar features which, in the opinion of the Director of Planning, reduce energy consumption or improve natural light and ventilation to a maximum exclusion of one percent of permitted floor area; ~~.~~and

(k) floor areas with a ceiling height or height to the underside of joists less of than 2.0 m, located below the floors of entries, porches and verandahs complying with subsection 4.7.11(h), to which there is no access from the interior of the building.

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

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

(i) a 36.6 m minimum site frontage; and

(ii) a minimum site area of 1000 m2,

the permitted floor area may be increased by one m² per amenity share or affordable housing share provided to the city at no cost to the city, to a maximum allowable density of 1.7 FSR; and

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

(i) a 36.6 m minimum site frontage; and

(ii) a minimum site area of 1000 m2,

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

4.8 Site Coverage and Impermeability

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

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

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

4.8.4 For the purposes of section 4.8.3 of this Schedule:

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

4.9 [Deleted – see Parking By-law.]

4.10 Horizontal Angle of Daylight

4.10.1 Each habitable room must have at least one window on an exterior wall of a building.

4.10.2 Each exterior window must be located so that a plane or planes extending from the window and formed by an angle of 50 degrees, or two angles with a sum of 70 degrees, will encounter no obstruction over a distance of 24.0 m.

4.10.3 The plane or planes referred to in section 4.10.2 must be measured horizontally from the centre of the bottom of each window.

4.10.4 The Director of Planning may ~~relax~~ vary the horizontal angle of daylight requirement, if:

(a) the Director of Planning first considers all the applicable policies and guidelines adopted by Council; and
(b) the minimum distance of unobstructed view is not less than 2.4 m.

4.10.5 An obstruction referred to in section 4.10.2 means:

(a) any part of the same building including permitted projections; or
(b) the largest building permitted under the zoning on any adjoining site.

4.10.6 A habitable room referred to in section 4.10.1 does not mean:

(a) a bathroom; or
(b) a kitchen whose floor area is the lesser of:
  (i) 10% or less of the total floor area of the dwelling unit, or
  (ii) 9.3 m^2.

4.11 Dedication of Land for Lane Purposes

4.11.1 Where a site does not abut a lane, or abuts a lane which is less than 6.1 m in width, a portion of the site, as determined by the City Engineer, to a maximum of 3.1 m, must be dedicated for lane purposes.

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

4.12 (Reserved)

4.13 (Reserved)

4.14 Dedication of Land for Sidewalk and Boulevard Purposes

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

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

4.15 Acoustics

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

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

4.16 Building Depth and Width

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

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

4.17 External Design

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

4.18 (Reserved)

4.19 Number of Buildings on Site

4.19.1 Notwithstanding section 10.5 of this By-law, the Director of Planning may permit more than one building on a site, in combination with a multiple dwelling consisting of four or more dwelling units, not including lock-off units, if the Director of Planning first considers the intent of this Schedule and all applicable Council policies and guidelines.

~~5 Relaxation of Regulations~~

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

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

~~(i) a 36.6 m minimum site frontage; and~~
~~(ii) a minimum site area of 1000 m^2.~~

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

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

~~(i) a 36.6 m minimum site frontage; and~~
~~(ii) a minimum site area of 1000 m^2.~~

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

FM-1 District Schedule

1 Intent

The intent of this Schedule is to enhance the small-scale residential character of the Fairview Slopes neighbourhood by encouraging retention of the existing houses and permitting new low-profile residential development which may include some compatible commercial, light industrial, and ancillary uses, designed to optimize the amenities inherent in the topography and location of this Central Area neighbourhood.

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 this 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 located in the rear yard and in no case are less than 1.5 m from a flanking street;
  (c) the total floor area, measured to the extreme outer limits of the building, of all accessory buildings is not greater than 35 percent of the minimum rear yard prescribed in this Schedule, or 48 m², whichever is the greater;
  (d) not more than 80 percent of the width of the rear yard of any lot is occupied by accessory buildings.

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

- The Director of Planning may vary the maximum height, floor area and location regulations for accessory buildings and accessory uses except that the varied height shall not, in any event exceed the maximum prescribed in section 4.3.1 nor shall the floor space exceed the 33⅓ percent of the gross floor area of the principal use.

2.2.DW [Dwelling]

- Multiple Conversion Dwelling, provided that:

  (a) no additions shall be permitted;
  (b) no housekeeping or sleeping units shall be created;
  (c) the number of dwelling units is limited to two; and
  (d) no development permit shall be issued until the requisite permits required by other by-laws that relate to design, construction and safety of buildings are issuable.

- One-Family Dwelling.
- Rooming House.
- Two-Family Dwelling.

2.2.I [Institutional]

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

3 Conditional Approval Uses

3.1 Subject to all other provisions of this By-law, compliance with section 3.3 and the provisions and regulations of this Schedule, the Director of Planning or the Development Permit Board may approve any of the uses listed in section 3.2 of this Schedule, with or without conditions, provided that the Director of Planning or the Development Permit Board 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.A
- Accessory Uses to any of the uses listed in this Schedule.

3.2.AG [Agricultural]
- Urban Farm - Class A.
- Accessory Uses customarily ancillary to any of the uses listed in this section.

3.2.C [Cultural and Recreational]
- Club, provided that no commercial activities are carried on and the use does not adversely impact residential uses.
- Community Centre or Neighbourhood House.
- Library in conjunction with a Community Centre.
- Park or Playground.

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

3.2.DW [Dwelling]
- Dwelling Units in conjunction with any of the uses listed in this Schedule.
- Infill, in accordance with section 3.3.2 of this Schedule.
- Multiple Conversion Dwelling, resulting from the conversion of a building existing as of June 18, 1956, provided that:

  (a) before making a decision, the Director of Planning shall consider the quality and livability of the resulting units, the suitability of the building for conversion in terms of age and size, and the effect of the conversion on adjacent properties and the character of the area; and

  (b) building additions resulting in a total floor space ratio greater than 0.6 shall be in keeping with the character of the building,

  in accordance with section 3.3.2 of this Schedule.

- Multiple Dwelling, in accordance with section 3.3.2 of this Schedule.
- One-Family Dwelling with Secondary Suite.
- Seniors Supportive or Assisted Housing.

3.2.I [Institutional]
- Ambulance Station.
- Child Day Care Facility.
- Church.

- Hospital.
- Public Authority Use essential in this District.
- School - Elementary or Secondary.
- Social Service Centre.
- Community Care Facility – Class B.
- Group Residence.

3.2.M [Manufacturing]

- Jewellery Manufacturing.

3.2.O [Office]

- General Office.

3.2.R [Retail]

- Farmers' Market. *Compatibility with nearby sites, parking, traffic, noise, hours of operation, size of facility, pedestrian amenity*.
- Grocery or Drug Store.
- Grocery Store with Liquor Store.
- Liquor Store.
- Pawnshop.
- Public Bike Share.
- Retail Store.
- Secondhand Store
- Small-scale Pharmacy.

3.2.S [Service]

- Barber Shop or Beauty Salon.
- Beauty and Wellness Centre.
- Bed and Breakfast Accommodation.
- Laundromat or Dry Cleaning Establishment.
- Repair Shop - Class B.
- Restaurant - Class 1.
- Short Term Rental Accommodation.

3.2.U [Utility and Communication]

- Public Utility.

3.3 Conditions of Use

3.3.1 Before granting a development permit for any of the commercial uses set out in section 3.2.O, 3.2.R or 3.2.S, the Director of Planning or Development Permit Board shall first be satisfied that they are compatible with the residential character, are at a neighbourhood scale, serve the local residential population, and that they do not exceed the maximum permissible floor space as follows:

(a) ***Sub-area 1*** -- Up to 50 percent of the gross floor area, in buildings located in the area denoted by the number "1" shown on the map annexed hereto as Figure 1;

(b) ***Sub-area 2*** -- Up to 15 percent of the gross floor area, or 130 m², whichever is the less, in buildings located in the area denoted by the number "2" shown on the map annexed hereto as Figure 1;

(c) ***Sub-area 3*** -- Up to 100 percent of the gross floor area, in buildings located in the area denoted by the number "3" shown on the map annexed hereto as Figure 1;

(d) ***Heritage Buildings*** -- Up to 100 percent of the gross floor area, in buildings designated by Council as Heritage Buildings, subject to such building being renovated to the satisfaction of the Development Permit Board;

(e) ***Existing Residential Buildings*** -- Up to 50 percent of the gross floor area or 700 m², whichever is the less, in residential buildings existing prior to December 1, 1973, subject to such building being renovated to the satisfaction of the Director of Planning or Development Permit Board.

3.3.2 Unless its development does not require the demolition or change of use or occupancy of one or more rental housing units, registered owners of Infill Multiple Dwellings, or Multiple Conversion Dwellings consisting of three or more dwelling units, or Multiple Dwellings, must:

(a) if it is new development that requires demolition of one or more buildings on that site, or if it is an existing development that requires major alterations resulting in a change to the unit mix of the building(s) and the reconfiguration of a majority of the existing dwelling units, housekeeping units, or sleeping units:

(i) enter into a housing agreement, satisfactory to Council, that secures:

A. one for one replacement of existing rental housing units with dwelling units on the site or in the same zoning district, or one for one replacement with another type of affordable housing if permitted under an applicable community plan, except that in cases where the existing rental housing units are sleeping or housekeeping units, the Director of Planning may permit less than one for one replacement, having regard for the Council's intention to maximize the replacement of such rental units; and

B. a Tenant Relocation Plan in keeping with the city's Tenant Relocation and Protection Policy, if applicable, and

(ii) ensure that at least 35% of the total number of dwelling units include two or more bedrooms, except where the Director of Planning considers that such requirement would deter or prevent:

A. the conservation of a protected heritage property or a building on, or eligible for addition to, the Vancouver Heritage Register;

B. the renovation of a building where there are physical constraints due to light, access, and the form and structural elements of the existing building;

C. development of low-rise and midrise buildings on mid-block or unique sites with significant design challenges in meeting the requirement; or

D. development of projects on sites or in areas identified in Council-approved plans or policies as targeted to single and couple households,

or

(b) if it is an existing development requiring renovations resulting in a change of use or occupancy of a rental housing unit on that site, but it does not require major alterations or additions resulting in a change to the unit mix of the building(s) and the reconfiguration of a majority of the existing dwelling units, housekeeping units, or sleeping units:

(i) secure, to the satisfaction of the Director Planning, one for one replacement of existing rental housing units with dwelling units on the site or in the same zoning district, except that in cases where the existing rental housing units are sleeping or housekeeping units, the Director of Planning may permit less than one for one replacement, having regard for the Council's intention to maximize the replacement of such rental units; and

(ii) provide a Tenant Relocation Plan in keeping with the city's Tenant Relocation and Protection Policy, if applicable;

and, in this section, all references to the demolition or change of use or occupancy of one or more rental housing units are to include then existing rental housing units and rental housing units that, during the three years preceding the date of application for a development permit, a person has demolished or in respect of which has changed the use or occupancy.

3.3.3 The Development Permit Board may increase, subject to approval of Council, the maximum permissible floor space for commercial uses as established in section 3.3.1 with respect to development on consolidated sites, which, by virtue of their size and location, comprise land in two or more Sub-areas as illustrated in Figure 1 at the end of this schedule provided that:

(a) any increase shall be confined to the transfer of the permitted commercial floor space of one Sub-area to other Sub-areas;

(b) the Board considers the overall quality of the development, the surrounding developments and potential for redevelopment both within the FM-1 District and other zoning districts that are adjacent to the consolidated site, surrounding traffic patterns, and the intent of this Schedule and all applicable policies and guidelines adopted by Council; and

(c) there shall be no transfer of permitted floor space across future lanes, irrespective of existing property consolidation.

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 -- Not Applicable.

4.2 Frontage -- Not Applicable.

4.3 Height

4.3.1 The maximum height of a building shall be 10.7 m, except that in the case of a site fronting on a street running east and west, no portion of a building shall extend above an envelope formed by a vertical line measuring 7.6 m in height at the south property line and a line extended horizontally from the vertical line to intersect a line representing the maximum height.

4.3.2 Height shall be calculated from the building grades as established by the City Engineer. The measurement of height shall be taken at the ultimate property line at the lane.

4.3.3 The Development Permit Board may increase, subject to approval of Council, the maximum permitted height of a building as established in section 4.3.1 with respect to any development provided that the Board takes into account the following:

(a) the height, bulk, location and overall design of the building and its effects on the site, surrounding buildings and streets, and views;

(b) the amount of open space and the effects of overall design on the general amenity of the area;
(c) peculiarities of the site with respect to traffic, surrounding developments, topography, the potential for development both within the FM-1 District and other zoning districts that are adjacent to the site, and other factors not characteristic of the FM-1 District; and
(d) the intent of this Schedule, all applicable policies and guidelines adopted by Council and the compatibility of the development with adjacent buildings.

4.4 Front Yard

4.4.1 A front yard need not be provided.

4.5 Side Yards

4.5.1 Side yards need not be provided.

4.6 Rear Yard

4.6.1 A rear yard need not be provided.

4.7 Floor Space Ratio

4.7.1 The maximum floor space ratio shall be 0.60 except as follows:

(a) in the case of a building existing prior to December 1, 1973, and approved for entirely residential use, the floor space may be increased by 20 percent of the existing floor space, provided that in no case shall the maximum floor space ratio exceed 1.0 and the increase in floor space is for residential use only;

(b) in the case of any development the Director of Planning or the Development Permit Board may permit an increase in the permitted floor space ration from 0.60 to any figure up to and including 1.5, providing the Director of Planning or the Development Permit Board first considers all applicable policies and guidelines adopted by Council, the nature and size of the site, the adequacy of open space, overall design and the provision of amenities which would result in community benefits.

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

(a) all floors, including earthen floor, having a minimum ceiling height of 1.2 m, both above and below ground level, 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; and
(c) 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~~ o~~ and~~r~~ ~~sun~~decks, and any other appurtenances which, in the opinion of the Director of Planning, are similar to the foregoing;
(b) patios and roof decks~~gardens~~, provided that the Director of Planning first ~~approves the design of sunroofs and walls;~~considers the effect on privacy and overlook;
(c) where floors are used for off-street parking and loading, the taking on or discharging of passengers, bicycle storage, heating and mechanical equipment, or uses which in the

opinion of the Director of Planning are similar to the foregoing, those floors or portions thereof so used, which:

(i) are at or below the base surface, provided that the maximum exclusion for a parking space shall not exceed 7.3 m in length; or

(ii) are above the base surface and where developed as off-street parking are located in an accessory building situated in the rear yard, provided that the maximum exclusion for a parking space shall not exceed 7.3 m in length.

(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) basement and cellar areas in a building existing prior to June 18, 1956, and approved for entirely residential use;

(g) all residential storage space above or below base surface, except that if the residential storage space above base surface exceeds 3.7 m² per dwelling unit, there will be no exclusion for any of the residential storage space above base surface for that unit; and

(h) above grade floor area built as open to below, designed in combination with venting skylights, opening clerestory windows or other similar features which, in the opinion of the Director of Planning, reduce energy consumption or improve natural light and ventilation, to a maximum exclusion of one percent of permitted floor area.

4.7.4 In computing the floor space ratio, site area shall be measured to the rear property line on sites where there has been no dedication for lane purposes or the ultimate centre line of the lane on sites where land has been dedicated for lane purposes.

4.8 Site Coverage -- Not Applicable.

4.9 [Deleted -- see Parking By-law.]

4.10 Horizontal Angle of Daylight -- Not Applicable.

4.11 Vertical Angle of Daylight -- Not Applicable.

4.12 Dedication of Land for Lane Development

4.12.1 Applications for development of a site which does not abut a lane shall be required to dedicate to the City up to a maximum of 3.1 m at the rear of the site for lane purposes, as determined by the City Engineer.

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

~~5 Relaxation of Requirements~~

~~**5.1** The Director of Planning or Development Permit Board may relax the maximum height, floor area and location regulations for accessory buildings and accessory uses except that the relaxed height shall not, in any event exceed the maximum prescribed in section 4.3.1 nor shall the floor space exceed the 33⅓ percent of the gross floor area of the principal use.~~

Figure 1, Part 1

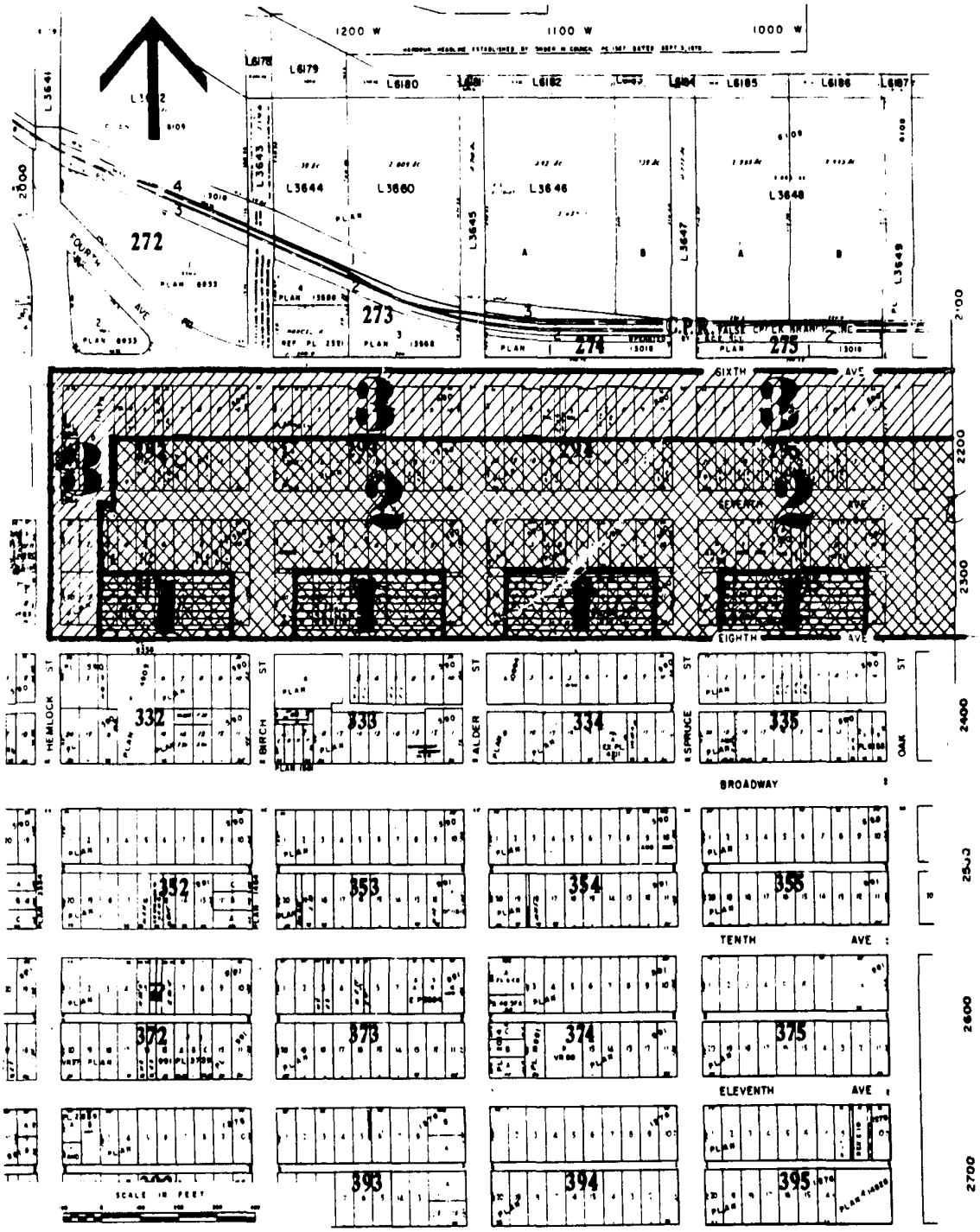
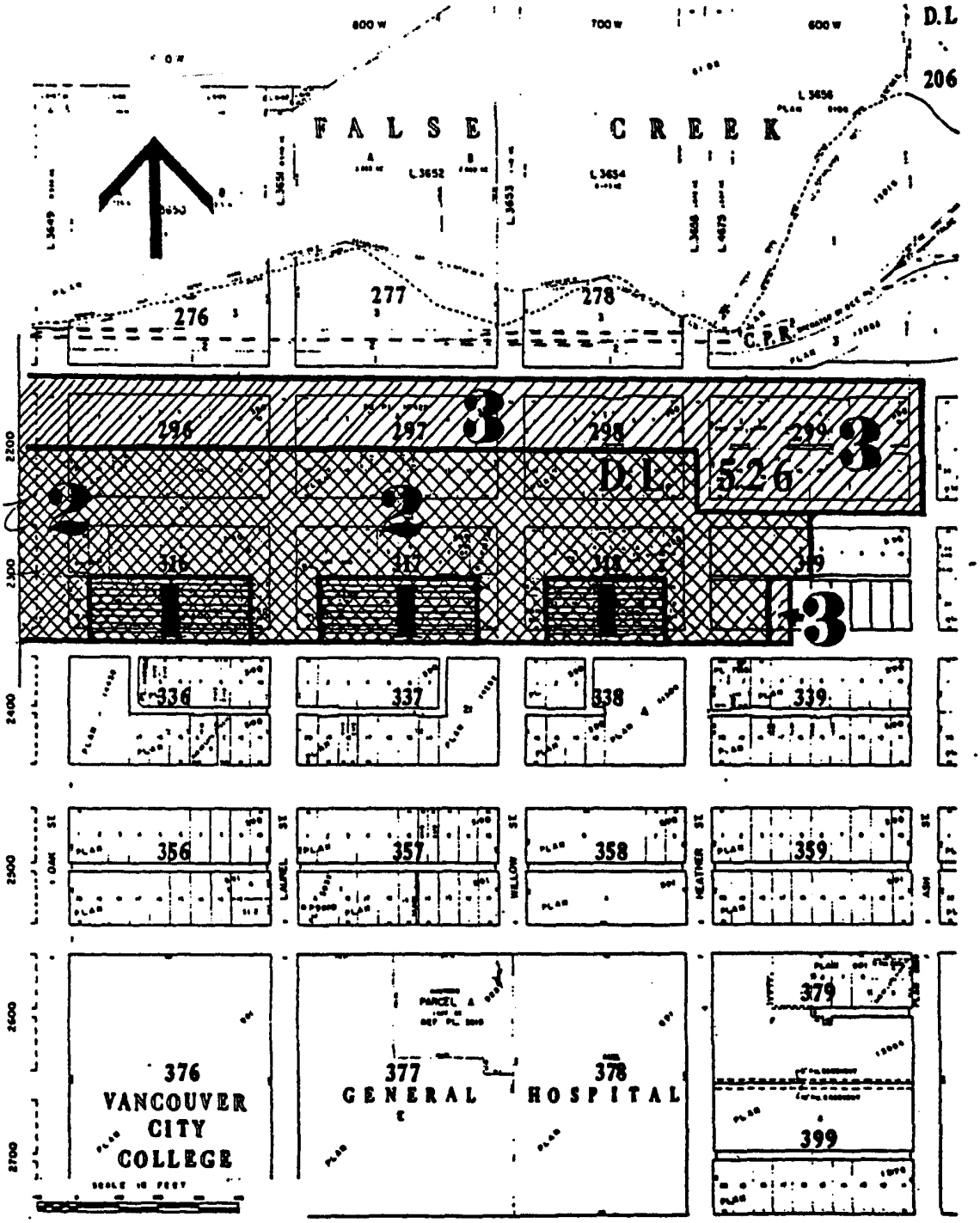


Figure 1, Part 2



~~**5.2** The Development Permit Board may relax, subject to approval of Council, the maximum permissible floor space for commercial uses as established in section 3.3.1 with respect to development on consolidated sites, which, by virtue of their size and location, comprise land in two or more Sub-areas as illustrated in Figure 1 provided that:~~

~~(a) any relaxation shall be confined to the transfer of the permitted commercial floor space of one Sub-area to other Sub-areas;~~

~~(b) the Board considers the overall quality of the development, the surrounding developments and potential for redevelopment both within the FM-1 District and other zoning districts that are adjacent to the consolidated site, surrounding traffic patterns, and the intent of this Schedule and all applicable policies and guidelines adopted by Council; and~~

~~(c) there shall be no transfer of permitted floor space across future lanes, irrespective of existing property consolidation.~~

~~**5.3** The Development Permit Board may relax, subject to approval of Council, the maximum height of a building as established in section 4.3.1 with respect to any development provided that the Board takes into account the following:~~

~~(a) the height, bulk, location and overall design of the building and its effects on the site, surrounding buildings and streets, and views;~~

~~(b) the amount of open space and the effects of overall design on the general amenity of the area;~~

~~(c) peculiarities of the site with respect to traffic, surrounding developments, topography, the potential for development both within the FM-1 District and other zoning districts that are adjacent to the site, and other factors not characteristic of the FM-1 District; and~~

~~(d) the intent of this Schedule, all applicable policies and guidelines adopted by Council and the compatibility of the development with adjacent buildings.~~

HA-1 and HA-1A Districts Schedule

(Chinatown Historic Area)

1 Intent

Chinatown is one of the city's original communities. It is a distinct community, which was established in response to the cultural and social needs of its Chinese population, primarily from Guangdong Province. The resulting "Chinatown Architecture" combined 19th century building patterns from Guangdong Province - which themselves were influenced by early contact with European, primarily Portuguese and Italian, cultures - with the local adaptions of Victorian forms. The significant buildings of this period were built between the Great Fire of 1886 and the beginning of the Great Depression in 1929 and many are protected heritage properties. Chinatown has traditionally accommodated a variety of uses from retail to residential to light industrial with a degree of tolerance not found in all parts of the city.

The intent of this Schedule is to encourage the preservation and rehabilitation of the significant early buildings of Chinatown, while recognizing that the evolving activities that make this district an asset to the city need to be accommodated contextually. The Schedule may permit a range of uses provided that reasonable, but not rigorous, concerns for compatibility are met.

To achieve this intent, this Schedule provides the basic development controls that regulate land uses and building form. There are two Districts: HA-1 corresponds to the boundaries of the protected heritage properties and the National Historic Site on Pender Street; HA-1A is the remainder of Chinatown. There are also two sets of related design guidelines. The guidelines are important for achieving an appropriate level of design sensitivity.

2 Outright Approval Uses

2.1 Subject to all other provisions of this By-law and to compliance with section 2.3 and the regulations of this Schedule, the uses listed in section 2.2 shall be permitted as specified in sections 2.2.1 and 2.2.2 and shall be issued a permit.

2.2 Uses

2.2.1 The uses listed in section 2.2.1 shall be permitted in the HA-1 and HA-1A Districts.

2.2.1.A
- Accessory Uses customarily ancillary to any of the uses listed in this Schedule, but not including the sale of liquor accessory to a hotel, provided that unless permitted as an outright approval use pursuant to section 2 of this Schedule, the total floor area of all accessory uses is not greater than 25 per cent of the gross floor area of the principal use, and all accessory uses are located within the principal building.

2.2.1.C [Cultural and Recreational]

- Artist Studio - Class A.
- Arts and Culture Indoor Event.
- Club.
- Community Centre or Neighbourhood House.
- Fitness Centre.
- Library.
- Museum or Archives.

2.2.1.DW [Dwelling]

- ~~Dwelling Uses, provided that a minimum of 25% of the total number of dwelling units contain 2 or more bedrooms.~~ Dwelling Uses, provided that a minimum of 25% of the total number of dwelling units contain 2 or more bedrooms, except that the Development Permit Board may vary such condition where the Dwelling Uses in the proposed development comprise 100% social housing

- Residential Unit associated with and forming an integral part of an Artist Studio - Class A.

2.2.1.I [Institutional]

- Child Day Care Facility.
- Church.
- School - Elementary or Secondary.
- School - University or College.
- Community Care Facility – Class A.

2.2.1.M [Manufacturing]

- Bakery Products Manufacturing.
- Clothing Manufacturing.
- Jewellery Manufacturing.
- Printing and Publishing.
- Shoes or Boots Manufacturing.
- Textiles or Knit Goods Manufacturing.

2.2.1.O [Office]

- Financial Institution provided that it occupies a floor at least 3.0 m above grade or, in the case of a floor at or near grade, was in existence as of December 6, 1994.
- General Office.
- Health Care Office.
- Health Enhancement Centre.

2.2.1.R [Retail]

- Furniture or Appliance Store.
- Grocery or Drug Store.
- Retail Store.

2.2.1.S [Service]

- Auction Hall.
- Barber Shop or Beauty Salon.
- Beauty and Wellness Centre.
- Bed and Breakfast Accommodation.
- Catering Establishment.
- Laboratory.
- Laundromat or Dry Cleaning Establishment.
- Photofinishing or Photography Laboratory.
- Photofinishing or Photography Studio.
- Print Shop.
- Production or Rehearsal Studio.
- Repair Shop - Class B.
- Restaurant - Class 1.
- School - Arts or Self-Improvement.

- School - Business.
- School - Vocational or Trade.

2.2.1.U [Utility and Communication]

- Radiocommunication Station.

2.3 Conditions of Use

2.3.1 All uses listed in this section shall be carried out wholly within a completely enclosed building, except for the following:

(a) parking and loading facilities;
(b) restaurant and refreshment facilities; and
(c) display of flowers, plants, fruits, and vegetables.

2.3.2 The Director of Planning may vary the use conditions of section 2.3.1 to permit the outdoor display of retail goods, and may include such other conditions as the Director of Planning deems necessary, having regard to the type of merchandise, the area and location of the display with respect to adjoining sites, and the hours of operation, 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 Conditional Approval Uses

3.1 Subject to all other provisions of this By-law, compliance with section 3.3 and the provisions and regulations of this Schedule, the Director of Planning or the Development Permit Board may approve any of the uses listed in section 3.2 of this Schedule, with or without conditions, provided that the Director of Planning or the Development Permit Board first considers:

(a) the intent of this Schedule and all applicable policies and guidelines adopted by Council;
(b) the submission of any advisory group, property owner or tenant; and
(c) the appropriateness of the use with respect to the items which are shown in italics following the use.

3.2 Uses

3.2.A
- Accessory Uses comprising the sale of liquor accessory to a hotel.

3.2.AG [Agricultural]

- Greenhouse. *compatibility with surrounding uses, size.*
- Urban Farm - Class B.

3.2.C [Cultural and Recreational]

- Arcade. *compatibility with surrounding uses, size, noise control, hours of operation*
- Artist Studio - Class B.
- Billiard Hall. *compatibility with surrounding uses, size*
- Bowling Alley. *compatibility with surrounding uses, size, noise and vibration control*
- Bingo Hall.
- Casino - Class 1.
- Hall. *compatibility with surrounding uses, number existing, hours of operation, social and policing impacts, noise control, size of liquor facilities, parking, taxi and bus ingress and egress*

- Park or Playground. *continuity of pedestrian interest, social and policing impacts, durability of materials*
- Rink. *compatibility with surrounding uses, size*
- Swimming Pool. *compatibility with surrounding uses, noise control, parking, taxi and bus ingress and egress*
- Theatre. *compatibility with surrounding uses, number existing, hours of operation, social and policing impacts, noise control, size of liquor facilities, parking, taxi and bus ingress and egress*

3.2.DW [Dwelling]

- Micro dwelling.

- Residential Unit associated with and forming an integral part of an Artist Studio - Class B.
- Seniors Supportive or Assisted Housing.

3.2.I [Institutional]

- Ambulance Station. *compatibility with surrounding uses, pedestrian amenity, vehicular ingress and egress*
- Hospital. *compatibility with surrounding uses, pedestrian amenity, vehicular ingress and egress*
- Public Authority Use. *compatibility with surrounding uses, pedestrian amenity, vehicular ingress and egress*
- Social Service Centre. *compatibility with surrounding uses, pedestrian amenity, provides services primarily for the occupants of dwelling uses within or immediately adjacent to the HA-1 and HA-1A Districts*

3.2.LW [Live-Work Use]

- Live-Work Use.

3.2.M [Manufacturing]

Manufacturing Uses, as listed below. *compatibility with surrounding uses, pedestrian amenity, vehicular ingress and egress, location, safety, noise, vibrations, size and odours*

- Dairy Products Manufacturing.
- Electrical Products or Appliances Manufacturing.
- Food or Beverage Products Manufacturing - Class B.
- Furniture or Fixtures Manufacturing.
- Leather Products Manufacturing.
- Miscellaneous Products Manufacturing - Class B.
- Non-metallic Mineral Products Manufacturing - Class B.
- Plastic Products Manufacturing.
- Tobacco Products Manufacturing.
- Wood Products Manufacturing - Class B.

3.2.P [Parking]

- Parking Uses. *compatibility with surrounding uses, pedestrian amenity, vehicular ingress and egress, size*

3.2.R [Retail]

- Farmers' Market. *Compatibility with nearby sites, parking, traffic, noise, hours of operation, size of facility, pedestrian amenity*.
- Gasoline Station - Split Island, existing as of December 6, 1994. *pedestrian amenity, vehicular ingress and egress*
- Cannabis Store.
- Pawnshop. *compatibility with surrounding uses, pedestrian amenity, number existing, social and policing impacts, hours of operation, vehicular ingress and egress*
- Public Bike Share.
- Secondhand Store. *compatibility with surrounding uses, pedestrian amenity, number existing, social and policing impacts, hours of operation, vehicular ingress and egress*
- Small-scale Pharmacy.
- Vehicle Dealer. *compatibility with surrounding uses, pedestrian amenity, vehicular ingress and egress, size, impact on character of area*

3.2.S [Service]

- Cabaret. *compatibility with surrounding uses, number existing, hours of operation, social and policing impacts, noise control*
- Hotel. *size of liquor facilities, noise control, parking, loading, taxi and bus ingress and egress*
- Laundry or Cleaning Plant. *compatibility with surrounding uses, noise control, vehicular impacts*
- Neighbourhood Public House. *compatibility with surrounding uses, number existing, hours of operation, social and policing impacts, noise control*
- Restaurant - Class 2. *compatibility with surrounding uses, number existing, hours of operation, social and policing impacts, noise control*
- Short Term Rental Accommodation.
- Sign Painting Shop. *compatibility with surrounding uses*
- Wedding Chapel.

3.2.T [Transportation and Storage]

- Cold Storage Plant. *compatibility with surrounding uses, pedestrian amenity, vehicular ingress and egress, size*
- Mini-storage Warehouse. *compatibility with surrounding uses, pedestrian amenity, vehicular ingress and egress, size*
- Packaging Plant. *compatibility with surrounding uses, pedestrian amenity, vehicular ingress and egress, size*
- Storage Warehouse. *compatibility with surrounding uses, pedestrian amenity, vehicular ingress and egress, size*
- Taxicab or Limousine Station. *compatibility with surrounding uses, pedestrian amenity, vehicular ingress and egress, size*
- Truck Terminal or Courier Depot. *compatibility with surrounding uses, pedestrian amenity, vehicular ingress and egress, size*

3.2.U [Utility and Communication]

- Public Utility existing as of December 6, 1994. *pedestrian amenity, vehicular ingress and egress*
- Recycling Depot. *compatibility with surrounding uses, pedestrian amenity, vehicular ingress and egress, size, hours of operations.*

3.2.W [Wholesale]

- Lumber and Building Materials Establishment. *compatibility with surrounding uses, pedestrian amenity, vehicular ingress and egress, safety, size, impact on character of area*
- Wholesaling - Class A. *compatibility with surrounding uses, pedestrian amenity, vehicular ingress and egress*
- Wholesaling - Class B. *compatibility with surrounding uses, pedestrian amenity, vehicular ingress and egress*

3.2.Z

- Any other use which is not specifically listed and defined as a use in section 2 of this By-law but which the Director of Planning considers comparable in nature to the uses listed in this Schedule, having regard to the intent of this District Schedule.

3.3 Conditions of Use

3.3.1 All uses listed in this section shall be carried on wholly within a completely enclosed building, except for the following:

(a) parking and loading facilities;
(b) restaurant;

(c) parks and playgrounds;
(d) neighbourhood public house;
(e) full serve and split island gasoline station, except that section 11.13.2 of this By-law continues to apply;
(f) farmers' market; and
(g) public bike share.

3.3.2 No use listed in section 3.2 of this Schedule shall involve the bulk storage of vegetable oil or fat, fish, fish oil or meal, scrap, junk, chemicals, paints, varnishes, rags, cotton waste, petroleum, bitumen or tar products or derivatives, or similar flammable products or materials.

3.3.3 Any development permit issued for live-work use must stipulate as permitted uses:

(a) dwelling unit;
(b) general office, health care office, barber shop or beauty salon, photofinishing or photography studio, or artist studio – class A; and
(c) dwelling unit combined with any use set out in subsection (b).

3.3.4 Except for entrances, all floors of a live-work unit or dwelling use must be at least 2.0 m above street grade along a fronting or flanking street.

3.3.5 The Director of Planning may vary the use conditions of section 3.3.1 to permit the outdoor display of retail goods, and may include such other conditions as the Director of Planning deems necessary, having regard to the type of merchandise, the area and location of the display with respect to adjoining sites, and the hours of operation, 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.

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 -- Not Applicable.

4.2 Frontage

4.2.1 In the HA-1 District, the maximum frontage for any ground floor shopfront shall be 7.6 m.

4.2.2 In the HA-1A District, the maximum frontage for any ground floor shopfront shall be 15.3 m.

4.2.3 In the HA-1 District, the maximum site width, as measured along the front property line for any site shall be 15.3 m or the existing width of the lot as of October 15, 2018.

4.2.4 In the HA-1A District, the maximum site width, as measured along the front property line for any site shall be 22.9 m or the existing width of the lot as of October 15, 2018.

4.2.5 The Director of Planning may permit an increase in the frontage regulations of section 4.2, 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.

4.3 Height

4.3.1 The maximum height of a building shall be:

(a) 15.2 m and no more than 5 storeys in the HA-1 District; and
(b) 21.3 m and no more than 6 storeys in the HA-1A District.

4.3.2 Despite the provision of 4.3.1, the Development Permit Board or the Director of Planning, as the case may be, may permit an increase in the maximum height:

(a) in the HA-1 District, up to 22.8 m and no more than 7 storeys, provided that no portion below the third storey of a building shall be used for Dwelling Uses except for entrances and amenity spaces that serve the residential portion; and
(b) in the HA-1A District, up to 27.4 m and no more than 8 storeys, provided that no portion below the third storey of a building shall be used for Dwelling Uses except for entrances and amenity spaces that serve the residential portion.

providing that the Development Permit Board or the Director of Planning, as the case may be, first considers:

(i) the intent of this Schedule and all applicable policies and guidelines adopted by Council;
(ii) the submission of any advisory group, property owner or tenant;
(iii) the bulk, location, and overall design of the building and its effect on the site, surrounding buildings and streets;
(iv) the relationship of the development to any designated heritage building;
(v) the design and liveability of any dwelling units; and
(vi) the effect of an addition on the heritage value of any designated building which is listed on the Vancouver Heritage Register.

4.3.3 The Development Permit Board or the Director of Planning, as the case may be, may exclude building cornices and parapets to a maximum height of 2.2 m and vertical decorative elements such as flagpoles and finials from the maximum height in sections 4.3.1 and 4.3.2 providing that consideration is first given to the intent of this Schedule and all applicable policies and guidelines adopted by Council.

4.3.4 In both the HA-1 and HA-1A Districts, a mezzanine floor located above ground, but below the second storey, shall not be counted as a storey provided:

(a) the floor area of the mezzanine does not exceed 60% of the site area; and
(b) the habitable floor area does not contain a Dwelling Use, or any Accessory Uses that are ancillary to Dwelling Use.

4.3.5 The Development Permit Board may vary the conditions for Dwelling Uses under subsections 4.3.2(a) and (b) where the Dwelling Uses in the proposed development comprise 100% social housing.

4.4 Front Yard and Setback

4.4.1 All sites must have a Front Yard of 450 mm except where a building includes architectural articulation or decoration of its front façade, then these elements may project into the front yard.

4.4.2 The Director of Planning or the Development Permit Board may allow a portion of the building to be recessed above the second floor for the purpose of increasing residential units' exposure to natural light, provided that the Director of Planning or Development Permit Board first considers:

(a) providing passageways to interior courtyards;
(b) providing recessed balconies above the ground floor;
(c) reducing the visual impact on the public realm of the uppermost storeys of the building, provided that the recess is at least 3.0 m behind the principal facade;
(d) rooftop mechanical equipment;
(e) increasing residential units' exposure to natural light; and
(f) providing a covered area in front of a building entrance.

provided that consideration is first given to:

(i) the intent of this Schedule and all applicable policies and guidelines adopted by Council;
(ii) the massing, and overall design of the building and its effect on the site, surrounding buildings, block face and character of the area; and
(iii) the submission of any advisory group, property owner or tenant.

4.5 Side Yards and Setbacks

4.5.1 No side yards shall be permitted, except that where a side property line abuts a street, lane or dedicated public park, then the Development Permit Board or the Director of Planning, as the case may be, may allow portions of the building to be recessed from the side property line, at grade or above, for the purposes of:

(a) providing passageways to interior courtyards;
(b) providing recessed balconies above the ground floor;
(c) reducing the visual impact on the public realm of the uppermost storeys of the building, provided that the recess is at least 3.0 m behind the principal facade;
(d) rooftop mechanical equipment;
(e) increasing residential units' exposure to natural light; and
(f) providing a covered area in front of a building entrance.

provided that consideration is first given to:

(i) the intent of this Schedule and all applicable policies and guidelines adopted by Council;
(ii) the massing, and overall design of the building and its effect on the site, surrounding buildings, block face and character of the area; and
(iii) the submission of any advisory group, property owner or tenant.

4.5.2 The Director of Planning or the Development Permit Board may allow setbacks for the purpose of creating a light well or providing open space at grade, provided that no portion is closer than 4.0 m to a street façade, and further that any window looking directly into the light well is set back a minimum of 3.0 m from the nearest obstruction, and provided that the Director of Planning or Development Permit Board first considers:

(a) the intent of this Schedule and all applicable policies and guidelines adopted by Council;
(b) the massing, and overall design of the building and its effect on the site, surrounding buildings, block face and character of the area; and
(c) the submission of any advisory group, property owner or tenant.

4.5.3 For the purposes of section 4.5.2, the following shall be considered obstructions:

(a) an existing building; and
(b) the maximum size building permitted on any adjacent site.

4.6 Rear Yard and Setback

4.6.1 There shall be a minimum rear yard or setback of 1.0m from the rear property line across the full width of the building, except that where any portion of a building contains residential uses, that portion shall be set back 7.0 m from the rear property line, across the full width of the building.

4.6.2 The Director of Planning may permit a reduction in the rear yard regulations of section 4.6, 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.

4.7 Floor Space Ratio

4.7.1 The floor space ratio in the HA-1 and HA-1A Districts shall not exceed:

(a) In the HA-1 District:

(i) for all combined uses, up to 4.8;
(ii) for Dwelling Uses, up to 2.95, provided the floor space ratio for uses other than Dwelling Uses is no less than 1.5;

(b) In the HA-1A District:

(i) for all combined uses, up to 5.35;
(ii) for Dwelling Uses, up to 3.5, provided the floor space ratio for uses other than Dwelling Uses is no less than 1.5;

provided that the Development Permit Board or the Director of Planning first considers:

(i) the intent of this Schedule and all applicable policies and guidelines adopted by Council;
(ii) the submission of any advisory group, property owner or tenant
(iii) the bulk, location, and overall design of the building and its effect on the site, surrounding buildings and streets;
(iv) the relationship of the development to any designated heritage building;
(v) the design and liveability of any dwelling units; and
(vi) the effect of an addition on the heritage value of any designated heritage building or building listed on the Vancouver Heritage Register.

4.7.2 Computation of floor area shall include:

(a) all floors of all buildings, at or above ground level, to be measured to the extreme outer limits of the buildings;
(b) floor area, located at or above grade, that is used to access off-street parking and loading spaces in the form of an access ramp, elevator or uses which in the opinion of the Director of Planning or the Development Permit Board are similar to the foregoing; and,

(c) all interior residential where the distance from a floor to the floor above, or where there is no floor above, the top of the roof structure, exceeds 3.7 m, an amount equal to the area of the floor below the excess height, except that the Director of Planning may exclude an area designed with venting skylights, opening clerestory windows or other similar features if:

(i) in the opinion of the Director of Planning, the area is designed to reduce energy consumption or improve natural light and ventilation, and
(ii) the area excluded does not exceed 1 % of the permitted floor area.

4.7.3 Computation of floor area shall exclude:

(a) ~~open or covered~~ balconies and any other appurtenances which, in the opinion of the Director of Planning or the Development Permit Board, are similar to the foregoing, provided that the total area of all exclusions does not exceed 12% of the floor area being provided;
(b) patios and roof ~~decks~~gardens, provided that the Director of Planning or the Development Permit Board 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, heating and mechanical equipment, or uses which in the opinion of the Director of Planning are similar to the foregoing, those floors or portions thereof so used, which are below the base surface provided that the off-street parking spaces do not have a length of more than 7.3 m;
(d) all residential storage above or below base surface, except that if the residential storage above base surface exceeds 3.7 m² per dwelling unit, there will be no exclusion for any of the residential storage above base surface for that unit; and

(e) in buildings with commercial, retail or service use at grade, the area occupied by interior commercial kitchen exhaust shafts, to a maximum exclusion of 3.7 m² for each floor above the commercial, retail or service use.

4.7.4 Computation of floor area may exclude:

(a) interior public space, including breezeways, courtyards and other similar spaces, provided that:

(i) the excluded area shall not exceed 10% of the permitted floor area;
(ii) the excluded area shall be secured by covenant and right-of-way in favour of the City which sets out public access and use; and
(iii) the Director of Planning first considers all applicable policies and guidelines adopted by Council;

(b) indoor amenity areas, including day care facilities and non-profit recreation facilities, to a maximum floor area of the lessor of 10% of the permitted floor area or 1,000 m², provided, in the case of day care facilities, 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;
(c) where floors are used for off-street loading spaces which are located at base surface up to a maximum of 26 m², provided that the Director of Planning first considers all applicable policies and guidelines adopted by Council; and,
(d) where floors are used for off-street parking of shared vehicles located at base surface, up to a maximum of floor space ratio of 0.07, provided that the Director of Planning considers all applicable policies and guidelines adopted by Council.

4.7.5 Any area excluded shall not be used for any purposes other than those for which it is excluded.

4.7.6 The Development Permit Board may vary the conditions for Dwelling Uses under sections 4.7.1(a)(ii) and 4.7.1(b)(ii) where the Dwelling Uses in the proposed development comprise 100% social housing.

4.8 to

4.9 [Reserved]

4.10 Horizontal Angle of Daylight

4.10.1 Each habitable room must have at least one window on an exterior wall of a building.

4.10.2 Each exterior window must be located so that a plane or planes extending from the window and formed by an angle of 50 degrees, or two angles with a sum of 70 degrees, will encounter no obstruction over a distance of 20.0 m.

4.10.3 The plane or planes referred to in section 4.10.2 must be measured horizontally from the centre of the bottom of each window.

4.10.4 The Director of Planning may ~~relax~~ vary the horizontal angle of daylight requirement, if:

(a) the Director of Planning first considers all the applicable policies and guidelines adopted by Council;
(b) the minimum distance of unobstructed view is not less than 2.4 m; and
(c) the building is listed on the Heritage Register or, in the opinion of the Director of Planning, the building has sufficient heritage value or heritage character to justify its conservation.

4.10.5 An obstruction referred to in section 4.10.2 means:

(a) any part of the same building including permitted projections; or
(b) the largest building permitted under the zoning on any adjoining site.

4.10.6 A habitable room referred to in section 4.10.1 does not mean:

(a) a bathroom; or
(b) a kitchen whose floor area is the lesser of:
  (i) 10% or less of the total floor area of the dwelling unit, or
  (ii) 9.3 m^2.

4.11 to

4.16 [Reserved]

4.17 External Design

All new buildings and alterations or additions to existing buildings require the approval of the Development Permit Board or the Director of Planning for the design of buildings or alterations to elevations facing streets, lanes, and adjacent buildings. The Development Permit Board or the Director of Planning may approve the design of such buildings, alterations or additions provided that consideration is first given to:

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

(c) the effect of new visible exterior surfaces on the architectural and historically significant characteristics of the existing building on site or adjacent buildings;
(d) the extent to which the alterations to existing buildings are consistent with documented evidence of the original design or an earlier exterior treatment of historical significance to the building;
(e) the alterations to historically significant characteristics of an existing building are necessary to accommodate a change of use permitted in the Schedule; and
(f) the alterations to historically significant characteristics of an existing building are necessary to advance public health and safety.

5 Relaxation of Regulations

~~**5.1** The Director of Planning may relax the frontage and rear yard regulations of sections 4.2 and 4.6 of this Schedule, 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.~~

~~**5.2** The Director of Planning may relax the use conditions of sections 2.3.1 and 3.3.1 to permit the outdoor display of retail goods, and may include such other conditions as the Director of Planning deems necessary, having regard to the type of merchandise, the area and location of the display with respect to adjoining sites, and the hours of operation, 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.~~

5.1~~3~~ The Development Permit Board may relax the conditions for Dwelling Uses under section 2.2.1.DW, in this Schedule for:

(a) the conservation of a building listed on the Vancouver Heritage Register or in the opinion of the Director of Planning a building that has sufficient heritage value or heritage character to justify its conservation; or
(b) the renovation of existing low cost housing units for persons receiving assistance with the intent to maintain these units with the same tenure.

~~**5.4** The Development Permit Board may relax the conditions for Dwelling Uses under:~~

~~(a) section 2.2.1.DW,~~
~~(b) sections 4.3.2 (a), 4.3.2 (b), and;~~
~~(c) sections 4.7.1 (a)(ii), 4.7.1 (b)(ii).~~

~~where the Dwelling Uses in the proposed development comprise 100% social housing.~~

5.2~~5~~ The Development Permit Board or the Director of Planning, as the case may be, may relax the floor space regulations of section 4.7.1(b) for HA-1A where, due to conditions peculiar either to the site or the proposed development, literal enforcement would result in unnecessary hardship in the following cases:

(a) the retention of a designated heritage building or a building listed on the Vancouver Heritage Register;

(b) development on a site constrained by adjacent buildings listed on the Vancouver Heritage Register; or
(c) development on an a site smaller than 374 m^2, or on a site with a site depth that is less than 37.2 metres;

provided that:

(i) The maximum height does not exceed 21.3m (70 ft.);
(ii) The maximum floor space ratio for all combined uses does not exceed 4.4;
(iii) The maximum floor space ratio for residential uses does not exceed 3.25; and
(iv) The minimum floor space ratio for non-residential uses is no less than 0.8.

and provided that the Development Permit Board or the Director of Planning first considers:

(v) the intent of this Schedule and all applicable policies and guidelines adopted by Council;
(vi) the submission of any advisory group, property owner or tenant;
(vii) the bulk, location, and overall design of the building and its effect on the site, surrounding buildings and streets;
(viii) the relationship of the development to any designated heritage building;
(ix) the design and liveability of any dwelling units; and
(x) the effect of an addition on the heritage value of any designated heritage building or building listed on the Vancouver Heritage Register.

HA-2

(Gastown Historic Area)

1 Intent

Gastown is the site of the old Granville Townsite, and it is from this area that the City of Vancouver developed and grew. This District Schedule is designed to recognize the area's special status and to ensure the maintenance of Gastown's "turn of the century" historical and architectural character.

2 Outright Approval Uses

2.1 Subject to all other provisions of this By-law and to compliance with section 2.3 and the regulations of this Schedule, the uses listed in section 2.2 shall be permitted in this District and shall be issued a permit.

2.2 Uses

2.2.C [Cultural and Recreational]

- Arts and Culture Indoor Event.

2.2.R [Retail]

- Grocery or Drug Store.
- Retail Store.

2.2.S [Service]

- Restaurant - Class 1.

2.3 Conditions of Use

2.3.1 All commercial uses listed in this section shall be carried on wholly within a completely enclosed building except for the following:

(a) parking and loading facilities;
(b) restaurant and refreshment facilities;
(c) display of flowers, plants, fruits and vegetables.

2.3.2 Notwithstanding the provisions of section 5 of this By-law, any and all proposed alterations or changes to the exterior treatment or appearance of any building or structure or changes of use shall require the approval of the Director of Planning after consultation with any advisory group approved by Council for the area.

2.3.3 For the purposes of this Schedule, "ground floor" does not include a basement.

2.3.4 All uses listed in this section shall be limited to the ground floor only and shall be further limited to a maximum gross floor area of 500 m² and a maximum frontage of 10.7 m.

2.3.5 The Director of Planning may vary the use conditions of section 2.3.1 for the following uses, and may include additional conditions, provided the Director of Planning first considers the intent of this Schedule and all applicable policies and guidelines adopted by Council and the submission of any advisory group:
(a) restaurant and refreshment facilities;
(b) retail uses.

3 Conditional Approval Uses

3.1 Subject to all other provisions of this By-law, compliance with section 3.3 and the provisions and regulations of this Schedule, the Director of Planning or the Development Permit Board may approve any of the uses listed in section 3.2 of this Schedule, with or without conditions, provided that the Director of Planning or the Development Permit Board 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.A
- Accessory Buildings to any of the uses listed in this Schedule.
- Accessory Uses to any of the uses listed in this Schedule.

3.2.AG [Agricultural]

- Urban Farm - Class B.

3.2.C [Cultural and Recreational]

- Artist Studio.
- Hall.
- Fitness Centre.
- Library.
- Museum or Archives.
- Park or Playground.
- Swimming Pool.
- Theatre.
- Zoo or Botanical Garden.

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

3.2.DW [Dwelling]

- Dwelling Uses.
- Micro dwelling.
- Residential Unit associated with and forming an integral part of an artist studio.

3.2.I [Institutional]

- Child Day Care Facility.
- Church.
- Public Authority Use.
- School - Elementary or Secondary.
- School - University or College.
- Social Service Centre.

3.2.LW [Live-Work Use]

- Live-Work Use.

3.2.M [Manufacturing]

- Bakery Products Manufacturing.
- Clothing Manufacturing.
- Jewellery Manufacturing.

3.2.O [Office]

- Office Uses.

3.2.P [Parking]

- Parking Uses.

3.2.R [Retail]

- Cannabis Store.
- Farmers' Market. *Compatibility with nearby sites, parking, traffic, noise, hours of operation, size of facility, pedestrian amenity*.
- Furniture or Appliance Store.
- Grocery or Drug Store, other than as provided for in section 2.2.
- Grocery Store with Liquor Store.
- Liquor Store.
- Public Bike Share.
- Retail Store, other than as provided for in section 2.2.
- Small-scale Pharmacy.
- Vehicle Dealer.

3.2.S [Service]

- Auction Hall.
- Barber Shop or Beauty Salon.
- Beauty and Wellness Centre.
- Bed and Breakfast Accommodation.
- Cabaret.
- Catering Establishment.
- Hotel.
- Laundromat or Dry Cleaning Establishment.
- Laundry or Cleaning Plant.
- Neighbourhood Public House.
- Photofinishing or Photography Laboratory.
- Photofinishing or Photography Studio.
- Print Shop.
- Production or Rehearsal Studio.
- Repair Shop - Class B.
- Restaurant - Class 1, other than as provided for in section 2.2.
- Restaurant - Class 2.
- School - Arts or Self-Improvement.
- School - Business.
- School - Vocational or Trade.
- Short Term Rental Accommodation.
- Sign Painting Shop.
- Wedding Chapel.

3.2.U [Utility and Communication]

- Public Utility.

3.2.W [Wholesale]

- Lumber and Building Materials Establishment.
- Wholesaling - Class A.
- Wholesaling - Class B.

3.2.Z

- Any other use which is not specifically listed and defined as a use in section 2 of this By-law but which the Director of Planning considers comparable in nature to the uses listed in this Schedule, having regard to the intent of this District Schedule.

3.3 Conditions of Use

3.3.1 All uses listed in this section shall be carried on wholly within a completely enclosed building, except for the following:

(a) parking and loading facilities;
(b) restaurant;
(c) display of flowers, plants, fruits and vegetables;
(d) neighbourhood public house;
(e) farmers' market; and
(f) public bike share.

3.3.2 Any development permit issued for live-work use must stipulate as permitted uses:

(a) dwelling unit;
(b) general office, health care office, barber shop or beauty salon, photofinishing or photography studio, or artist studio – class A; and
(c) dwelling unit combined with any use set out in subsection (b).

3.3.3 The Director of Planning may vary the use conditions of section 3.3.1 for the following uses, and may include additional conditions, provided the Director of Planning first considers the intent of this Schedule and all applicable policies and guidelines adopted by Council and the submission of any advisory group:
(a) restaurant and refreshment facilities;
(b) retail uses.

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 -- Not Applicable.

4.2 Frontage -- Not Applicable.

4.3 Height

4.3.1 The minimum height of a building shall be 12.2 m, and the maximum height of a building shall be 22.9 m.

4.3.2 The Director of Planning or the Development Permit Board may permit an increase or decrease in the maximum or minimum height of a building with respect to any development provided the Director of Planning or the Development Permit Board first consults with any advisory group approved by Council for the area and takes into account the following:

(a) the height, bulk and location of the building and its effect on the site, surrounding buildings and streets, and existing views;
(b) the effects of overall design on the general amenity of the area; and
(c) the intent of this Schedule.

4.4 Front Yard and Setback -- Not Required.

4.5 Side Yards -- Not Required.

4.6 Rear Yard and Setbacks -- Not Required.

4.7 Floor Space Ratio -- Not Applicable.

4.8 Site Coverage -- Not Applicable.

4.9 [Deleted -- see Parking By-law.]

4.10 Horizontal Angle of Daylight

4.10.1 Each habitable room must have at least one window on an exterior wall of a building.

4.10.2 Each exterior window must be located so that a plane or planes extending from the window and formed by an angle of 50 degrees, or two angles with a sum of 70 degrees, will encounter no obstruction over a distance of 24.0 m.

4.10.3 The plane or planes referred to in section 4.10.2 must be measured horizontally from the centre of the bottom of each window.

4.10.4 The Director of Planning may ~~relax~~ vary the horizontal angle of daylight requirement, if:

(a) the Director of Planning first considers all the applicable policies and guidelines adopted by Council;
(b) the minimum distance of unobstructed view is not less than 2.4 m; and
(c) the building is listed on the Heritage Register or, in the opinion of the Director of Planning, the building has sufficient heritage value or heritage character to justify its conservation.

4.10.5 An obstruction referred to in section 4.10.2 means:

(a) any part of the same building including permitted projections; or
(b) the largest building permitted under the zoning on any adjoining site.

4.10.6 A habitable room referred to in section 4.10.1 does not mean:

(a) a bathroom; or
(b) a kitchen whose floor area is the lesser of:
  (i) 10% or less of the total floor area of the dwelling unit, or
  (ii) 9.3 m^2.

~~5 Relaxation of Regulations~~

~~5.1 The Director of Planning may relax the use conditions of sections 2.3.1 and 3.3.3 for the following uses, and may include additional conditions, provided the Director of Planning first considers the intent of this Schedule and all applicable policies and guidelines adopted by Council and the submission of any advisory group.~~

~~(a) restaurant and refreshment facilities;~~
~~(b) retail uses.~~

HA-3 District Schedule

(Yaletown Historic Area)

1 Intent

Yaletown is a compact warehouse district developed in the early 1900s. Its special character is created by the collection of buildings, constructed of heavy timber, brick and concrete, and the narrow streets. The massing of buildings, built property line to property line, together with the similarities of style and exterior finishes give Yaletown its unique, homogeneous character.

The intent of this Schedule is to encourage the conversion and renovation of existing warehouse buildings and the construction of compatible new buildings, to produce a more contemporary mix of commercial, industrial and residential uses, and to introduce more activity-oriented uses into this area. Emphasis is placed on requiring the external design of buildings to follow the proportions, rhythm and details of the predominant circa l900 architectural features, whether renovating or constructing a new building.

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 this District and shall be issued a permit.

2.2 Uses

2.2.A

- Accessory Uses customarily ancillary to any of the uses listed in this Schedule, but not including the sale of liquor accessory to a hotel, provided that unless permitted as an outright approval use pursuant to section 2 of this Schedule, the total floor area of all accessory uses is not greater than 25 percent of the gross floor area of the principal use, and all accessory uses are located within the principal building.

2.2.C [Cultural and Recreational]

- Artist Studio - Class A.
- Arts and Culture Indoor Event.
- Billiard Hall.
- Bowling Alley.
- Club.
- Community Centre or Neighbourhood House.
- Fitness Centre.
- Hall.
- Library.
- Museum or Archives.
- Rink.
- Swimming Pool.
- Theatre.

2.2.DW [Dwelling]

- Dwelling Uses, provided that no portion of the first storey of a building shall be used for residential purposes except for entrances to the residential portion and accessory uses to the residential portion including storage, locker and laundry areas, and communal recreation facilities.
- Residential Unit associated with and forming an integral part of an Artist Studio - Class A, provided that no portion of the first storey of a building shall be used for residential purposes except for entrances to the residential portion or accessory uses to the residential portion including storage, locker and laundry areas, and communal recreation facilities.

2.2.I [Institutional]

- Church.
- School - University or College.
- Social Service Centre.

2.2.M [Manufacturing]

- Bakery Products Manufacturing.
- Chemicals or Chemical Products Manufacturing - Class B.
- Clothing Manufacturing.
- Dairy Products Manufacturing.
- Electrical Products or Appliances Manufacturing.
- Food or Beverage Products Manufacturing - Class B.
- Furniture or Fixtures Manufacturing.
- Jewellery Manufacturing.
- Leather Products Manufacturing.
- Metal Products Manufacturing - Class B.
- Miscellaneous Products Manufacturing - Class B.
- Paper Products Manufacturing.
- Plastic Products Manufacturing.
- Printing or Publishing.
- Shoes or Boots Manufacturing.
- Textiles or Knit Goods Manufacturing.
- Tobacco Products Manufacturing.
- Wood Products Manufacturing - Class B.

2.2.O [Office]

- Office Uses.

2.2.P [Parking]

- Parking Uses.

2.2.R [Retail]

- Furniture or Appliance Store.
- Grocery or Drug Store.
- Retail Store.
- Vehicle Dealer.

2.2.S [Service]

- Barber Shop or Beauty Salon.
- Beauty and Wellness Centre.
- Catering Establishment.
- Hotel.
- Laboratory.
- Laundromat or Dry Cleaning Establishment.
- Photofinishing or Photography Studio.
- Print Shop.
- Production or Rehearsal Studio.
- Repair Shop - Class A.
- Repair Shop - Class B.
- Restaurant - Class 1.
- School - Arts or Self-Improvement.
- School - Business.
- School - Vocational or Trade.
- Sign Painting Shop.

2.2.T [Transportation and Storage]

- Packaging Plant.
- Storage Warehouse.

2.2.U [Utility and Communication]

- Radiocommunication Station.

2.2.W [Wholesale]

- Lumber and Building Materials Establishment.
- Wholesaling - Class A.
- Wholesaling - Class B.

2.3 Conditions of Use

2.3.1 All uses listed in section 2.2 of this Schedule and accessory uses thereto shall be carried on wholly within a completely enclosed building except for the following:

(a) parking and loading facilities;
(b) restaurant;
(c) grocery or drug store or retail store.

2.3.2 No use listed in section 2.2 of this Schedule shall involve the bulk storage of vegetable oil or fat; fish; fish oil or meal; scrap; junk; lime; fertilizer; compressed gas; explosives; matches; industrial chemicals; paints; varnishes; rags; cotton waste; petroleum, bitumen or tar products or derivatives.

2.3.3 No portion of a parking garage at the level of a street, sidewalk or loading dock shall be used for parking, except for vehicular access points or driveways, for a depth of at least 9.1 m from any building face. This setback area may only be developed with commercial or industrial uses.

3 Conditional Approval Uses

3.1 Subject to all other provisions of this By-law, compliance with section 3.3 and the provisions and regulations of this Schedule, the Director of Planning or the Development Permit Board may approve any of the uses listed in section 3.2 of this Schedule, with or without conditions, provided that the Director of Planning or the Development Permit Board first considers:

(a) the intent of this Schedule and all applicable policies and guidelines adopted by Council;
(b) the submission of any advisory group, property owner or tenant; and
(c) the appropriateness of the use with respect to the items which are shown in italics following the use.

3.2 Uses

3.2.A
- Accessory Uses comprising the sale of liquor accessory to a hotel.

3.2.AG [Agricultural]
- Urban Farm - Class B.

3.2.C [Cultural and Recreational]
- Arcade. *compatibility with surrounding uses*
- Artist Studio - Class B.
- Park or Playground. *safety, impact on character of area*
- Zoo or Botanical Garden. *impact on character of area*

3.2.DW
- Residential Unit associated with and forming an integral part of an Artist Studio - Class B.
- Seniors Supportive or Assisted Housing.

3.2.I [Institutional]
- Ambulance Station. *vehicular circulation and accessibility*
- Child Day Care Facility. *location and safety*
- Detoxification Centre. *location and safety*
- Hospital. *parking, vehicular circulation and accessibility*
- Public Authority Use. *category of facility*
- School - Elementary or Secondary. *safety for children*
- Community Care Facility – Class B.
- Group Residence.

3.2.R [Retail]
- Cannabis Store.
- Farmers' Market. *Compatibility with nearby sites, parking, traffic, noise, hours of operation, size of facility, pedestrian amenity*.
- Grocery Store with Liquor Store. c*ompatibility with surrounding uses*
- Liquor Store. *compatibility with surrounding uses*
- Pawnshop. *compatibility with surrounding uses, pedestrian amenity, number existing, social and policing impacts, hours of operation, vehicular ingress and egress*
- Public Bike Share.
- Secondhand Store. *compatibility with surrounding uses, pedestrian amenity, number of existing, social and policing impacts, hours of operation, vehicular ingress and egress*
- Small-scale Pharmacy.

3.2.S [Service]

- Auction Hall.
- Bed and Breakfast Accommodation.
- Neighbourhood Public House. *parking, vehicular circulation and compatibility with surrounding uses*
- Restaurant - Class 2. *parking, vehicular circulation and compatibility with surrounding uses*
- Short Term Rental Accommodation.
- Wedding Chapel.

3.2.T [Transportation and Storage]

- Mini-storage Warehouse.

3.2.U [Utility and Communication]

- Public Utility. *category of facility*

3.2.Z

- Any other use which is not specifically listed and defined as a use in section 2 of this By-law but which the Director of Planning considers comparable in nature to the uses listed in this Schedule, having regard to the intent of this District Schedule.

3.3 Conditions of Use

3.3.1 All uses listed in this section shall be carried on wholly within a completely enclosed building, except for the following:

(a) parking and loading facilities;
(b) neighbourhood public house;
(c) farmers' market; and
(d) public bike share.

3.3.2 No use listed in section 3.2 of this Schedule shall involve the bulk storage of vegetable oil or fat; fish; fish oil or meal; scrap; junk; lime; fertilizer; compressed gas; explosives; matches; industrial chemicals; paints; varnishes; rags; cotton waste; petroleum, bitumen or tar products or derivatives, or similar flammable products or materials.

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 -- Not Applicable.

4.2 Frontage -- Not Applicable.

4.3 Height

4.3.1 The maximum height of a building shall be 21.4 m or the height existing on June 10, 1986 whichever is greater.

4.4 Front Yard

4.4.1 No front yard shall be permitted.

4.5 Side Yards

4.5.1 No side yards shall be permitted.

4.6 Rear Yard

4.6.1 No rear yard shall be permitted.

4.7 Floor Space Ratio

4.7.1 The floor space ratio must not exceed 5.00, except that:

(a) for a building existing on June 10, 1986, the floor space ratio must not exceed the greater of 5.0 or the floor space ratio existing on June 10, 1986; and
(b) the floor space ratio for dwelling use, including artist studio, must not exceed 3.0.

4.7.1A In computing floor space ratio, each square metre of parking garage above grade is to count as 0.7 square metres.

4.7.1B In the case of:

(a) new construction;
(b) an addition to an existing building that increases the residential floor area; or
(c) a change of use in an existing building that increases the residential floor area;

the floor space ratio for non-residential use must not be less than 1.5.

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

(a) All floors of all buildings, both above and below ground level, to be measured to the extreme outer limits of the buildings.

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

(a) ~~open residential sun~~decks and other features which the Director of Planning considers similar;
(b) patios and roof decks~~gardens~~, provided that the Director of Planning first ~~approves the design of sunroofs and walls~~considers the effect on privacy and overlook;
(c) areas of floors used for accessory off-street parking and loading, the taking on or discharging of passengers, bicycle storage, heating and mechanical equipment or uses which in the opinion of the Director of Planning are similar to the foregoing;
(d) elevator shafts, lockers, common laundry rooms and entrance lobbies, ancillary storage located below grade and basements or cellars in existing buildings;
(e) amenity areas, including child day care facilities, recreation facilities and meeting rooms, provided that the areas are open to and primarily for the use of residents and employees, to a maximum total of 20 percent of the total permitted floor area or 1 000 m, whichever is the lesser; and
(f) all residential storage space above or below base surface, except that if the residential storage space above base surface exceeds 3.7 m² per dwelling unit, there will be no exclusion for any of the residential storage space above base surface for that unit.

4.8 Site Coverage -- Not Applicable.

4.9 [Deleted -- see Parking By-law.]

4.10 Horizontal Angle of Daylight

4.10.1 Each habitable room must have at least one window on an exterior wall of a building.

4.10.2 Each exterior window must be located so that a plane or planes extending from the window and formed by an angle of 50 degrees, or two angles with a sum of 70 degrees, will encounter no obstruction over a distance of 24.0 m.

4.10.3 The plane or planes referred to in section 4.10.2 must be measured horizontally from the centre of the bottom of each window.

4.10.4 The Director of Planning may ~~relax~~ vary the horizontal angle of daylight requirement, if:

(a) the Director of Planning first considers all the applicable policies and guidelines adopted by Council;
(b) the minimum distance of unobstructed view is not less than 2.4 m; and
(c) the building is listed on the Heritage Register or, in the opinion of the Director of Planning, the building has sufficient heritage value or heritage character to justify its conservation.

4.10.5 An obstruction referred to in section 4.10.2 means:

(a) any part of the same building including permitted projections; or
(b) the largest building permitted under the zoning on any adjoining site.

4.10.6 A habitable room referred to in section 4.10.1 does not mean:

(a) a bathroom; or
(b) a kitchen whose floor area is the lesser of:
  (i) 10% or less of the total floor area of the dwelling unit, or
  (ii) 9.3 m^2.

4.11 Vertical Angle of Daylight -- Not Applicable.

4.12 Dedication of Land for Lane Development -- Not Applicable.

4.13 Area of Transparent Surface -- Not Applicable.

4.14 [Deleted -- see Parking By-law.]

4.15 Acoustics -- Not Applicable.

4.16 Building Depth -- Not Applicable.

4.17 External Design

4.17.1 Building facades shall be characterized by the following:

(a) exterior finishing materials of masonry, excluding tile or concrete block, except that lintels, window components, and architectural features may be of other materials, as determined by the Director of Planning;
(b) one natural earth-tone colour or white as the main colour, with lintels, window components and architectural features which may be of one other colour compatible with the main colour and existing streetscape character or of other colours, as determined by the Director of Planning;
(c) the lower four storeys shall be built to the property line while the remaining storeys may terrace back from the property lines.

4.17.2 Windows shall be characterized by the following:

(a) wood frames or alternatives of a compatible frame profile (width and thickness), resulting in a similar visual appearance;
(b) consistent window elements repeated on each facade, where each element shall comprise several glass panes in character with the existing pattern, except that the main floor may have a differing pattern of repetition;
(c) where balconies are provided, the doors shall maintain the same spacing pattern as the windows on that facade;
(d) for renovations or additions to buildings existing on or before June 10, 1986, new windows shall approximately replicate existing windows on that building;
(e) for new construction, windows shall approximately replicate windows existing as of June 10, 1986 on any one of the buildings in this District listed in the Vancouver Heritage Register; or
(f) any proposals varying from the above, as may be determined by the Director of Planning.

4.17.3 Roofs shall be flat except as follows:

(a) shallow-pitched roofs may be permitted, as may be determined by the Director of Planning.

4.17.4 Mechanical equipment shall be enclosed and set back so as not to be visible from street level.

4.17.5 Balconies on external walls shall be recessed.

4.17.6 Main building entrances shall be accentuated by any one of or combination of the following:

(a) awnings made of fabric or metal;
(b) planters;
(c) lighting; or
(d) any proposals varying from the above, as may be determined by the Director of Planning.

4.17.7 Decorative architectural elements may be required to be retained on renovations or additions and may be required to be provided on new construction including any one or more of the following:

(a) window and door decoration;
(b) parapets;
(c) cornices; or
(d) any proposals varying from the above, as may be determined by the Director of Planning.

C-1 District Schedule

1 Intent

The intent of this Schedule is to provide for small-scale convenience commercial establishments, catering typically to the needs of a local neighbourhood and consisting primarily of retail sales and certain limited service functions, and to provide for dwelling uses designed compatibly with commercial uses.

2 Outright Approval Uses

2.1 Subject to all other provisions of this By-law and to compliance with section 2.3 and the regulations of this Schedule, the uses listed in section 2.2 shall be permitted in this 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 located in the rear yard and in no case are less than 3.1 m from the ultimate centre line of any rear or flanking lane;
  (c) the total floor area, measured to the extreme outer limits of the building, of all accessory buildings is not greater than 15 percent of the total area of the site;
  (d) not applicable; [Maximum width]
  (e) not applicable; [Proximity to residential dwelling]
  (f) no accessory building obstructs the horizontal daylight access prescribed in this Schedule for residential use.

- Accessory Uses customarily ancillary to any of the uses listed in this section, provided that unless permitted as an outright approval use pursuant to section 2 of this Schedule, the total floor area of all accessory uses is not greater than 25 percent of the gross floor area of the principal use.

- The Director of Planning may vary the maximum height, floor area and location regulations for accessory buildings and accessory uses except that the relaxed height shall not, in any event, exceed the maximum prescribed in section 4.3.1 nor the floor space exceed 33⅓ percent of the gross floor area of the principal use.

2.2.O [Office]

- General Office.

2.2.R [Retail]

- Grocery or Drug Store except for Small-scale Pharmacy.
- Retail Store.

2.2.S [Service]

- Barber Shop or Beauty Salon.
- Beauty and Wellness Centre.

- Laundromat or Dry Cleaning Establishment.
- Photofinishing or Photography Studio.

- Repair Shop - Class B.
- Restaurant - Class 1.

2.3 Conditions of Use

2.3.1 All commercial uses listed in this section shall be carried on wholly within a completely enclosed building except for the following:

(a) parking and loading facilities;
(b) restaurant;
(c) display of flowers, plants, fruits and vegetables.

2.3.2 All office, retail and service uses shall cater to the day-to-day needs of residents of the local neighbourhood.

2.3.3 The Director of Planning may vary the use conditions of sections 2.3.1 to permit the outdoor display of retail goods or an outdoor eating area in conjunction with a restaurant, and may include such other conditions as the Director of Planning deems necessary, having regard to the types of merchandise, the area and location of the display or eating area with respect to adjoining sites, the hours of operation and the intent of this Schedule.

3 Conditional Approval Uses

3.1 Subject to all other provisions of this By-law, compliance with section 3.3 and the provisions and regulations of this Schedule, the Director of Planning or the Development Permit Board may approve any of the uses listed in section 3.2 of this Schedule, with or without conditions, provided that the Director of Planning or the Development Permit Board 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.A
- Accessory Uses to any of the uses listed in this Schedule, subject to the same provisions as section 2.2.A of this Schedule.

3.2.AG [Agricultural]

- Urban Farm - Class B.

3.2.C [Cultural and Recreational]

- Artist Studio.
- Billiard Hall.
- Bowling Alley.
- Club.
- Community Centre or Neighbourhood House.
- Fitness Centre.
- Library.
- Park or Playground.
- Rink.
- Swimming Pool.

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

3.2.DW [Dwelling]

- Dwelling Units in conjunction with any of the uses listed in this schedule except that no portion of the first storey of a building to a depth of 10.7 m from the front wall of the building and extending across its full width shall be used for residential purposes except for entrances to the residential portion and provided that before making a decision the Director of Planning shall consider the design and livability of the dwelling units.
- Multiple Conversion Dwelling, resulting from the conversion of a building which was in existence prior to June 18, 1956, provided that:
  (a) before making a decision the Director of Planning shall consider the quality and livability of the resulting units, the suitability of the building for conversion in terms of age and size, and the effect of the conversion on adjacent properties and the character of the area;
  (b) building additions shall not be permitted; and
  (c) no housekeeping or sleeping units shall be created.

- Residential Unit associated with and forming an integral part of an Artist Studio.
- Seniors Supportive or Assisted Housing.

3.2.I [Institutional]

- Child Day Care Facility.
- Church.
- Hospital.
- Public Authority Use.
- School - Elementary or Secondary.
- Social Service Centre.
- Community Care Facility – Class B.
- Group Residence.

3.2.O [Office]

- Financial Institution.
- Health Care Office.
- Health Enhancement Centre.

3.2.P [Parking]

- Parking Uses.

3.2.R [Retail]

- Cannabis Store.
- Farmers' Market. *Compatibility with nearby sites, parking, traffic, noise, hours of operation, size of facility, pedestrian amenity*.
- Gasoline Station - Full Serve.
- Gasoline Station - Split Island.
- Grocery Store with Liquor Store.
- Liquor Store.
- Pawnshop.
- Public Bike Share.
- Secondhand Store.
- Small-scale Pharmacy.

3.2.S [Service]

- Bed and Breakfast Accommodation.
- Neighbourhood Public House.
- Print Shop.
- Short Term Rental Accommodation.

3.2.U [Utility and Communication]

- Public Utility.
- Radiocommunication Station.
- Recycling Depot.

3.2.Z
- Any other use which is not specifically listed and defined as a use in Section 2 of this By-law but which the Director of Planning considers comparable in nature to the uses listed in this Schedule, having regard to the intent of this District Schedule.

3.3 Conditions of Use

3.3.1 All commercial uses listed in this section shall be carried on wholly within a completely enclosed building, except for the following:

(a) parking and loading facilities;
(b) full serve and split island gasoline station, except that section 11.13.2 of this By-law continues to apply;
(c) neighbourhood public house;
(d) farmers' market;
(e) public bike share; and
(f) Urban Farm - Class B.

3.3.2 The Director of Planning may vary the use conditions of section 3.3.1 to permit the outdoor display of retail goods or an outdoor eating area in conjunction with a restaurant, and may include such other conditions as the Director of Planning deems necessary, having regard to the types of merchandise, the area and location of the display or eating area with respect to adjoining sites, the hours of operation and the intent of this Schedule.

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 -- Not Applicable.

4.2 Frontage -- Not Applicable.

4.3 Height

4.3.1 The maximum height of a building shall be 9.2 m.

4.3.2 The Director of Planning or the Development Permit Board, as the case may be, may permit an increase in the maximum height of a building to a height not exceeding 10.7 m with respect to any development provided that the Director of Planning or the Development Board, as the case may be, considers:

(a) the height, bulk and location of the building and its effect on the site, surrounding buildings and streets, and existing views;
(b) the extent to which the increase in maximum height allows for roof forms and building design that is sympathetic to buildings in the surrounding neighbourhood;
(c) the intent of this Schedule, all applicable policies and guidelines adopted by Council and the relationship of the development with nearby residential areas; and
(d) the submission of any advisory group, property owner or tenant.

4.4 Front Yard and Setback

4.4.1 No front yard shall be required except that where the front yard of the site adjoins, without the intervention of a lane, the front yard of a site located in an R District, a front yard with a minimum depth of 3.7 m shall be provided.

4.4.2 No parking or loading of vehicles shall be permitted in a front yard or front setback.

4.4.3 The Director of Planning may vary the front yard requirements of section 4.4 to permit the outdoor display of retail goods or an outdoor eating area in conjunction with a restaurant, and may include such other conditions as the Director of Planning deems necessary, having regard to the types of merchandise, the area and location of the display or eating area with respect to adjoining sites, the hours of operation and the intent of this Schedule.

4.5 Side Yards

4.5.1 No side yard shall be required except where the side of the site adjoins, without the intervention of a lane, the side yard of a site located in an R district, in which case a side yard with a minimum width of 10 percent of the width of the site shall be provided, except that it must be a minimum of .9 m and need not be more than 1.5 m in width.

4.5.2 Where a side yard is provided, although not required, the minimum provisions of section 4.5.1 shall apply.

4.5.3 In the case of a corner site, a setback of 1.2 m from the side property line abutting the flanking street shall be required for any parking area.

4.5.4 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 10.27 of this By-law.

4.6 Rear Yard and Setbacks

4.6.1 A rear yard with a minimum depth of 10.7 m shall be provided, except that where the rear of the site abuts a lane, this required minimum depth shall be decreased by the lane width between the rear property line and the ultimate centre line of the lane.

4.6.2 In the case of a site having an average depth of less than 36.5 m, the required rear yard may be reduced in accordance with section 10.29 of this By-law.

4.7 Floor Space Ratio

4.7.1 The floor space ratio shall not exceed 1.20, except that the floor space ratio for dwelling uses shall not exceed 0.75 and, for this purpose an artist studio shall be deemed to be a dwelling use.

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

(a) all floors of all buildings including accessory buildings, both above and below ground level, to be measured to the extreme outer limits of the building.

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

(a) ~~open residential~~ balconies and decks 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~~8% of the ~~residential~~ floor area being provided;

(b) patios and roof decks ~~gardens for residential purposes only~~, provided that the Director of Planning first considers the effect on privacy and overlook.~~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, heating and mechanical equipment or uses which in the opinion of the Director of Planning are similar to the foregoing, those floors or portions thereof so used which:
   (i) are at or below the base surface, provided that the maximum exclusion for a parking space shall not exceed 7.3 m in length; or
   (ii) are above the base surface and where developed as off-street parking are located in an accessory building situated in the rear yard, provided that the maximum exclusion for a parking space shall not exceed 7.3 m in length.

(d) amenity areas, including child day care facilities, recreational facilities and meeting rooms accessory to a residential use, to a maximum total area of 10 percent of the total permitted floor area, provided that for child day care facilities 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; and

(e) all residential storage space above or below base surface, except that if the residential storage space above base surface exceeds 3.7 m² per dwelling unit, there will be no exclusion for any of the residential storage space above base surface for that unit.

4.7.4 The Director of Planning may permit the following to be excluded in the computation of floor space ratio:

(a) enclosed residential balconies, provided that the Director of Planning first considers all applicable policies and guidelines adopted by Council and approves the design of any balcony enclosure, subject to the following:
   (i) the total area of all open and enclosed balcony or ~~sun~~deck exclusions does not exceed eight percent of the residential floor area being provided; and
   (ii) no more than fifty percent of the excluded balcony floor area may be enclosed.

4.8 Site Coverage -- Not Applicable.

4.9 [Deleted -- see Parking By-law.]

4.10 Horizontal Angle of Daylight

4.10.1 Each habitable room must have at least one window on an exterior wall of a building.

4.10.2 Each exterior window must be located so that a plane or planes extending from the window and formed by an angle of 50 degrees, or two angles with a sum of 70 degrees, will encounter no obstruction over a distance of 24.0 m.

4.10.3 The plane or planes referred to in section 4.10.2 must be measured horizontally from the centre of the bottom of each window.

4.10.4 The Director of Planning may ~~relax~~ vary the horizontal angle of daylight requirement, if:

(a) the Director of Planning first considers all the applicable policies and guidelines adopted by Council; and
(b) the minimum distance of unobstructed view is not less than 3.7 m.

4.10.5 An obstruction referred to in section 4.10.2 means:

(a) any part of the same building including permitted projections; or
(b) the largest building permitted under the zoning on any adjoining site.

4.10.6 A habitable room referred to in section 4.10.1 does not mean:

(a) a bathroom; or
(b) a kitchen whose floor area is the lesser of:

(i) 10% or less of the total floor area of the dwelling unit, or
(ii) 9.3 m^2.

4.15 Acoustics

4.15.1 A development permit application for dwelling uses shall require evidence in the form of a report and recommendations prepared by persons trained in acoustics and current techniques of noise measurement demonstrating that the noise levels in those portions of the dwelling units listed below shall not exceed the noise levels expressed in decibels set opposite such portions of the dwelling units. For the purposes of this section the noise level is the A-weighted 24-hour equivalent (Leq) sound level and will be defined simply as the noise level in decibels.

Portions of dwelling units	**Noise levels (Decibels)**
bedrooms	35
living, dining, recreation rooms	40
kitchen, bathrooms, hallways	45

~~5 Relaxation of Regulations~~

~~**5.1** The Director of Planning may relax the maximum height, floor area and location regulations for accessory buildings and accessory uses except that the relaxed height shall not, in any event, exceed the maximum prescribed in section 4.3.1 nor the floor space exceed 33⅓ percent of the gross floor area of the principal use.~~

~~**5.2** The Director of Planning may relax the use conditions of sections 2.3.1 and 3.3.1 and the front yard requirements of section 4.4 to permit the outdoor display of retail goods or an outdoor eating area in conjunction with a restaurant, and may include such other conditions as the Director of Planning deems necessary, having regard to the types of merchandise, the area and location of the display or eating area with respect to adjoining sites, the hours of operation and the intent of this Schedule.~~

C-2 District Schedule

1 Intent

The intent of this Schedule is to provide for a wide range of commercial uses serving both local and city wide needs, as well as residential uses, along arterial streets. This Schedule emphasizes building design that furthers compatibility among uses, ensures livability, limits impact on adjacent residential sites, and contributes to pedestrian interest and amenity.

2 Outright Approval Uses

2.1 Subject to all other provisions of this By-law and to compliance with section 2.3 and the regulations of this Schedule, the uses listed in section 2.2 shall be permitted in this 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 located in the rear yard and in no case are less than 3.1 m from the ultimate centre line of any rear or flanking lane;
  (c) the total floor area, measured to the extreme outer limits of the building, of all accessory buildings is not greater than 15 percent of the total area of the site;
  (d) not applicable; [Maximum width]
  (e) not applicable; [Proximity to residential dwelling]
  (f) no accessory building obstructs the horizontal daylight access prescribed in this Schedule for residential use.

- Accessory Uses customarily ancillary to any of the uses listed in this section, provided that unless permitted as an outright approval use pursuant to section 2 of this Schedule, the total floor area of all accessory uses is not greater than 25 percent of the gross floor area of the principal use.

- The Director of Planning may vary the maximum height, floor area and location regulations for accessory buildings and accessory uses except that the maximum height shall not, in any event, exceed the maximum prescribed in section 4.3.1 nor the floor space exceed 33⅓ percent of the gross floor area of the principal use.

2.2.C [Cultural and Recreational]

- Arts and Culture Indoor Event.
- Bowling Alley.
- Fitness Centre.
- Library.
- Museum or Archives.
- Rink.
- Swimming Pool.

2.2.O [Office]

- Financial Institution.
- General Office.
- Health Care Office.

2.2.R [Retail]

- Grocery or Drug Store except for Small-scale Pharmacy.
- Retail Store.

2.2.S [Service]

- Auction Hall.
- Barber Shop or Beauty Salon.
- Beauty and Wellness Centre.
- Catering Establishment.
- Laundromat or Dry Cleaning Establishment.
- Photofinishing or Photography Studio.
- Print Shop.
- Repair Shop - Class B.
- Restaurant - Class 1.
- School - Business.

2.3 Conditions of Use

2.3.1 All commercial uses listed in this section shall be carried on wholly within a completely enclosed building except for the following:

(a) parking and loading facilities;
(b) restaurant;
(c) display of flowers, plants, fruits and vegetables.

2.3.2 The Director of Planning may vary the use conditions of section 2.3.1 to permit the outdoor display of retail goods, and may include such other conditions as the Director of Planning deems necessary, having regard to the types of merchandise, the area and location of the display with respect to adjoining sites, the hours of operation and the intent of this Schedule.

3 Conditional Approval Uses

3.1 Subject to all other provisions of this By-law, compliance with section 3.3 and the provisions and regulations of this Schedule, the Director of Planning or the Development Permit Board may approve any of the uses listed in section 3.2 of this Schedule, with or without conditions, provided that the Director of Planning or the Development Permit Board 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.A

- Accessory Uses to any of the uses listed in this Schedule, subject to the same provisions as section 2.2.A of this Schedule.

3.2.AG [Agricultural]

- Urban Farm - Class B.

3.2.C [Cultural and Recreational]

- Arcade.
- Artist Studio.
- Billiard Hall.
- Club.
- Community Centre or Neighbourhood House.
- Hall.
- Park or Playground.
- Theatre.
- Zoo or Botanical Garden.

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

3.2.DW [Dwelling]

- Dwelling units in conjunction with any of the uses listed in this schedule except that no portion of the first storey of a building to a depth of 10.7 m from the front wall of the building and extending across its full width shall be used for residential purposes except for entrances to the residential portion.
- Multiple Dwelling, provided that the Director of Planning is of the opinion that the site is suitable for residential use.
- Multiple Conversion Dwelling, resulting from the conversion of a building which was in existence prior to June 18, 1956, provided that:

  (a) before making a decision the Director of Planning shall consider the quality and livability of the resulting units, the suitability of the building for conversion in terms of age and size, and the effect of the conversion on adjacent properties and the character of the area; and
  (b) building additions shall not be permitted.

- Principal Dwelling Unit combined with a Lock-off Unit in conjunction with any of the uses listed in this schedule, except that no portion of the first storey of a building to a depth of 10.7 m from the front wall of the building and extending across its full width may be used for residential purposes unless the purpose is for entrances to the residential portion.
- Principal Dwelling Unit combined with a Lock-off Unit in a Multiple Dwelling if the Director of Planning is of the opinion that the site is suitable for residential use.
- Residential Unit associated with and forming an integral part of an artist studio.
- Seniors Supportive or Assisted Housing.

3.2.I [Institutional]

- Ambulance Station.
- Child Day Care Facility.
- Church.
- Detoxification Centre.
- Hospital.
- Public Authority Use.
- School - Elementary or Secondary.
- School - University or College.
- Social Service Centre.
- Community Care Facility – Class B.
- Group Residence.

3.2.M [Manufacturing]

- Jewellery Manufacturing.
- Printing and Publishing.

3.2.O [Office]

- Health Enhancement Centre.

3.2.P [Parking]

- Parking Uses.

3.2.R [Retail]

- Adult Retail Store.

- Cannabis Store.
- Farmers' Market. *Compatibility with nearby sites, parking, traffic, noise, hours of operation, size of facility, pedestrian amenity*.
- Furniture or Appliance Store.
- Gasoline Station - Full Serve.
- Gasoline Station - Split Island.
- Grocery Store with Liquor Store.
- Liquor Store.
- Pawnshop.
- Public Bike Share.
- Secondhand Store.
- Small-scale Pharmacy.
- Vehicle Dealer.

3.2.S [Service]

- Animal Clinic.
- Bed and Breakfast Accommodation.
- Cabaret.
- Drive-through Service.
- Funeral Home.
- Hotel.
- Motor Vehicle Repair Shop.
- Motor Vehicle Wash.
- Neighbourhood Public House.
- Photofinishing or Photography Laboratory.
- Repair Shop - Class A.
- Restaurant - Class 2.
- Restaurant - Drive-in.
- School - Arts or Self-Improvement.
- School - Vocational or Trade.
- Short Term Rental Accommodation.
- Sign Painting Shop.
- Wedding Chapel.

3.2.T [Transportation and Storage]

- Taxicab or Limousine Station.

3.2.U [Utility and Communication]

- Public Utility.
- Radiocommunication Station.
- Recycling Depot.

3.2.W [Wholesale]

- Lumber and Building Materials Establishment.
- Wholesaling - Class A.
- Wholesaling - Class B.

3.2.Z

- Any other use which is not specifically listed and defined as a use in section 2 of this By-law but which Director of Planning considers comparable in nature to the uses listed in this Schedule, having regard to the intent of this Schedule.

3.3 Conditions of Use

3.3.1 All commercial uses listed in this section shall be carried on wholly within a completely enclosed building, except for the following:

(a) parking and loading facilities;
(b) full serve and split island gasoline station, except that section 11.13.2 of this By-law continues to apply;
(c) vehicle dealer;
(d) drive-in restaurant;
(e) drive-through service;
(f) lumber store;
(g) taxicab or limousine station;
(h) neighbourhood public house;
(i) farmers' market;
(j) public bike share; and
(k) Urban Farm - Class B.

3.3.2 The Director of Planning may vary the use conditions of section 3.3.1 to permit the outdoor display of retail goods, and may include such other conditions as the Director of Planning deems necessary, having regard to the types of merchandise, the area and location of the display with respect to adjoining sites, the hours of operation and the intent of this Schedule.

4 Regulations

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

4.1 Site Area -- Not Applicable.

4.2 Frontage

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

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

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

William St
C-2
Charles St
Garden Dr
Nanaimo St
Kamloops St
Kitchener St
C-2
Grant St
Graveley St

E 6th Ave
C-2
E 7th Ave
E 8th Ave
Garden Dr
Nanaimo St
Kamloops St
E Broadway
E 10th Ave
C-2
E 11th Ave

4.3 Height

4.3.1 The maximum height of a building shall be as follows, and as illustrated in Figure 2:

(a) for 6.1 m measured from the ultimate rear property line, the height of a building, measured from base surface, shall not exceed 4.6 m;
(b) for the next 4.6 m, the height of a building, measured from base surface, shall not exceed 10.7 m; and
(c) for the balance of the site, the height of a building, measured from a plane formed by lines extending horizontally back from the officially established building grades at front property line, shall not exceed 13.8 m.

4.3.2 Despite section 4.3.1, the Director of Planning or Development Permit Board, as the case may be, may permit an increase in the maximum height provided the Director of Planning or Development Permit Board first considers the intent of this Schedule, all applicable policies and guidelines adopted by Council, and the submission of any advisory group, property owner, or tenant.

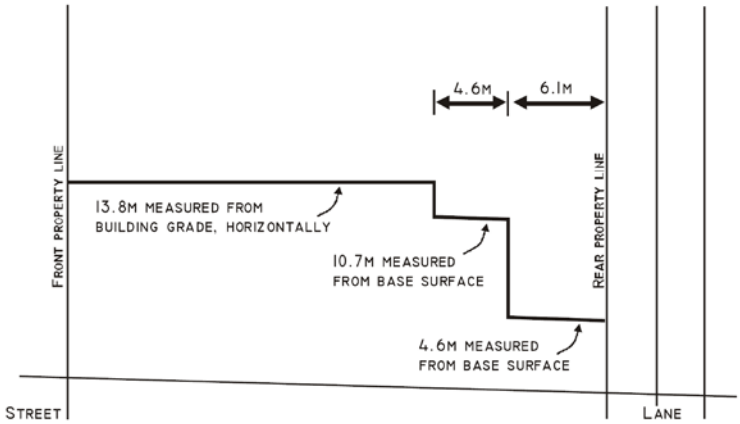


Figure 2. Height

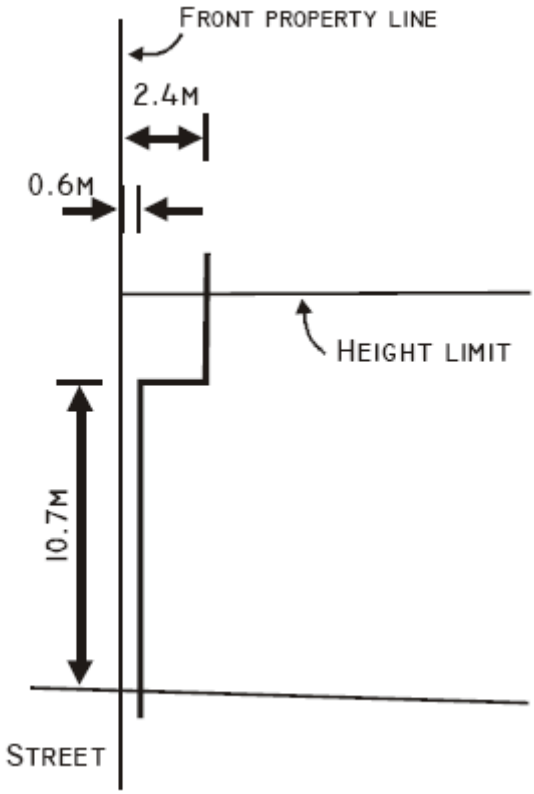
4.4 Front Yard and Setback

4.4.1 The front yard and front setback shall be as follows, and as illustrated in Figure 3:

(a) for portions of a building not containing dwelling uses or community care facilities or group residences, other than just entrances, within 2.0 m above the officially established building grades at the front property line:
  (i) subject to clause (ii), the depth of the yard shall be 0.6 m, and
  (ii) above a height of 10.7 m, measured from a plane formed by lines extending horizontally back from the front property line at grade, the minimum depth of the front setback shall be 2.4 m except that open roof ~~gardens~~ decks may intrude into the setback;
(b) for portions of a building containing dwelling uses or community care facilities or group residences, other than just entrances, within 2.0 m above street grade, the minimum depth of the front yard shall be .6 m and the minimum average depth shall be 3.7 m;
(c) despite subsection (a), if the side of the site adjoins, without the intervention of a lane, the front yard of a site located in an R District, the minimum depth of the front yard shall be 3.7 m for a minimum distance of 3.7 m measured from the adjoining site; and
(d) despite subsection (a), the minimum front setback, measured from the front property line, of any parking area shall be 1.2 m.

4.4.2 Despite section 4.4.1, the Director of Planning may permit a reduced or increased front yard or front setback for portions of the building, provided the Director of Planning first considers the intent of this Schedule and all applicable policies and guidelines adopted by Council.

Figure 3. Front Yard and Setback



4.5 Side Yards and Setback

4.5.1 The side yards and side setback shall be as follows, and as illustrated in Figure 4:

(a) except as otherwise required by this section 4.5.1, no side yard is necessary but if there is a side yard the minimum width shall be .9 m;

(b) if the side of the site adjoins, without the intervention of a lane, the side yard of a site located in an R district, the minimum width of a side yard:

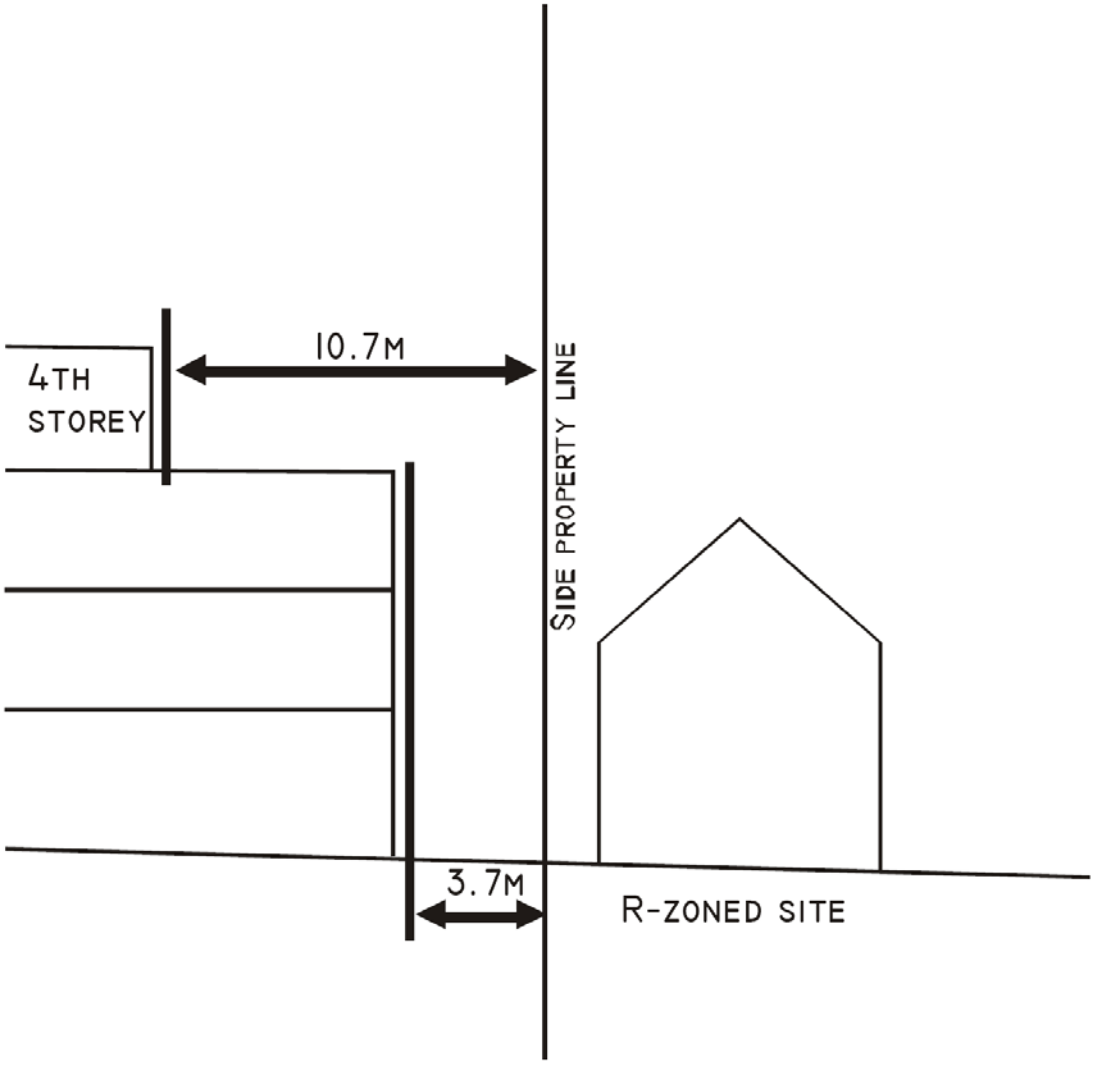
(i) for portions of a building below the fourth storey, shall be 3.7 m, and

(ii) for portions of a building at or above the fourth storey, shall be 10.7 m;

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

(c) on a corner site, the exterior side yard and side setback requirements shall be the same as the front yard and front setback requirements in section 4.4.1 and 4.4.2.

Figure 4. Side Yard and Setback Adjacent



4.6 Rear Yard and Setback

4.6.1 The rear yard and rear setback, measured from the ultimate rear property line, shall be as follows, and as illustrated in Figures 5:

(a) for portions of a building not containing dwelling uses, the minimum depth of the rear yard shall be 0.6 m;

(b) for portions of a building containing dwelling uses, the minimum depth of the rear setback shall be 6.1 m, except that open roof ~~gardens~~ decks may intrude into the setback;

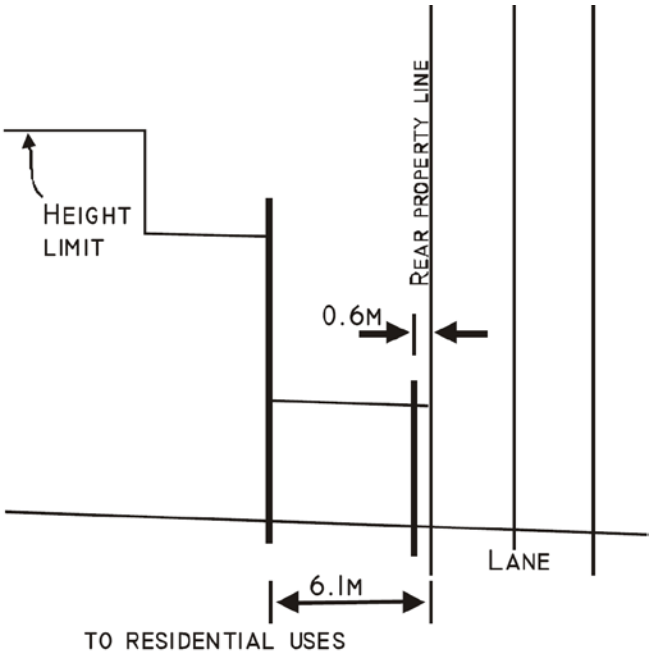
(c) despite subsections (a) and (b), if the rear of the site adjoins, without the intervention of a lane, the side yard of a site located in an R District:

(i) for portions of a building not containing dwelling uses, the minimum depth of the rear yard shall be 3.1 m, and

(ii) for portions of a building containing dwelling uses, the minimum depth of the rear setback behind those portions of the building shall be 6.1 m, except that open roof ~~gardens~~ decks may intrude into the setback.

4.6.2 Despite section 4.6.1, the Director of Planning may permit a reduced rear yard or rear setback provided the Director of Planning first considers the intent of this Schedule and all applicable policies and guidelines adopted by Council.

Figure 5. Rear Yard Setback



4.7 Floor Space Ratio

4.7.1 The floor space ratio shall not exceed .75, except that the Director of Planning, may permit an increase in floor space ratio as follows:

(a) for all uses combined, up to 2.5;
(b) for dwelling uses in conjunction with other uses, up to 1.75 in storeys located above the front street level storey, and up to 0.4 in the front street level storey or below;
(c) for multiple dwelling, up to 2.15; and
(d) for the purpose of subsection(b) and (c), an artist studio shall be deemed to be a dwelling use;

provided the Director of Planning first considers the intent of this Schedule, all applicable policies and guidelines adopted by Council, and the submission of any advisory group or property owner or tenant.

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

(a) all floors of all buildings including accessory buildings, both above and below ground level, to be measured to the extreme outer limits of the building.

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

(a) ~~open residential~~ balconies and decks 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~~8% of the ~~residential~~ floor area being provided;

(b) patios and roof decks~~gardens~~, provided that the Director of Planning first considers the effect on privacy and overlook.~~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, heating and mechanical equipment or uses which in the opinion of the Director of Planning are similar to the foregoing, those floors or portions thereof so used which:

(i) are at or below the base surface, provided that the maximum exclusion for a parking space shall not exceed 7.3 m in length; or

(ii) are above the base surface and where developed as off-street parking are located in an accessory building situated in the rear yard, provided that the maximum exclusion for a parking space shall not exceed 7.3 m in length.

(d) amenity areas, including child day care facilities, recreational facilities and meeting rooms accessory to a residential use, to a maximum total area of 10 percent of the total permitted floor area, provided that for child day care facilities 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; and

(e) all residential storage space above or below base surface, except that if the residential storage space above base surface exceeds 3.7 m² per dwelling unit, there will be no exclusion for any of the residential storage space above base surface for that unit.

4.7.4 The Director of Planning may permit the following to be excluded in the computation of floor space ratio:

(a) enclosed residential balconies, provided that the Director of Planning first considers all applicable policies and guidelines adopted by Council and approves the design of any balcony enclosure, subject to the following:

(i) the total area of all open and enclosed balcony or ~~sun~~deck exclusions does not exceed eight percent of the residential floor area being provided, and

(ii) no more than fifty percent of the excluded balcony floor area may be enclosed.

4.8 Site Coverage -- Not Applicable.

4.9 [Deleted -- see Parking By-law.]

4.10 Horizontal Angle of Daylight

4.10.1 Each habitable room must have at least one window on an exterior wall of a building.

4.10.2 Each exterior window must be located so that a plane or planes extending from the window and formed by an angle of 50 degrees, or two angles with a sum of 70 degrees, will encounter no obstruction over a distance of 24.0 m.

4.10.3 The plane or planes referred to in section 4.10.2 must be measured horizontally from the centre of the bottom of each window.

4.10.4 The Director of Planning may ~~relax~~ vary the horizontal angle of daylight requirement, if:

(a) the Director of Planning first considers all the applicable policies and guidelines adopted by Council; and

(b) the minimum distance of unobstructed view is not less than 3.7 m.

4.10.5 An obstruction referred to in section 4.10.2 means:

(a) any part of the same building including permitted projections; or

(b) the largest building permitted under the zoning on any adjoining site.

4.10.6 A habitable room referred to in section 4.10.1 does not mean:

(a) a bathroom; or
(b) a kitchen whose floor area is the lesser of:
(i) 10% or less of the total floor area of the dwelling unit, or
(ii) 9.3 m^2.

4.11 Dedication of Land for Lane Purposes

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

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

4.12 (Reserved)

4.13 (Reserved)

4.14 Dedication of Land for Sidewalk and Boulevard Purposes

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

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

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

4.15 Acoustics

4.15.1 A development permit application for dwelling uses shall require evidence in the form of a report and recommendations prepared by persons trained in acoustics and current techniques of noise measurement, demonstrating that the noise levels in those portions of the dwelling units listed below shall not exceed the noise levels expressed in decibels set opposite such portions of the dwelling units. For the purposes of this section, the noise level is the A-weighted 24-hour equivalent (Leq) sound level and will be defined simply as the noise level in decibels.

Portions of dwelling units	**Noise levels (Decibels)**
bedrooms	35
living, dining, recreation rooms	40
kitchen, bathrooms, hallways	45

~~5 Relaxation of Regulations~~

~~**5.1** The Director of Planning may relax the maximum height, floor area and location regulations for accessory buildings and accessory uses except that the relaxed height shall not, in any event, exceed the maximum prescribed in section 4.3.1 nor the floor space exceed 33⅓ percent of the gross floor area of the principal use.~~

~~**5.2** The Director of Planning may relax the use conditions of sections 2.3.1 and 3.3.1 to permit the outdoor display of retail goods, and may include such other conditions as the Director of Planning deems necessary, having regard to the type of merchandise, the area and location of the display with respect to adjoining sites, the hours of operation and the intent of this Schedule.~~

C-2B District Schedule

1 Intent

The intent of this Schedule is to provide for a wide range of goods and services, to maintain commercial activities and personal services that require central locations to serve larger neighbourhoods, districts or communities and through discretionary approvals, to encourage good design and proper utilization of the land.

2 Outright Approval Uses

2.1 Subject to all other provisions of this By-law and to compliance with section 2.3 and the regulations of this Schedule, the uses listed in section 2.2 shall be permitted in this 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 located in the rear yard and in no case are less than 3.1 m from the ultimate centre line of any rear or flanking lane;
  (c) the total floor area, measured to the extreme outer limits of the building, of all accessory buildings is not greater than 15 percent of the total area of the site;
  (d) not applicable; [Maximum width]
  (e) not applicable; [Proximity to residential dwelling]
  (f) no accessory building obstructs the horizontal daylight access prescribed in this Schedule for residential use.

- Accessory Uses customarily ancillary to any of the uses listed in this section, provided that unless permitted as an outright approval use pursuant to section 2 of this Schedule, the total floor area of all accessory uses is not greater than 25 percent of the gross floor area of the principal use.

- The Director of Planning may vary the maximum height, floor area and location regulations for accessory buildings and accessory uses except that the maximum height shall not, in any event, exceed the maximum prescribed in section 4.3.1 nor the floor space exceed 33⅓ percent of the gross floor area of the principal use.

2.2.C [Cultural and Recreational]

- Arts and Culture Indoor Event.

2.2.RT [Retail]

- Grocery or Drug Store except for Small-scale Pharmacy.
- Retail Store.

2.2.SV [Service]

- Barber Shop or Beauty Salon.
- Beauty and Wellness Centre.

- Laundromat or Dry Cleaning Establishment.
- Photofinishing or Photography Studio.
- Repair Shop - Class B.

2.3 Conditions of Use

2.3.1 All commercial uses listed in this section shall be carried on wholly within a completely enclosed building except for the following:

(a) parking and loading facilities;
(b) display of flowers, plants, fruits and vegetables.

2.3.2 The Director of Planning may vary the use conditions of section 2.3.1 to permit the outdoor display of retail goods, and may include such other conditions as the Director of Planning deems necessary, having regard to the types of merchandise, the area and location of the display with respect to adjoining sites, the hours of operation and the intent of this Schedule.

3 Conditional Approval Uses

3.1 Subject to all other provisions of this By-law, compliance with section 3.3 and the provisions and regulations of this Schedule, the Director of Planning or the Development Permit Board may approve any of the uses listed in section 3.2 of this Schedule, with or without conditions, provided that the Director of Planning or the Development Permit Board first considers:

(a) the intent of this Schedule and all applicable policies and guidelines adopted by Council;
(b) the submission of any advisory group, property owner or tenant; and
(c) the amount of open space, plazas and landscaping being provided and the impact of the development on the character of the community.

3.2 Uses

3.2.A
- Accessory Uses to any of the uses listed in this Schedule, subject to the same provisions as section 2.2.A of this Schedule.

3.2.AG [Agricultural]

- Urban Farm - Class B.

3.2.C [Cultural and Recreational]

- Artist Studio.
- Billiard Hall.
- Bowling Alley.
- Club.
- Community Centre or Neighbourhood House.
- Fitness Centre.
- Hall.
- Library.
- Museum or Archives.
- Park or Playground.
- Rink.
- Swimming Pool.
- Theatre.
- Zoo or Botanical Garden.

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

3.2.DW [Dwelling]

- Dwelling units in conjunction with any of the uses listed in this Schedule except that no portion of the first storey of a building to a depth of 10.7 m from the front wall of the

building and extending across its full width shall be used for residential purposes except for entrances to the residential portion.

- Multiple Dwelling, provided that the Director of Planning is of the opinion that the site is suitable for residential use.
- Multiple Conversion Dwelling, resulting from the conversion of a building which was in existence prior to June 18, 1956, provided that:
  (a) before making a decision the Director of Planning shall consider the quality and livability of the resulting units, the suitability of the building for conversion in terms of age and size, and the effect of the conversion on adjacent properties and the character of the area; and
  (b) building additions shall not be permitted.
- Principal Dwelling Unit combined with a Lock-off Unit in conjunction with any of the uses listed in this schedule, except that no portion of the first storey of a building to a depth of 10.7 m from the front wall of the building and extending across its full width may be used for residential purposes unless the purpose is for entrances to the residential portion.
- Principal Dwelling Unit combined with a Lock-off Unit in a Multiple Dwelling if the Director of Planning is of the opinion that the site is suitable for residential use.
- Residential Unit associated with and forming an integral part of an artist studio.
- Seniors Supportive or Assisted Housing.

3.2.I [Institutional]

- Ambulance Station.
- Child Day Care Facility.
- Church.
- Detoxification Centre.
- Hospital.
- Public Authority Use.
- School - Elementary or Secondary.
- School - University or College.
- Social Service Centre.
- Community Care Facility – Class B.
- Group Residence.

3.2.M [Manufacturing]

- Clothing Manufacturing.
- Miscellaneous Products Manufacturing - Class B.
- Printing and Publishing.
- Textile or Knit Goods Manufacturing.

3.2.O [Office]

- Office Uses.

3.2.P [Parking]

- Parking Uses.

3.2.R [Retail]

- Cannabis Store.
- Farmers' Market. *Compatibility with nearby sites, parking, traffic, noise, hours of operation, size of facility, pedestrian amenity*.
- Furniture or Appliance Store.
- Gasoline Station - Full Serve.
- Gasoline Station - Split Island.
- Grocery Store with Liquor Store.

- Liquor Store.
- Pawnshop.
- Public Bike Share.
- Secondhand Store.
- Small-scale Pharmacy.
- Vehicle Dealer.

3.2.S [Service]

- Animal Clinic.
- Auction Hall.
- Bed and Breakfast Accommodation.
- Catering Establishment.
- Funeral Home.
- Motor Vehicle Repair Shop.
- Motor Vehicle Wash.
- Neighbourhood Public House.
- Print Shop.
- Restaurant - Class 1.
- School - Arts or Self-Improvement.
- School - Business.
- School - Vocational or Trade.
- Short Term Rental Accommodation.
- Sign Painting Shop.

3.2.U [Utility and Communication]

- Public Utility.
- Radiocommunication Station.
- Recycling Depot.

3.2.W [Wholesale]

- Wholesaling - Class A.
- Wholesaling - Class B.

3.2.Z • Any other use which is not specifically listed and defined as a use in section 2 of this By-law but which the Director of Planning considers comparable in nature to the uses listed in this Schedule, having regard to the intent of this District Schedule.

3.3 Conditions of Use

3.3.1 All commercial uses listed in this section shall be carried on wholly within a completely enclosed building, except for the following:

(a) parking and loading facilities;
(b) full serve and split island gasoline station, except that section 11.13.2 of this By-law continues to apply;
(c) restaurant;
(d) neighbourhood public house;
(e) farmers' market;
(f) public bike share; and
(g) Urban Farm - Class B.

3.3.2 • Manufacturing Uses shall only be permitted subject to the following:

(a) the total floor area in manufacturing use does not exceed 300 m²;

(b) except for entrances to the manufacturing portion and display features which, in the opinion of the Director of Planning, benefit pedestrian character, that portion of the first storey of a building to a depth of 4.5 m from the front wall of the building and extending across its full width shall be used for ancillary retailing purposes, unless the applicant can demonstrate, to the satisfaction of the Director of Planning, that the site is located in a block predominantly developed with auto-oriented retailing or general business commercial uses and that deletion of the required retailing would not adversely affect adjacent uses; and

(c) before granting a permit the Director of Planning shall first be satisfied that there will be no undue adverse effect on uses within the building or on an abutting site.

3.3.3 The Director of Planning may vary the use conditions of section 3.3.1 to permit the outdoor display of retail goods, and may include such other conditions as the Director of Planning deems necessary, having regard to the type of merchandise, the area and location of the display with respect to adjoining sites, the hours of operation and the intent of this Schedule.

4 Regulations

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

All uses approved under sections 2 and 3 of this District Schedule shall be subject to the following regulations, except that the Director of Planning may vary any of the regulations of this Schedule for the following developments:

(a) dwelling units in conjunction with any of the uses listed in this Schedule and residential units associated with and forming an integral part of an Artist Studio, except that the 10.7 m non-residential setback shall not be varied;

(b) office uses, provided that in determining the amount of any variation that may be permitted, the Director of Planning where applicable, consider the amount and quality in the provision of:

(i) landscaping;

(ii) usable resident open space provided by balconies, decks, roof gardens and courtyards;

(iii) individual dwelling units and residential units associated with and forming an integral part of an Artist Studio; and

(iv) light and air available to individual dwelling units and residential units associated with and forming an integral part of an Artist Studio.

4.1 Site Area -- Not Applicable.

4.2 Frontage

The maximum frontage for any commercial use shall be 15.3 m.

4.3 Height

4.3.1 The maximum height of a building shall be 12.2 m except that in the case of a site fronting on a street running east and west, no portion of a building shall extend above an envelope formed by a vertical line measuring 7.3 m in height at the north property line and a plane formed by an angle of 30 degrees measured from the horizontal and having its vertex at the maximum building height permitted at the north property line.

4.3.2 The Director of Planning or the Development Permit Board, as the case may be, may permit an increase in the maximum height of a building to a height not exceeding 15.3 m with respect to

any development and may permit a building which exceeds the envelope, provided the Director of Planning or the Development Permit Board, as the case may be, first considers:

(a) the height, bulk and location of the building and its effect on the site, surrounding buildings and streets, and existing views;
(b) the amount of open space, including plazas, and the effects of overall design on the general amenity of the area;
(c) the intent of this Schedule, all applicable policies and guidelines adopted by Council and the relationship of the development with nearby residential areas; and
(d) the submission of any advisory group, property owner or tenant.

4.4 Front Yard and Setback

4.4.1 For any use listed in Section 2.2, a front yard shall not be permitted and a front setback shall only be permitted where a pedestrian or shopping courtyard or other features benefitting pedestrian character are provided, or where otherwise required by this By-law.

4.4.2 A setback of 1.2 m from the front property line shall be required for any parking area.

4.5 Side Yards and Setback

4.5.1 No side yard shall be required except where the site adjoins, without the intervention of a lane, a site located in an R district, in which case the following side yard requirements shall apply:

(a) where the adjoining site is in an RM district, a side yard with a minimum width of 1.5 m shall be provided adjoining the RM district;
(b) in all other cases, a side yard with a minimum width of .9 m shall be provided, except in the case of a corner site in which case an exterior side yard need not be provided.

4.5.2 Where a side yard is provided, although not required, the minimum provisions of section 4.5.1 shall apply.

4.5.3 In the case of a corner site, a setback of 1.2 m from the side property line abutting the flanking street shall be required for any parking area.

4.6 Rear Yard and Setback

4.6.1 A rear yard with a minimum depth of 3.1 m shall be provided, except that where the rear of the site abuts a lane, this required minimum depth shall be decreased by the lane width between the rear property line and the ultimate centre line of the lane.

4.6.2 Where any portion of a building contains residential uses, that portion shall be set back a minimum of 7.6 m from the rear property line across the full width of the building, except that where the rear of the site abuts a lane, this required minimum setback shall be decreased by the lane width between the rear property line and the ultimate centre line of the lane.

4.7 Floor Space Ratio

4.7.1 The floor space ratio shall not exceed 1.50 in the case of a site used for purely residential uses, and in all other cases 2.50 to be distributed as follows:

(a) uses listed in sections 2.2 and 3.2, but excluding residential uses, to a maximum floor space ratio of 1.00 on the ground or first floor;
(b) uses listed in sections 2.2 and 3.2, but excluding residential uses, to a maximum floor space ratio of 0.50 on the second floor;

(c) residential uses to a maximum floor space ratio of 1.00 if section (b) above has been employed, or 1.50 if section (b) has not been employed, on the second or higher floors; and for the purposes of the computation of floor space ratio, an artist studio and the associated residential unit shall be considered a residential use.

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

(a) all floors of all buildings including accessory buildings, both above and below ground level, to be measured to the extreme outer limits of the building.

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

(a) ~~open residential~~ balconies and decks 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~~8% of the ~~residential~~ floor area being provided;

(b) patios and roof decks~~gardens~~, ~~for residential purposes only~~, provided that ~~-~~the Director of Planning first considers the effect on privacy and overlook.:~~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, heating and mechanical equipment or uses which in the opinion of the Director of Planning are similar to the foregoing, those floors or portions thereof so used which:

(i) are at or below the base surface, provided that the maximum exclusion for a parking space shall not exceed 7.3 m in length; or

(ii) are above the base surface and where developed as off-street parking are located in an accessory building situated in the rear yard, provided that the maximum exclusion for a parking space shall not exceed 7.3 m in length.

(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; and

(e) all residential storage space above or below base surface, except that if the residential storage space above base surface exceeds 3.7 m² per dwelling unit, there will be no exclusion for any of the residential storage space above base surface for that unit.

4.7.4 The Director of Planning may permit the following to be excluded in the computation of floor space ratio:

(a) enclosed residential balconies, provided that the Director of Planning first considers all applicable policies and guidelines adopted by Council and approves the design of any balcony enclosure, subject to the following:

(i) the total area of all open and enclosed balcony or ~~sun~~deck exclusions does not exceed eight percent of the residential floor area being provided; and

(ii) no more than fifty percent of the excluded balcony floor area may be enclosed.

4.8 Site Coverage -- Not Applicable.

4.9 [Deleted -- see Parking By-law.]

4.10 Horizontal Angle of Daylight

4.10.1 Each habitable room must have at least one window on an exterior wall of a building.

4.10.2 Each exterior window must be located so that a plane or planes extending from the window and formed by an angle of 50 degrees, or two angles with a sum of 70 degrees, will encounter no obstruction over a distance of 24.0 m.

4.10.3 The plane or planes referred to in section 4.10.2 must be measured horizontally from the centre of the bottom of each window.

4.10.4 The Director of Planning may ~~relax~~ vary the horizontal angle of daylight requirement, if:

(a) the Director of Planning first considers all the applicable policies and guidelines adopted by Council; and
(b) the minimum distance of unobstructed view is not less than 3.7 m.

4.10.5 An obstruction referred to in section 4.10.2 means:

(a) any part of the same building including permitted projections; or
(b) the largest building permitted under the zoning on any adjoining site.

4.10.6 A habitable room referred to in section 4.10.1 does not mean:

(a) a bathroom; or
(b) a kitchen whose floor area is the lesser of:
  (i) 10% or less of the total floor area of the dwelling unit, or
  (ii) 9.3 m^2.

5 Relaxation of Regulations

~~**5.1** The Director of Planning may relax the maximum height, floor area and location regulations for accessory buildings and accessory uses except that the relaxed height shall not, in any event, exceed the maximum prescribed in section 4.3.1 nor the floor space exceed 33⅓ percent of the gross floor area of the principal use.~~

5.1~~**2**~~ The Director of Planning may relax the maximum frontage regulation in section 4.2, provided that a pedestrian amenity area such as a courtyard or resting area is provided, or where pedestrian interest is otherwise maintained and provided the Director of Planning first considers all applicable policies and guidelines adopted by Council.

~~**5.3** The Director of Planning may relax any of the regulations of this Schedule for the following developments:~~

~~(a) dwelling units in conjunction with any of the uses listed in this Schedule and residential units associated with and forming an integral part of an Artist Studio, except that the 10.7 m non-residential setback shall not be relaxed;~~
~~(b) office uses,~~

~~provided that in determining the amount of any relaxation that may be permitted, the Director of Planning where applicable, the amount and quality in the provision of:~~

~~(i) landscaping;~~
~~(ii) usable resident open space provided by balconies, decks, roof gardens and courtyards;~~
~~(iii) individual dwelling units and residential units associated with and forming an integral part of an Artist Studio; and~~
~~(iv) light and air available to individual dwelling units and residential units associated with and forming an integral part of an Artist Studio.~~

~~**5.4** The Director of Planning may relax the use conditions of sections 2.3.1 and 3.3.1 to permit the outdoor display of retail goods, and may include such other conditions as the Director of Planning deems necessary, having regard to the type of merchandise, the area and location of the display with respect to adjoining sites, the hours of operation and the intent of this Schedule.~~

C-2C District Schedule

1 Intent

The intent of this Schedule is to provide for a wide range of goods and services, to maintain commercial activities and personal services that require central locations to serve larger neighbourhoods, districts or communities and to encourage creation of a pedestrian oriented district shopping area by increasing the residential component and limiting the amount of office use.

2 Outright Approval Uses

2.1 Subject to all other provisions of this By-law and to compliance with section 2.3 and the regulations of this Schedule, the uses listed in section 2.2 shall be permitted in this 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 located in the rear yard;
  (c) the total floor area, measured to the extreme outer limits of the building, of all accessory buildings is not greater than 15 percent of the total area of the site;
  (d) not applicable; [Maximum width]
  (e) not applicable; [Proximity to residential dwelling]
  (f) no accessory building obstructs the horizontal daylight access prescribed in this Schedule for residential use.

- Accessory Uses customarily ancillary to any of the uses listed in this section, provided that unless permitted as an outright approval use pursuant to section 2 of this Schedule, the total floor area of all accessory uses is not greater than 25 percent of the gross floor area of the principal use.

- The Director of Planning may vary the maximum height, floor area and location regulations for accessory buildings and accessory uses except that the maximum height shall not, in any event, exceed the maximum prescribed in section 4.3.1 nor the floor space exceed 33⅓ percent of the gross floor area of the principal use.

2.2.C [Cultural and Recreational]

- Arts and Culture Indoor Event.

2.2.R [Retail]

- Grocery or Drug Store except for Small-scale Pharmacy.
- Retail Store.

2.2.S [Service]

- Barber Shop or Beauty Salon.

- Beauty and Wellness Centre.
- Laundromat or Dry Cleaning Establishment.
- Photofinishing or Photography Studio.
- Repair Shop - Class B.

2.3 Conditions of use

2.3.1 All commercial uses listed in this section shall be carried on wholly within a completely enclosed building except for the following:

(a) parking and loading facilities;
(b) display of flowers, plants, fruits and vegetables.

2.3.2 The Director of Planning may vary the use conditions of section 2.3.1 to permit the outdoor display of retail goods, and may include such other conditions as the Director of Planning deems necessary, having regard to the type of merchandise, the area and location of the display with respect to adjoining sites, the hours of operation and the intent of this Schedule.

3 Conditional Approval Uses

3.1 Subject to all other provisions of this By-law, compliance with section 3.3 and the provisions and regulations of this Schedule, the Director of Planning or the Development Permit Board may approve any of the uses listed in section 3.2 of this Schedule, with or without conditions, provided that the Director of Planning or the Development Permit Board first considers:

(a) the intent of this Schedule and all applicable policies and guidelines adopted by Council;
(b) the submission of any advisory group, property owner or tenant; and
(c) the amount of open space, plazas and landscaping being provided and the impact of the development on the character of the community.

3.2 Uses

3.2.A
- Accessory Uses to any of the uses listed in this Schedule, subject to the same provisions as section 2.2.A of this Schedule.

3.2.AG [Agricultural]
- Urban Farm - Class B.

3.2.C [Cultural and Recreational]
- Artist Studio.
- Billiard Hall.
- Bowling Alley.
- Club.
- Community Centre or Neighbourhood House.
- Fitness Centre.
- Hall.
- Library.
- Museum or Archives.
- Park or Playground.
- Rink.
- Swimming Pool.
- Theatre.
- Zoo or Botanical Garden.

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

3.2.DW [Dwelling]
- Dwelling Units in conjunction with any of the uses listed in this Schedule except that no portion of the first storey of a building to a depth of 10.7 m from the front wall of the

building and extending across its full width shall be used for residential purposes except for entrances to the residential portion.

- Multiple Conversion Dwelling, resulting from the conversion of a building which was in existence prior to June 18, 1956, provided that:
  (a) before making a decision the Director of Planning shall consider the quality and livability of the resulting units, the suitability of the building for conversion in terms of age and size, and the effect of the conversion on adjacent properties and the character of the area;
  (b) building additions shall not be permitted; and
  (c) no housekeeping or sleeping units shall be created.
- Principal Dwelling Unit combined with a Lock-off Unit in conjunction with any of the uses listed in this schedule, except that no portion of the first storey of a building to a depth of 10.7 m from the front wall of the building and extending across its full width may be used for residential purposes unless the purpose is for entrances to the residential portion.
- Residential Unit associated with and forming an integral part of an artist studio.
- Seniors Supportive or Assisted Housing.

3.2.I [Institutional]

- Ambulance Station.
- Child Day Care Facility.
- Church.
- Public Authority Use.
- School - Elementary or Secondary.
- School - University or College.
- Social Service Centre.
- Community Care Facility – Class B.
- Group Residence.

3.2.0 [Office]

- Office Uses.

3.2.R [Retail]

- Cannabis Store.
- Farmers' Market. *Compatibility with nearby sites, parking, traffic, noise, hours of operation, size of facility, pedestrian amenity*.
- Furniture or Appliance Store.
- Gasoline Station - Full Serve.
- Gasoline Station - Split Island.
- Grocery Store with Liquor Store.
- Liquor Store.
- Pawnshop.
- Public Bike Share.
- Secondhand Store.
- Small-scale Pharmacy.

3.2.S [Service]

- Animal Clinic.
- Auction Hall.
- Bed and Breakfast Accommodation.
- Catering Establishment.
- Neighbourhood Public House.
- Print Shop.

- Restaurant - Class 1.
- School - Arts or Self-Improvement.
- School - Business.
- School - Vocational or Trade.
- Short Term Rental Accommodation.

3.2.U [Utility and Communication]

- Public Utility.
- Radiocommunication Station.
- Recycling Depot.

3.2.Z
- Any other use which is not specifically listed and defined as a use in section 2 of this By-law but which the Director of Planning considers comparable in nature to the uses listed in this Schedule, having regard to the intent of this District Schedule.

3.3 Conditions of Use

3.3.1 All commercial uses listed in this section shall be carried on wholly within a completely enclosed building, except for the following:

(a) parking and loading facilities;
(b) full serve and split island gasoline station, except that section 11.13.2 of this By-law continues to apply;
(c) restaurant;
(d) neighbourhood public house;
(e) farmers' market;
(f) public bike share; and
(g) Urban Farm - Class B.

3.3.2 Residential uses only shall be permitted on the third floor of any building, except that this condition may be ~~relaxed~~ varied by the Director of Planning where the Director of Planning is satisfied that residential use is inappropriate or impractical.

3.3.3 No general office except for entrances thereto shall be located within a depth of 10.7 m of the front wall of the building and extending across its full width on that portion of a storey having an elevation within 2.0 m of street grade on the fronting street except for an insurance, travel agency or real estate office. In the case of a site abutting more than one street, the fronting street is to be determined by the Director of Planning.

3.3.4 The Director of Planning may vary the use conditions of section 3.3.1 to permit the outdoor display of retail goods, and may include such other conditions as the Director of Planning deems necessary, having regard to the type of merchandise, the area and location of the display with respect to adjoining sites, the hours of operation and the intent of this Schedule.

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 -- Not Applicable.

4.2 Frontage

The maximum frontage for any commercial use shall be 15.3 m.

4.3 Height

4.3.1 The maximum height of a building shall be 10.7 m except that in the case of a site fronting a street running east and west, no portion of a building shall extend above an envelope formed by a vertical line measuring 7.3 m in height at the north property line and a plane formed by an angle of 30 degrees measured from the horizontal and having its vertex at the maximum building height permitted at the north property line.

4.3.2 The Director of Planning or the Development Permit Board, as the case may be, may permit an increase in the maximum height of a building to a height not exceeding 13.8 m with respect to any development and may permit a building which exceeds the envelope provided the Director of Planning or the Development Permit Board, as the case may be, first considers:

(a) the height, bulk, scale and location of the building and its effect on the site, surrounding buildings and streets, and existing views;
(b) the amount of open space, including plazas, and the effects of overall design on the general amenity of the area;
(c) the intent of this Schedule, all applicable policies and guidelines adopted by Council and the relationship of the development with nearby residential areas; and
(d) the submission of any advisory group, property owner or tenant.

4.4 Front Yard and Setback

4.4.1 The depth of the front yard must be 0.6 m.

4.4.2 For any use listed in Section 2.2, a front setback shall only be permitted where a pedestrian or shopping courtyard or other features benefitting pedestrian character are provided, or where otherwise required by this By-law.

4.4.3 A setback of 1.2 m from the front property line shall be required for any parking area.

4.5 Side Yards and Setback

4.5.1 No side yard shall be required, except that where the site adjoins, without the intervention of a lane, a site located in an R district, the following side yard requirements apply:

(a) where the adjoining site is in an RM district, a side yard with a minimum width of 1.5 m shall be provided adjoining the RM district;
(b) in all other cases, a side yard with a minimum width of .9 m shall be provided, except in the case of a corner site in which case an exterior side yard need not be provided.

4.5.2 Where a side yard is provided, although not required, the minimum provisions of section 4.5.1 shall apply.

4.5.3 In the case of a corner site, a setback of 1.2 m from the side property line abutting the flanking street shall be required for any parking area.

4.6 Rear Yard and Setback

4.6.1 A rear yard with a minimum depth of 3.1 m shall be provided, except that where the rear of the site abuts a lane, this required minimum depth shall be decreased by the lane width between the rear property line and the ultimate centre line of the lane.

4.6.2 Where any portion of a building contains residential uses, that portion shall be set back a minimum of 7.6 m from the rear property line across the full width of the building, except that where the rear of the site abuts a lane, this required minimum setback shall be decreased by the lane width between the rear property line and the ultimate centre line of the lane.

4.7 Floor Space Ratio

4.7.1 The floor space ratio shall not exceed 1.20 in the case of office uses, 1.50 in the case of a site used for purely residential uses, and 3.00 in all other cases and, for this purpose an artist studio shall be deemed to be a dwelling use.

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

(a) all floors of all buildings including accessory buildings, both above and below ground level, to be measured to the extreme outer limits of the building.

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

(a) ~~open residential~~ balconies and decks 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~~8% of the ~~residential~~ floor area being provided;

(b) patios and roof decks~~gardens, for residential purposes only~~, provided that the Director of Planning first considers the effect on privacy and overlook.~~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, heating and mechanical equipment, or uses which in the opinion of the Director of Planning are similar to the foregoing, those floors or portions thereof so used, which:

(i) are at or below the base surface, provided that the maximum exclusion for a parking space shall not exceed 7.3 m in length; or

(ii) are above the base surface and where developed as off-street parking are located in an accessory building situated in the rear yard, provided that the maximum exclusion for a parking space shall not exceed 7.3 m in length.

(d) amenity areas, including child day care facilities, recreation facilities and meeting rooms accessory to a residential use, to a maximum total area of 10 percent of the total permitted floor area; and

(e) all residential storage space above or below base surface, except that if the residential storage space above base surface exceeds 3.7 m² per dwelling unit, there will be no exclusion for any of the residential storage space above base surface for that unit.

4.7.4 The Director of Planning may permit the following to be excluded in the computation of floor space ratio:

(a) enclosed residential balconies, provided that the Director of Planning first considers all applicable policies and guidelines adopted by Council and approves the design of any balcony enclosure, subject to the following:

(i) the total area of all open and enclosed balcony or ~~sun~~deck exclusions does not exceed eight percent of the residential floor area being provided.; and

(ii) no more than fifty percent of the excluded balcony floor area may be enclosed.

4.8 Site Coverage -- Not Applicable.

4.9 [Deleted -- see Parking By-law.]

4.10 Horizontal Angle of Daylight

4.10.1 Each habitable room must have at least one window on an exterior wall of a building.

4.10.2 Each exterior window must be located so that a plane or planes extending from the window and formed by an angle of 50 degrees, or two angles with a sum of 70 degrees, will encounter no obstruction over a distance of 24.0 m.

4.10.3 The plane or planes referred to in section 4.10.2 must be measured horizontally from the centre of the bottom of each window.

4.10.4 The Director of Planning may ~~relax~~ vary the horizontal angle of daylight requirement, if:

(a) the Director of Planning first considers all the applicable policies and guidelines adopted by Council; and
(b) the minimum distance of unobstructed view is not less than 3.7 m.

4.10.5 An obstruction referred to in section 4.10.2 means:

(a) any part of the same building including permitted projections; or
(b) the largest building permitted under the zoning on any adjoining site.

4.10.6 A habitable room referred to in section 4.10.1 does not mean:

(a) a bathroom; or
(b) a kitchen whose floor area is the lesser of:
  (i) 10% or less of the total floor area of the dwelling unit, or
  (ii) 9.3 m^2.

4.11 Dedication of Land for Lane Purposes

4.11.1 Where a site does not abut a lane, or abuts a lane which is less than 6.1 m in width, a portion of the site, as determined by the City Engineer, to a maximum of 3.1 m, shall be dedicated for lane purposes.

4.11.2 Where land is dedicated pursuant to section 4.11.1, it shall be deemed not to reduce the site area for the purpose of calculating floor space ratio.

5 Relaxation of regulations

~~**5.1** The Director of Planning may relax the maximum height, floor area and location regulations for accessory buildings and accessory uses except that the relaxed height shall not, in any event, exceed the maximum prescribed in section 4.3.1 nor the floor space exceed 33⅓ percent of the gross floor area of the principal use.~~

5.1~~2~~ The Director of Planning may relax the maximum frontage regulation in section 4.2, provided that a pedestrian amenity area such as a courtyard or resting area is provided, or where pedestrian interest is otherwise maintained and provided the Director of Planning first considers all applicable policies and guidelines adopted by Council.

~~**5.3** The Director of Planning may relax the use conditions of sections 2.3.1 and 3.3.1 to permit the outdoor display of retail goods, and may include such other conditions as the Director of Planning deems necessary, having regard to the type of merchandise, the area and location of the display with respect to adjoining sites, the hours of operation and the intent of this Schedule.~~

~~**5.4** Despite section 4.4.1, the Director of Planning in the event of unnecessary hardship, may permit a reduced or increased front yard, having regard to the intent of this Schedule and all applicable policies and guidelines adopted by Council.~~

C-2C1 District Schedule

1 Intent

The intent of this Schedule is to provide for a wide range of goods and services, to maintain commercial activities and personal services that require central locations to serve larger neighbourhoods, districts or communities and to encourage creation of a district shopping area by increasing the residential component and limiting the amount of office use.

2 Outright Approval Uses

2.1 Subject to all other provisions of this By-law and to compliance with section 2.3 and the regulations of this Schedule, the uses listed in section 2.2 shall be permitted in this 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 located in the rear yard;
  (c) the total floor area, measured to the extreme outer limits of the building, of all accessory buildings is not greater than 15 percent of the total area of the site;
  (d) not applicable; [Maximum width]
  (e) not applicable; [Proximity to residential dwelling]
  (f) no accessory building obstructs the horizontal daylight access prescribed in this Schedule for residential use.

- Accessory Uses customarily ancillary to any of the uses listed in this section, provided that unless permitted as an outright approval use pursuant to section 2 of this Schedule, the total floor area of all accessory uses is not greater than 25 percent of the gross floor area of the principal use.

- The Director of Planning may vary the maximum height, floor area and location regulations for accessory buildings and accessory uses except that the maximum height shall not, in any event, exceed the maximum prescribed in section 4.3.1 nor the floor space exceed 33⅓ percent of the gross floor area of the principal use.

2.2.C [Cultural and Recreational]

- Arts and Culture Indoor Event.

2.2.RT [Retail]

- Grocery or Drug Store except for Small-scale Pharmacy.
- Retail Store.

2.2.SV [Service]

- Barber Shop or Beauty Salon.
- Beauty and Wellness Centre.

- Laundromat or Dry Cleaning Establishment.
- Photofinishing or Photography Studio.
- Repair Shop - Class B.

2.3 Conditions of Use

2.3.1 All commercial uses listed in this section shall be carried on wholly within a completely enclosed building except for the following:

(a) parking and loading facilities;
(b) display of flowers, plants, fruit and vegetables.

2.3.2 The Director of Planning may vary the use conditions of section 2.3.1 to permit the outdoor display of retail goods, and may include such other conditions as the Director of Planning deems necessary, having regard to the type of merchandise, the area and location of the display with respect to adjoining sites, the hours of operation and the intent of this Schedule

3 Conditional Approval Uses

3.1 Subject to all other provisions of this By-law, compliance with section 3.3 and the provisions and regulations of this Schedule, the Director of Planning or the Development Permit Board may approve any of the uses listed in section 3.2 of this Schedule, with or without conditions, provided that the Director of Planning or the Development Permit Board first considers:

(a) the intent of this Schedule and all applicable policies and guidelines adopted by Council;
(b) the submission of any advisory group, property owner or tenant; and
(c) the amount of open space, plazas and landscaping being provided and the impact of the development on the character of the community.

3.2 Uses

3.2.A
- Accessory Uses to any of the uses listed in this Schedule, subject to the same provisions as section 2.2.A of this Schedule.

3.2.AG [Agricultural]

- Urban Farm - Class B.

3.2.C [Cultural and Recreational]

- Artist Studio.
- Billiard Hall.
- Bowling Alley.
- Club.
- Community Centre or Neighbourhood House.
- Fitness Centre.
- Hall.
- Library.
- Museum or Archives.
- Park or Playground.
- Rink.
- Swimming Pool.
- Theatre.
- Zoo or Botanical Garden.

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

3.2.DW [Dwelling]

- Dwelling Units in conjunction with any of the uses listed in this Schedule except that no portion of the first storey of a building to a depth of 10.7 m from the front wall of the

building and extending across its full width shall be used for residential purposes except for entrances to the residential portion.

- Multiple Conversion Dwelling, resulting from the conversion of a building which was in existence prior to June 18, 1956, provided that:
  (a) before making a decision the Director of Planning shall consider the quality and livability of the resulting units, the suitability of the building for conversion in terms of age and size, and the effect of the conversion on adjacent properties and the character of the area;
  (b) building additions shall not be permitted; and
  (c) no housekeeping or sleeping units shall be created.
- Multiple Dwelling.
- One-Family Dwelling.
- Principal Dwelling Unit combined with a Lock-off Unit in conjunction with any of the uses listed in this schedule, except that no portion of the first storey of a building to a depth of 10.7 m from the front wall of the building and extending across its full width may be used for residential purposes unless the purpose is for entrances to the residential portion.
- Principal Dwelling Unit combined with a Lock-off Unit in a Multiple Dwelling.
- Residential Unit associated with and forming an integral part of an artist studio.
- Two-Family Dwelling.
- Seniors Supportive or Assisted Housing.

3.2.I [Institutional]

- Ambulance Station.
- Child Day Care Facility.
- Church.
- Public Authority Use.
- School - Elementary or Secondary.
- School - University or College.
- Social Service Centre.
- Community Care Facility – Class A, subject to the regulations and ~~relaxations~~ variations that apply to a one-family dwelling.
- Community Care Facility – Class B.
- Group Residence.

3.2.M [Manufacturing]

- Clothing Manufacturing.
- Miscellaneous Products Manufacturing - Class B.
- Printing and Publishing.
- Textiles or Knit Goods Manufacturing.

3.2.0 [Office]

- Office Uses.

3.2.P [Parking]

- Parking Uses.

3.2.R [Retail]

- Cannabis Store.
- Farmers' Market. *Compatibility with nearby sites, parking, traffic, noise, hours of operation, size of facility, pedestrian amenity*.
- Furniture or Appliance Store.
- Gasoline Station - Full Serve.

- Gasoline Station - Split Island.
- Grocery Store with Liquor Store.
- Liquor Store.
- Pawnshop.
- Public Bike Share.
- Secondhand Store.
- Small-scale Pharmacy.
- Vehicle Dealer.

3.2.S [Service]

- Animal Clinic.
- Auction Hall.
- Bed and Breakfast Accommodation.
- Catering Establishment.
- Drive-through Service.
- Funeral Home.
- Motor Vehicle Repair Shop.
- Motor Vehicle Wash.
- Neighbourhood Public House.
- Print Shop.
- Restaurant - Class 1.
- Restaurant - Drive-in.
- School - Arts or Self-Improvement.
- School - Business.
- School - Vocational or Trade.
- Short Term Rental Accommodation.
- Sign Painting Shop.
- Wedding Chapel.

3.2.U [Utility and Communication]

- Public Utility.
- Radiocommunication Station.
- Recycling Depot.

3.2.Z

- Any other use which is not specifically listed and defined as a use in section 2 of this By-law but which the Director of Planning considers comparable in nature to the uses listed in this Schedule, having regard to the intent of this District Schedule.

3.3 Conditions of Use

3.3.1 All commercial uses listed in this section shall be carried on wholly within a completely enclosed building, except for the following

(a) parking and loading facilities;
(b) full serve and split island gasoline station, except that section 11.13.2 of this By-law continues to apply;
(c) restaurant;
(d) drive-in restaurant;
(e) drive-through service;
(f) neighbourhood public house;
(g) farmers' market;
(h) public bike share; and
(i) Urban Farm - Class B.

3.3.2 Residential uses only shall be permitted on the third floor of any building, except that this condition may be ~~relaxed~~ varied by the Director of Planning where the Director of Planning is satisfied that residential use is inappropriate or impractical.

3.3.3 Manufacturing Uses shall only be permitted subject to the following:

(a) the total floor area in manufacturing use does not exceed 300 m²;
(b) except for entrances to the manufacturing portion and display features which, in the opinion of the Director of Planning, benefit pedestrian character, that portion of the first storey of a building to a depth of 4.5 m from the front wall of the building and extending across its full width shall be used for ancillary retailing purposes, unless the applicant can demonstrate, to the satisfaction of Director of Planning, that the site is located in a block predominantly developed with auto-oriented retailing or general business commercial uses and that deletion of the required retailing would not adversely affect adjacent uses; and
(c) before granting a permit the Director of Planning shall first be satisfied that there will be no undue adverse effect on uses within the building or on an abutting site.

3.3.4 No general office except for entrances thereto shall be located within a depth of 10.7 m of the front wall of the building and extending across its full width on that portion of a storey having an elevation within 2.0 m of street grade on the fronting street except for an insurance, travel agency or real estate office. In the case of a site abutting more than one street, the fronting street is to be determined by the Director of Planning.

3.3.5 The Director of Planning may vary the use conditions of section 3.3.1 to permit the outdoor display of retail goods, and may include such other conditions as the Director of Planning deems necessary, having regard to the type of merchandise, the area and location of the display with respect to adjoining sites, the hours of operation and the intent of this Schedule.

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 -- Not Applicable.

4.2 Frontage

The maximum frontage for any commercial use shall be 15.3 m.

4.3 Height

4.3.1 The maximum height of a building shall be 10.7 m except that in the case of a site fronting on a street running east and west, no portion of a building shall extend above an envelope formed by a vertical line measuring 7.3 m in height at the north property line and a plane formed by an angle of 30 degrees measured from the horizontal and having its vertex at the maximum building height permitted at the north property line.

4.3.2 The Director of Planning or the Development Permit Board, as the case may be, may permit an increase in the maximum height of a building to a height not exceeding 13.8 m with respect to any development and may permit a building which exceeds the envelope, provided the Director of Planning or the Development Permit Board, as the case may be, first considers:

(a) the height, bulk, scale and location of the building and its effect on the site, surrounding buildings and streets, and existing views;
(b) the amount of open space, including plazas, and the effects of overall design on the general amenity of the area;

(c) the intent of this Schedule, all applicable policies and guidelines adopted by Council and the relationship of the development with nearby residential areas; and
(d) the submission of any advisory group, property owner or tenant.

4.4 Front Yard and Setback

4.4.1 The depth of the front yard must be 0.6 m.

4.4.2 For any use listed in Section 2.2, a front setback shall only be permitted where a pedestrian or shopping courtyard or other features benefitting pedestrian character are provided, or where otherwise required by this By-law.

4.4.3 A setback of 1.2 m from the front property line shall be required for any parking area.

4.5 Side Yards and Setback

4.5.1 No side yard shall be required except where the site adjoins, without the intervention of a lane, a site located in an R district, the following side yard requirements apply:

(a) where the adjoining site is in an RM district, a side yard with a minimum width of 1.5 m shall be provided adjoining the RM district;
(b) in all other cases, a side yard with a minimum width of .9 m shall be provided, except in the case of a corner site in which case an exterior side yard need not be provided.

4.5.2 Where a side yard is provided, although not required, the minimum provisions of section 4.5.1 shall apply.

4.5.3 In the case of a corner site, a setback of 1.2 m from the side property line abutting the flanking street shall be required for any parking area.

4.6 Rear Yard and Setback

4.6.1 A rear yard with a minimum depth of 3.1 m shall be provided, except that where the rear of the site abuts a lane, this required minimum depth shall be decreased by the lane width between the rear property line and the ultimate centre line of the lane.

4.6.2 Where any portion of a building contains residential uses, that portion shall be set back a minimum of 7.6 m from the rear property line across the full width of the building, except that where the rear of the site abuts a lane, this required minimum setback shall be decreased by the lane width between the rear property line and the ultimate centre line of the lane.

4.7 Floor Space Ratio

4.7.1 The floor space ratio shall not exceed 1.20 in the case of office uses, 1.50 in the case of a site used for purely residential uses, and 3.00 in all other cases and, for this purpose an artist studio shall be deemed to be a dwelling use.

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

(a) all floors of all buildings including accessory buildings, both above and below ground level, to be measured to the extreme outer limits of the building.

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

(a) ~~open residential~~ balconies ~~or~~ and ~~sun~~decks 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~~8% of the ~~residential~~ floor area being provided;

(b) patios and roof decks~~gardens, for residential purposes only~~ provided that the Director of Planning first considers the effect on privacy and overlook.~~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, heating and mechanical equipment, or uses which in the opinion of the Director of Planning are similar to the foregoing, those floors or portions thereof so used, which:

(i) are at or below the base surface, provided that the maximum exclusion for a parking space shall not exceed 7.3 m in length; or

(ii) are above the base surface and where developed as off-street parking are located in an accessory building situated in the rear yard, provided that the maximum exclusion for a parking space shall not exceed 7.3 m in length.

(d) amenity areas, including child day care facilities, recreation facilities and meeting rooms accessory to a residential use, to a maximum total area of 10 percent of the total permitted floor area; and

(e) all residential storage space above or below base surface, except that if the residential storage space above base surface exceeds 3.7 m² per dwelling unit, there will be no exclusion for any of the residential storage space above base surface for that unit.

4.7.4 The Director of Planning may permit the following to be excluded in the computation of floor space ratio:

(a) enclosed residential balconies, provided that the Director of Planning first considers all applicable policies and guidelines adopted by Council and approves the design of any balcony enclosure, subject to the following:

(i) the total area of all open and enclosed balcony or ~~sun~~deck exclusions does not exceed eight percent of the residential floor area being provided.; and

(ii) no more than fifty percent of the excluded balcony floor area may be enclosed.

4.8 Site Coverage -- Not Applicable.

4.9 [Deleted -- see Parking By-law.]

4.10 Horizontal Angle of Daylight

4.10.1 Each habitable room must have at least one window on an exterior wall of a building.

4.10.2 Each exterior window must be located so that a plane or planes extending from the window and formed by an angle of 50 degrees, or two angles with a sum of 70 degrees, will encounter no obstruction over a distance of 24.0 m.

4.10.3 The plane or planes referred to in section 4.10.2 must be measured horizontally from the centre of the bottom of each window.

4.10.4 The Director of Planning may ~~relax~~ vary the horizontal angle of daylight requirement, if:

(a) the Director of Planning first considers all the applicable policies and guidelines adopted by Council; and

(b) the minimum distance of unobstructed view is not less than 3.7 m.

4.10.5 An obstruction referred to in section 4.10.2 means:

(a) any part of the same building including permitted projections; or

(b) the largest building permitted under the zoning on any adjoining site.

4.10.6 A habitable room referred to in section 4.10.1 does not mean:

(a) a bathroom; or
(b) a kitchen whose floor area is the lesser of:
  (i) 10% or less of the total floor area of the dwelling unit, or
  (ii) 9.3 m^2.

.11 Dedication of Land for Lane Purposes

4.11.1 Where a site does not abut a lane, or abuts a lane which is less than 6.1 m in width, a portion of the site, as determined by the City Engineer, to a maximum of 3.1 m, shall be dedicated for lane purposes.

4.11.2 Where land is dedicated pursuant to section 4.11.1, it shall be deemed not to reduce the site area for the purpose of calculating floor space ratio.

5 Relaxation of Regulations

~~**5.1** The Director of Planning may relax the maximum height, floor area and location regulations for accessory buildings and accessory uses except that the relaxed height shall not, in any event, exceed the maximum prescribed in section 4.3.1 nor the floor space exceed 33⅓ percent of the gross floor area of the principal use.~~

5.1~~2~~ The Director of Planning may relax the maximum frontage regulation in section 4.2, provided that a pedestrian amenity area such as a courtyard or resting area is provided, or where pedestrian interest is otherwise maintained and provided the Director of Planning first considers all applicable policies and guidelines adopted by Council.

~~**5.3** The Director of Planning may relax the use conditions of sections 2.3.1 and 3.3.1 to permit the outdoor display of retail goods, and may include such other conditions as the Director of Planning deems necessary, having regard to the type of merchandise, the area and location of the display with respect to adjoining sites, the hours of operation and the intent of this Schedule.~~

~~**5.4** Despite section 4.4.1, the Director of Planning, in the event of unnecessary hardship, may permit a reduced or increased front yard, having regard to the intent of this Schedule and all applicable policies and guidelines adopted by Council.~~

C-3A District Schedule

1 Intent

The intent of this Schedule is to provide for a wide range of goods and services, to maintain commercial activities, specialized services and some light manufacturing enterprises while preserving the character and general amenity of the area and its immediate surroundings, and to provide for dwelling uses designed compatibly with commercial uses.

2 Outright Approval Uses

2.1 Subject to all other provisions of this By-law and to compliance with section 2.3 and the regulations of this Schedule, the uses listed in section 2.2 shall be permitted in this 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 located in the rear yard and in no case are less than 3.1 m from the ultimate centre line of any rear or flanking lane;
  (c) the total floor area, measured to the extreme outer limits of the building, of all accessory buildings is not greater than 15 percent of the total area of the site;
  (d) not applicable; [Maximum width]
  (e) not applicable; [Proximity to residential dwelling]
  (f) no accessory building obstructs the horizontal daylight access prescribed in this Schedule for residential use.

- Accessory Uses customarily ancillary to any of the uses listed in this section, provided that unless permitted as an outright approval use pursuant to section 2 of this Schedule, the total floor area of all accessory uses is not greater than 25 percent of the gross floor area of the principal use.

- The Director of Planning may vary the maximum height, floor area and location regulations for accessory buildings and accessory uses except that the maximum height shall not, in any event, exceed the maximum prescribed in section 4.3.1 nor the floor space exceed 33⅓ percent of the gross floor area of the principal use.

2.2.C [Cultural and Recreational]

- Arts and Culture Indoor Event.
- Bowling Alley.
- Club.
- Community Centre or Neighbourhood House.
- Fitness Centre.
- Hall.
- Library.
- Museum or Archives.
- Rink.

- Swimming Pool.
- Theatre.

2.2.I [Institutional]

- School - University or College.

2.2.0 [Office]

- Financial Institution.
- General Office.
- Health Care Office.

2.2.R [Retail]

- Furniture or Appliance Store.
- Grocery or Drug Store except for Small-scale Pharmacy.
- Retail Store.

2.2.S [Service]

- Auction Hall.
- Barber Shop or Beauty Salon.
- Beauty and Wellness Centre.
- Catering Establishment.
- Laboratory.
- Laundromat or Dry Cleaning Establishment.
- Photofinishing or Photography Studio.
- Print Shop.
- Repair Shop - Class B.
- Restaurant - Class 1.
- School - Business.
- School - Vocational or Trade.
- Sign Painting Shop.

2.3 Conditions of Use

2.3.1 All commercial uses and accessory uses listed in this section shall be carried on wholly within a completely enclosed building except for the following:

(a) parking and loading facilities;
(b) restaurant;
(c) display of flowers, plants, fruits and vegetables.

2.3.2 The Director of Planning may vary the use conditions of section 2.3.1 to permit the outdoor display of retail goods, and may include such other conditions as the Director of Planning deems necessary, having regard to the type of merchandise, the area and location of the display with respect to adjoining sites, the hours of operation and the intent of this Schedule.

3 Conditional Approval Uses

3.1 Subject to all other provisions of this By-law, compliance with section 3.3 and the provisions and regulations of this Schedule, the Director of Planning or the Development Permit Board may approve any of the uses listed in section 3.2 of this Schedule, with or without conditions, provided that the Director of Planning or the Development Permit Board 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.A

- Accessory Uses to any of the uses listed in this Schedule, subject to the same provisions as section 2.2.A of this Schedule.

3.2.AG [Agricultural]

- Urban Farm - Class B.

3.2.C [Cultural and Recreational]

- Arcade.
- Artist Studio.
- Billiard Hall.
- Bingo Hall.
- Casino - Class 1.
- Park or Playground.
- Zoo or Botanical Garden.

3.2.D

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

3.2.DW [Dwelling]

- Dwelling units in conjunction with any of the uses listed in this schedule except that no portion of the first storey of a building to a depth of 10.7 m from the front wall of the building and extending across its full width shall be used for residential purposes except for entrances to the residential portion and provided that before making a decision the Director of Planning shall consider the design and livability of the dwelling units.
- Multiple Dwelling, provided that the Director of Planning is of the opinion that the site is suitable for residential use.
- Multiple Conversion Dwelling, resulting from the conversion of a building which was in existence prior to June 18, 1956, provided that:

  (a) before making a decision the Director of Planning shall consider the quality and livability of the resulting units, the suitability of the building for conversion in terms of age and size, and the effect of the conversion on adjacent properties and the character of the area; and
  (b) building additions shall not be permitted.

- Principal Dwelling Unit combined with a Lock-off Unit in conjunction with any of the uses listed in this schedule, except that no portion of the first storey of a building to a depth of 10.7 m from the front wall of the building and extending across its full width may be used for residential purposes unless the purpose is for entrances to the residential portion, and, with respect only to the C-3A District Schedule, the Director of Planning, before making a decision, considers the design and livability of the dwelling units.
- Principal Dwelling Unit combined with a Lock-off Unit in a Multiple Dwelling if the Director of Planning is of the opinion that the site is suitable for residential use.
- Residential Unit associated with and forming an integral part of an artist studio.
- Seniors Supportive or Assisted Housing.

3.2.I [Institutional]

- Ambulance Station.
- Child Day Care Facility.
- Church.
- Detoxification Centre.
- Hospital.
- Public Authority Use.
- School - Elementary or Secondary.
- Social Service Centre.
- Community Care Facility – Class B.

- Group Residence.

3.2.M [Manufacturing]

- Clothing Manufacturing.
- Dairy Products Manufacturing.
- Food or Beverage Products Manufacturing - Class B.
- Ice Manufacturing.
- Jewellery Manufacturing.
- Miscellaneous Products Manufacturing - Class B.
- Printing or Publishing.
- Textiles or Knit Goods Manufacturing.

3.2.O [Office]

- Health Enhancement Centre.

3.2.P [Parking]

- Parking Uses.

3.2.R [Retail]

- Farmers' Market. *Compatibility with nearby sites, parking, traffic, noise, hours of operation, size of facility, pedestrian amenity*.
- Adult Retail Store.
- Cannabis Store.
- Gasoline Station - Full Serve.
- Gasoline Station - Split Island.
- Grocery Store with Liquor Store.
- Liquor Store.
- Pawnshop.
- Public Bike Share.
- Secondhand Store.
- Small-scale Pharmacy.
- Vehicle Dealer.

3.2.S [Service]

- Animal Clinic.
- Bed and Breakfast Accommodation.
- Cabaret.
- Drive-through Service.
- Funeral Home.
- Hotel.
- Motor Vehicle Repair Shop.
- Motor Vehicle Wash.
- Neighbourhood Public House.
- Photofinishing or Photography Laboratory.
- Production or Rehearsal Studio.
- Repair Shop - Class A.
- Restaurant - Class 2.
- Restaurant - Drive-in.
- School - Arts or Self-Improvement.
- Short Term Rental Accommodation.
- Wedding Chapel.

3.2.T [Transportation and Storage]

- Mini-storage Warehouse.

- Storage Warehouse.
- Taxicab or Limousine Station.

3.2.U [Utility and Communication]

- Public Utility.
- Radiocommunication Station.
- Recycling Depot.

3.2.W [Wholesale]

- Lumber and Building Materials Establishment.
- Wholesaling - Class A.
- Wholesaling - Class B.

3.2.Z
- Any other use which is not specifically listed and defined as a use in section 2 of this By-law but which the Director of Planning considers comparable in nature to the uses listed in this Schedule, having regard to the intent of this District Schedule.

3.3 Conditions of Use

3.3.1 All commercial uses listed in this section shall be carried on wholly within a completely enclosed building, except for the following:

(a) parking and loading facilities;
(b) full serve and split island gasoline station, except that section 11.13.2 of this By-law continues to apply;
(c) vehicle dealer;
(d) drive-in restaurant;
(e) drive-through service;
(f) lumber store;
(g) taxicab or limousine station;
(h) neighbourhood public house;
(i) farmers' market;
(j) public bike share; and
(k) Urban Farm - Class B.

3.3.2 The Director of Planning may vary the use conditions of section 3.3.1 to permit the outdoor display of retail goods, and may include such other conditions as the Director of Planning deems necessary, having regard to the type of merchandise, the area and location of the display with respect to adjoining sites, the hours of operation and the intent of this Schedule.

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 -- Not Applicable.

4.2 Frontage -- Not Applicable.

4.3 Height

4.3.1 The maximum height of a building shall be 9.2 m.

4.3.2 The Director of Planning or the Development Permit Board may permit an increase in the maximum height of a building with respect to any development, provided that the Director of Planning or the Development Permit Board first considers:

(a) the intent of this Schedule, all applicable policies and guidelines adopted by Council and the relationship of the development with nearby residential areas;
(b) the height, bulk, location and overall design of the building and its effect on the site, surrounding buildings and streets and existing views;
(c) the amount of open space, including plazas, and the effects of overall design on the general amenity of the area;
(d) the provision for pedestrian needs;
(e) the preservation of the character and general amenity desired for the area; and
(f) the submission of any advisory group, property owner or tenant.

4.4 Front Yard and Setback

4.4.1 No front yard shall be required.

4.4.2 A setback of 1.2 m from the front property line shall be required for any parking area.

4.5 Side Yards and Setback

4.5.1 No side yard shall be required, except that where the site adjoins, without the intervention of a lane, a site located in an R district, in which case the following side yard requirements apply:

(a) where the adjoining site is in an RM district, a side yard with a minimum width of 1.5 m shall be provided adjoining the RM district;
(b) in all other cases, a side yard with a minimum width of .9 m shall be provided, except in the case of a corner site in which case an exterior side yard need not be provided.

4.5.2 Where a side yard is provided, although not required, the minimum provisions of section 4.5.1 shall apply.

4.5.3 In the case of a corner lot, a setback of 1.2 m from the side property line abutting the flanking street shall be required for any parking area.

4.6 Rear Yard and Setback

4.6.1 A rear yard with a minimum depth of 3.1 m shall be provided, except that where the rear of the site abuts a lane, this required minimum depth shall be decreased by the lane width between the rear property line and the ultimate centre line of the lane.

4.6.2 Where any portion of a building contains residential uses, that portion shall be set back a minimum of 7.6 m from the rear property line across the full width of the building, except that where the rear of the site abuts a lane, this required minimum setback shall be decreased by the lane width between the rear property line and the ultimate centre line of the lane.

4.7 Floor Space Ratio

4.7.1 The floor space ratio shall not exceed 1.00, except that:

(a) the Director of Planning or the Development Permit Board may permit an increase in floor space ratio to a maximum of 3.00, if the Director of Planning or the Development Permit Board first considers:
  (i) the intent of this Schedule, all applicable Council policies and guidelines and the relationship of the development with nearby residential areas,
  (ii) the height, bulk, location and overall design of the building and its effect on the site, surrounding buildings and streets, and existing views,
  (iii) the amount of open space, including plazas, and the effects of overall design on the general amenity of the area,

(iv) the effect of the development on traffic in the area,
(v) the provision for pedestrian needs, and
(vi) the design and livability of any dwelling uses; and

(b) despite the provisions of subsection 4.7.1(a), if the Director of Planning or the Development Permit Board first considers the intent of this district schedule, all applicable Council policies and guidelines and the submissions of any advisory groups, property owners or tenants, and there is no heritage density available for transfer, the Director of Planning or the Development Permit Board may permit an additional increase in permitted floor area of one m^2 for each amenity share provided to the city at no cost to the city, to a maximum increase of 10% above the maximum permitted floor space ratio.

4.7.2 In this district schedule, amenity means conservation of protected heritage property.

4.7.3 For the purposes of this district schedule, the cost of an amenity share is the amount specified per m^2 in the Heritage Amenity Share Cost Schedule G.

4.7.4 Notwithstanding the provisions of subsection 4.7.1, the maximum floor space ratio achievable as a result of the provision of amenity shares must otherwise comply in all respects with this district schedule and this by-law.

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

(a) all floors of all buildings including accessory buildings, both above and below ground level, to be measured to the extreme outer limits of the building; and
(b) in dwelling units and artists studios, where the distance from a floor to the floor above, or where there is no floor above, to the top of the roof rafters or deck, exceeds 3.7 m, an additional amount equal to the area of the floor below the excess height, except that the Director of Planning may exclude additional height in combination with:
(i) an undeveloped floor area beneath roof elements which are, in the opinion of the Director of Planning, solely for decorative purposes and to which the only means of access is a hatch, residential lobby or mechanical penthouse, or
(ii) 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.

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

(a) ~~open residential~~ balconies and decks 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~~8% of the ~~residential~~ floor area being provided;
(b) patios and roof decks, provided that the Director of Planning first considers the effect on privacy and overlook~~.~~;
(c~~b~~) amenity areas for the social and recreational enjoyment of residents and employees, or providing a service to the public, including facilities for general fitness, general recreation and child day care, provided that:
(i) the total area being excluded shall not exceed the lesser of 20 percent of the permitted floor space or 1 000 m^2 ; and
(ii) in the case of a child day care centre, the Director of Planning, on the advice of the Director of Social Planning, is satisfied of the need for the facility in the immediate neighbourhood.
(d~~c~~) where floors are used for off-street parking and loading, the taking on or discharging of passengers, bicycle storage, heating and mechanical equipment, or uses which in the opinion of the Director of Planning are similar to the foregoing, those floors or portions thereof so used, which:

(i) are at or below the base surface, provided that the maximum exclusion for a parking space shall not exceed 7.3 m in length; or
(ii) are above the base surface and where developed as off-street parking are located in an accessory building situated in the rear yard, provided that the maximum exclusion for a parking space shall not exceed 7.3 m in length; and

(d) all residential storage space above or below base surface, except that if the residential storage space above base surface exceeds 3.7 m² per dwelling unit, there will be no exclusion for any of the residential storage space above base surface for that unit.

4.7.7 The Director of Planning may permit the following to be excluded in the computation of floor space ratio:

(a) enclosed residential balconies, provided that the Director of Planning first considers all applicable policies and guidelines adopted by Council and approves the design of any balcony enclosure, subject to the following:
(i) the total area of all open and enclosed balcony or ~~sun~~deck exclusions does not exceed eight percent of the residential floor area being provided; and
(ii) no more than fifty percent of the excluded balcony floor area may be enclosed;

(b) interior public space, including atria and other similar spaces, provided that:
(i) the excluded area shall not exceed the lesser of l0 percent of the permitted floor area or 600 m²;
(ii) the excluded area shall be secured by covenant and right of way in favour of the City of Vancouver which set out public access and use; and
(iii) the Director of Planning first considers all applicable policies and guidelines adopted by Council.

4.7.8 The Development Permit Board may increase the allowable floor space ratio by a maximum of 10 percent where the increase results from a transfer of heritage density, except that this provision shall not apply to a development where there has been an increase in floor space ratio pursuant to section 4.7.1(b).

For the purposes of this section "heritage density" means density provided as compensation for a heritage designation, which is transferred from the site of the designated heritage property to another site in accordance with Council's Transfer of Density Policy and Procedure.

4.9 [Deleted -- see Parking By-law.]

4.10 Horizontal Angle of Daylight

4.10.1 Each habitable room must have at least one window on an exterior wall of a building.

4.10.2 Each exterior window must be located so that a plane or planes extending from the window and formed by an angle of 50 degrees, or two angles with a sum of 70 degrees, will encounter no obstruction over a distance of 24.0 m.

4.10.3 The plane or planes referred to in section 4.10.2 must be measured horizontally from the centre of the bottom of each window.

4.10.4 The Director of Planning or Development Permit Board may ~~relax~~ vary the horizontal angle of daylight requirement, if:

(a) the Director of Planning or Development Permit Board first considers all the applicable policies and guidelines adopted by Council; and
(b) the minimum distance of unobstructed view is not less than 3.7 m.

4.10.5 An obstruction referred to in section 4.10.2 means:

(a) any part of the same building including permitted projections; or
(b) the largest building permitted under the zoning on any adjoining site.

4.10.6 A habitable room referred to in section 4.10.1 does not mean:

(a) a bathroom; or
(b) a kitchen whose floor area is the lesser of:
  (i) 10% or less of the total floor area of the dwelling unit, or
  (ii) 9.3 m^2.

4.15 Acoustics

4.15.1 A development permit application for dwelling uses shall require evidence in the form of a report and recommendations prepared by persons trained in acoustics and current techniques of noise measurement demonstrating that the noise levels in those portions of the dwelling units listed below shall not exceed the noise levels expressed in decibels set opposite such portions of the dwelling units. For the purposes of this section the noise level is the A-weighted 24-hour equivalent (Leq) sound level and will be defined simply as the noise level in decibels.

Portions of dwelling units	**Noise levels (Decibels)**
bedrooms	35
living, dining, recreation rooms	40
kitchen, bathrooms, hallways	45

5 Relaxation of Regulations

~~**5.1** The Director of Planning may relax the maximum height, floor area and location regulations for accessory buildings and accessory uses except that the relaxed height shall not, in any event, exceed the maximum prescribed in section 4.3.1 nor the floor space exceed 33 ⅓ percent of the gross floor area of the principal use.~~

5.1~~**2**~~ Where a need for any public, social, cultural or recreational facility has been demonstrated to the satisfaction of the Development Permit Board, the Board may ~~permit~~ relax for any one building, which includes one or more of such facilities, ~~an increase in~~ the maximum floor space ratio or density of a building and may require that any such facility be preserved in the public domain by way of a registered agreement and operated by the City or its delegates.

In determining the amount of the increase in floor area or density that may be permitted, the Development Permit Board shall consider:

(a) the construction cost of the facility;
(b) any costs to the developer of continuing maintenance required for the facility;
(c) the rental value of the increased floor area;
(d) the value of any authorized relaxation of other restrictions; and
(e) the opinion of City Council.

~~**5.3** The Director of Planning may relax the use conditions of sections 2.3.1 and 3.3.1 to permit the outdoor display of retail goods, and may include such other conditions as the Director of Planning deems necessary, having regard to the type of merchandise, the area and location of the display with respect to adjoining sites, the hours of operation and the intent of this Schedule~~.

C-5, C-5A and C-6 Districts Schedule

(West End Commercial Districts)

1 Intent

The intent of this Schedule is to provide for retail and services uses and forms of development compatible with the primarily residential character of the West End and to provide for dwelling units in C-5A and C-6 designed to be compatible with commercial uses. This schedule encourages external building design, the scale and function of which is oriented towards pedestrians. The C-5 district provides opportunities for commercial uses throughout the district and opportunities for nightlife in the Davie Village. The C-5A district differs from the C-5 district because C-5A provides density bonuses for social housing and secured market rental housing. The C-6 district differs from the C-5 and C-5A Districts because the C-6 district provides a transition between the Downtown and the West End by permitting a greater density and scale than the C-5 and C-5A districts.

2 Outright Approval Uses

2.1 Subject to all other provisions of this By-law and to compliance with section 2.3 and the regulations of this Schedule, the uses listed in section 2.2 shall be permitted as specified in sections 2.2.1 and 2.2.2 and shall be issued a permit.

2.2 Uses

2.2.1 The uses listed in section 2.2.1 shall be permitted in the C-5, C-5A and C-6 Districts.

2.2.1.A
- Accessory uses customarily ancillary to any of the uses listed in this section provided that, unless permitted as an outright approval use pursuant to section 2 of this Schedule, the total floor area of all accessory uses is not greater than 25 % of the gross floor area of the principal use.

2.2.1.C [Cultural and Recreational]

- Arts and Culture Indoor Event.
- Billiard Hall.
- Bowling Alley.
- Club.
- Community Centre or Neighbourhood House.
- Fitness Centre.
- Library.
- Museum or Archives.
- Rink.
- Swimming Pool.
- Theatre.

2.2.1.I [Institutional]

- Child Day Care Facility.
- School - Elementary or Secondary.
- School - University or College.
- Social Service Centre.

2.2.1.O [Office]

- Financial Institution.
- General Office.
- Health Care Office.

2.2.1.R [Retail]

- Furniture or Appliance Store.
- Grocery or Drug Store except for Small-scale Pharmacy.
- Retail Store.

2.2.1.S [Service]

- Animal Clinic.
- Barber Shop or Beauty Salon.
- Beauty and Wellness Centre.
- Catering Establishment.
- Laundromat or Dry Cleaning Establishment.
- Photofinishing or Photography Studio.
- Repair Shop - Class B.
- Restaurant - Class 1.
- School - Arts or Self-Improvement.
- School - Business.
- School - Vocational or Trade.

2.2.2 The use listed in section 2.2.2 shall be permitted in the C-6 District.

2.3 Conditions of Use

2.3.1 All commercial uses listed in section 2.2 of this Schedule and accessory uses thereto shall be carried on wholly within a completely enclosed building except for the following:

(a) parking and loading activities;
(b) restaurant;
(c) display of flowers, plants, fruits and vegetables;
(d) child day care facility.

2.3.2 In C-5A and C-6 no portion of any floor of a dwelling unit, club, social service centre, or child day care facility except for entrances shall be permitted within 2.0 m of street grade along a fronting street or a flanking street if the adjoining site on the flanking street is in a C district.

3 Conditional Approval Uses

3.1 Subject to all other provisions of this By-law, compliance with section 3.3 and the provisions and regulations of this Schedule, the Director of Planning or the Development Permit Board may approve any of the uses listed in section 3.2 as specified in sections 3.2.1 and 3.2.2, with or without conditions, provided that the Director of Planning or the Development Permit Board first considers:

(a) the intent of this Schedule and all applicable policies and guidelines adopted by Council;
(b) the submission of any advisory group, property owner or tenant; and
(c) the appropriateness of the use with respect to the items which are shown in italics following the use.

3.2 Uses

3.2.1 The uses listed in section 3.2.1 may be permitted in the C-5, C-5A and C-6 Districts.

3.2.1.A
- Accessory Uses customarily ancillary to any of the uses listed in this section, subject to the same provisions as section 2.2.1.A of this Schedule.

3.2.1.AG [Agricultural]

- Urban Farm - Class B.

3.2.1.C [Cultural and Recreational]

- Artist Studio.

3.2.1.D
- Deposition or extraction of material so as to alter the configuration of the land. impact on character of the area, pedestrian amenity.

3.2.1.I [Institutional]

- Ambulance Station. *compatibility with surrounding uses, pedestrian amenity, vehicular ingress and egress*
- Detoxification Centre. *compatibility with surrounding uses, size*
- Public Authority Use. *compatibility with surrounding uses, pedestrian amenity, vehicular ingress and egress*

3.2.1.O [Office]

- Health Enhancement Centre.

3.2.1.P [Parking]

- Parking Area. *pedestrian amenity, compatibility with surrounding uses*

3.2.1.R [Retail]

- Adult Retail Store.
- Cannabis Store.
- Farmers' Market. *Compatibility with nearby sites, parking, traffic, noise, hours of operation, size of facility, pedestrian amenity.*
- Gasoline Station - Full Serve. . *compatibility with surrounding uses, pedestrian amenity, number existing, vehicular ingress and egress*
- Gasoline Station - Split Island. . *compatibility with surrounding uses, pedestrian amenity, number existing, vehicular ingress and egress*
- Grocery Store with Liquor Store. *compatibility with surrounding uses, number existing, hours of operation, social and policing impacts, vehicular ingress and egress*
- Liquor Store. *compatibility with surrounding uses, number existing, hours of operation, social and policing impacts, vehicular ingress and egress*
- Pawnshop. *compatibility with surroundings uses, pedestrian amenity, number existing, social and policing impacts, hours of operation, vehicular ingress and egress*
- Public Bike Share.
- Secondhand Store. *compatibility with surrounding uses, pedestrian amenity, number existing, social and policing impacts, hours of operation, vehicular ingress and egress*
- Small-scale Pharmacy.

3.2.1.S [Service]

- Bed and Breakfast Accommodation.
- Cabaret. parking, vehicular circulation, *compatibility with surrounding uses and noise control.*
- Hotel, *design compatibility with any proximate residential area, size of liquor facilities, noise control, parking, loading, taxi and bus ingress and egress.*
- Neighbourhood Public House. *vehicular circulation, compatibility with surrounding uses*

- Print Shop.
- Restaurant - Class 2. *parking, vehicular circulation, compatibility with surrounding uses and noise control.*
- Short Term Rental Accommodation.

3.2.1.U [Utility and Communication]

- Public Utility. *compatibility with surrounding uses, pedestrian amenity, category of facility*
- Recycling Depot.

3.2.1.Z
- Any other use which is not specifically listed and defined as a use in section 2 of this By-law but which the Director of Planning considers comparable in nature to the uses listed in this Schedule, having regard to the intent of this District Schedule.

3.2.2 The uses listed in section 3.2.2 shall be permitted in the C-5 District.

3.2.2.DW [Dwelling]

- Dwelling uses existing on or before February 4, 2014.
- Seniors Supportive or Assisted Housing, existing on or before February 4, 2014.

3.2.2.I [Institutional]

- Community Care Facility – Class B, existing on or before February 4, 2014.
- Group Residence, existing on or before February 4, 2014.

3.2.3 The uses listed in section 3.2.3 may be permitted in the C-5A and C-6 Districts.

3.2.3.DW [Dwelling]

- Dwelling Units in conjunction with any of the uses listed in this section, *compatibility with use*.
- Residential Unit associated with and forming an integral part of an artist studio.
- Seniors Supportive or Assisted Housing.

3.2.3.I [Institutional]

- Community Care Facility – Class B.
- Group Residence.

3.3 Conditions of Use

3.3.1 All commercial uses listed in this section shall be carried on wholly within a completely enclosed building, except for the following:

(a) parking and loading facilities;
(b) full service gasoline station, except that section 11.13.2 of this By-law continues to apply;
(c) neighbourhood public house;
(d) restaurant;
(e) farmers' market;
(f) public bike share; and
(g) Urban Farm - Class B.

3.3.2 In C-5 no portion of any floor of a dwelling unit or community care facility or group residence except for entrances shall be permitted within 2.0 m of street grade along the fronting street or a flanking street if the adjoining site on the flanking street is in a C district.

4 Regulations

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

4.1 Site Area -- Not Applicable.

4.2 Frontage

4.2.1 In C-5 and C-5A the maximum frontage for each individual occupancy located on a floor having an elevation within 2.0 m of street grade except a community centre, gasoline service station, parking area, and public school shall be 7.7 m. In C-6, this regulation is not applicable.

4.2.2 The Director of Planning or the Development Permit Board, as the case may be, may ~~relax~~ permit an increase in the maximum frontage regulation in section 4.2.1 in the case of a grocery or drug store existing as of May 18, 1993, and for other retail or service uses on the same site, provided that:

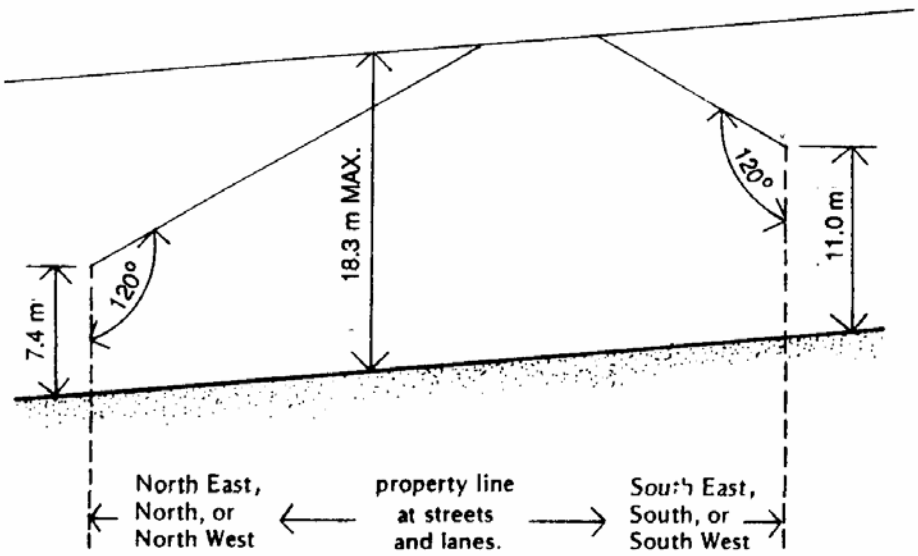
(a) the Director of Planning or the Development Permit Board first considers the intent of this Schedule and is satisfied that the scale of development at the street property line will relate to pedestrians;
(b) the site has a frontage exceeding 45.8 m as of May 18, 1993;
(c) no more than a total of 50 % of the frontage of the site is occupied by grocery or drug store, or grocery store with liquor store, use and their departments except that this total amount shall be interspersed with other retail or service uses; and
(d) windows at the street property line are clear-glazed and unobstructed so that the interior of the premises are at all times visible from the sidewalk.

For the purpose of this section 4.2.2 any department of a grocery, or drug store, or grocery store with liquor store, which has its own check-out facility and entrance/exit door to the street shall be deemed to be an individual occupancy.

4.3 Height

4.3.1 The maximum height of a building shall be 18.3 m, but no portion of the building shall extend above the envelope illustrated and described in Figure 1. Height shall be determined by a line parallel to a line joining the official established building grades at the property lines. Angles shall be measured from vertical lines at the property lines.

Figure 1. Building Envelope



4.3.2 The Director of Planning or the Development Permit Board may permit an increase in the maximum height of a building, to a height not exceeding 64 m in the C-5A and C-6 districts and 18.3 m in the C-5 district, if the Director of Planning or the Development Permit Board first considers:

(a) the impact on neighbourhood livability and environmental quality;
(b) the intent of this schedule and all applicable Council policies and guidelines;
(c) the submission of any advisory group, property owner or tenant; and
(d) the impact on views, shadowing, privacy, lower level treatment of buildings, and open space.

4.3.3 The Director of Planning or the Development Permit Board may permit a portion of a building in the C-5, C-5A and C-6 Districts to extend above the building envelope depicted in Figure 1 of section 4.3.1, if the building height does not exceed 18.3 m in the C-5 district and the Director of Planning or the Development Permit Board first considers:

(a) the impact on neighbourhood livability and environmental quality;
(b) the intent of this schedule and all applicable Council policies and guidelines;
(c) the submission of any advisory group, property owner or tenant; and
(d) the impact on views, shadowing, privacy, lower level treatment of buildings, and open space.

4.3.4 The Director of Planning or the Development Permit Board may vary the regulations in the C-6 district regarding permitted height for dwelling units in conjunction with other permitted uses, if the Director of Planning or the Development Permit Board first considers the intent of the schedule, and all applicable Council policies and guidelines, and

(a) the maximum height does not exceed 91.4 m; and
(b) either a minimum of 20% of the floor area included in the calculation of floor space ratio is used for social housing, or all dwelling units must be secured market rental housing.

4.4 Front Yard

4.4.1 No front yard shall be permitted except where the Director of Planning is satisfied that shopping continuity and pedestrian amenity along any abutting sidewalk will be achieved.

4.5 Side Yards and Setbacks

4.5.1 No side yards shall be permitted except where:

(a) any portion of a building contains residential uses, that portion may be set back from the side property lines to fulfill provisions of section 4.10; or
(b) the Director of Planning is satisfied that shopping continuity and pedestrian amenity along any abutting sidewalk will be achieved.

4.6 Rear Yard and Setback

4.6.1 No rear yard shall be required except where any portion of a building contains dwelling uses, that portion shall be set back a minimum of 7.6 m from the rear property line across the full width of the building, except where the rear of the site abuts a lane, this required minimum setback shall be decreased by the lane width between the rear property line and the ultimate centre of the lane.

4.6.2 The Director of Planning may decrease the rear yard setback for dwelling use, provided the Director of Planning is satisfied that residential livability is achieved for the development site and neighbouring existing or potential residential uses.

4.7 Floor Area and Density

4.7.1.1 The maximum floor space ratio shall not exceed 2.20 in the C-5 and C-5A Districts and 2.6 in the C-6 District, except that:

(a) for a hotel existing on or before February 4, 2014, the floor space ratio shall not exceed the greater of the floor space ratio existing on September 30, 1986 or the maximum floor space ratio limit set out in this section; and
(b) if the Director of Planning or the Development Permit Board first considers the intent of this district schedule, all applicable Council policies and guidelines and the submissions of any advisory groups, property owners or tenants, and there is no heritage density available for transfer, the Director of Planning or the Development Permit Board may permit an additional increase in permitted floor area of one m^2 for each amenity share provided to the city at no cost to the city, to a maximum increase of 10% above the maximum permitted floor space ratio.

4.7.1.2 The Director of Planning may permit an increase in permitted floor area for a hotel existing on September 30, 1986, to a maximum of 5% additional floor area, if, in the opinion of the Director of Planning, the increase in floor area will result in enhanced pedestrian amenities

4.7.2 In this district schedule, amenity means conservation of protected heritage property.

4.7.3 For the purposes of this district schedule, the cost of an amenity share is the amount specified per m^2 in the Heritage Amenity Share Cost Schedule G.

4.7.4 Notwithstanding the provisions of subsection 4.7.1, the maximum floor space ratio achievable as a result of the provision of amenity shares must otherwise comply in all respects with this district schedule and this by-law.

4.7.5 Computation of floor area shall include:

(a) All floors of all buildings, both above and below ground level, to be measured to the extreme outer limits of the buildings.

4.7.6 Computation of floor area shall exclude:

(a) ~~open residential~~ balconies and decks 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 12% of the residential floor area being provided;

(b) patios and roof decks~~gardens~~, provided that the Director of Planning first considers the effect on privacy and overlook, ~~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, heating and mechanical equipment, or uses which in the opinion of the Director of Planning are similar to the foregoing, those floors or portions thereof so used, which are at or below the base surface provided that the off-street parking spaces do not have a length of more than 7.3 m; and

(d) all residential storage space above or below base surface, except that if the residential storage space above base surface exceeds 3.7 m² per dwelling unit, there will be no exclusion for any of the residential storage space above base surface for that unit.

4.7.7 Computation of floor area may exclude:

(a) interior public space, including atria and other similar spaces, provided that:

(i) the excluded area shall not exceed the lesser of 10 % of the permitted floor area or 600 m²;

(ii) the excluded area shall be secured by covenant and right-of-way in favour of the City which sets out public access and use; and

(iii) the Director of Planning first considers all applicable policies and guidelines adopted by Council.

(b) amenity areas, including day care facilities and non-profit recreation facilities, to a maximum floor area of the lessor of 10 % of the permitted floor area or 1 000 m², provided, in the case of day care facilities, 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.

4.7.8 The Development Permit Board may increase the allowable floor space ratio by a maximum of 10 percent where the increase results from a transfer of heritage density, except that this increase shall not apply to a hotel where the floor area has already been increased pursuant to section 4.7.1.2 or a development where there has been an increase in floor space ratio pursuant to section 4.7.1.1(b).

For the purposes of this section "heritage density" means density provided as compensation for a heritage designation, which is transferred from the site of the designated heritage property to another site in accordance with Council's Transfer of Density Policy and Procedure.

4.7.9 The Director of Planning or the Development Permit Board may vary the regulations in the C-5A and C-6 districts regarding permitted floor space ratio for dwelling units in conjunction with other permitted uses, if the Director of Planning or the Development Permit Board first considers the intent of this schedule, and all applicable Council policies and guidelines, and:

(a) the floor space ratio does not exceed 7.0. in the C-5A district and 8.75 in the C-6 district;

(b) the floor space ratio for non-residential uses in the C-6 district must be no less than 1.2; and

(c) either a minimum of 20% of the floor area included in the calculation of floor space ratio must be used for social housing, or all dwelling units must be secured market rental housing, except that this does not apply to any portion of floor area increased pursuant to sections 4.7.1.1(b) or 4.7.8.

4.8 Site Coverage -- Not Applicable.

4.9 [Deleted -- see Parking By-law.]

4.10 Horizontal Angle of Daylight

4.10.1 Each habitable room must have at least one window on an exterior wall of a building.

4.10.2 Each exterior window must be located so that a plane or planes extending from the window and formed by an angle of 50 degrees, or two angles with a sum of 70 degrees, will encounter no obstruction over a distance of 24.0 m.

4.10.3 The plane or planes referred to in section 4.10.2 must be measured horizontally from the centre of the bottom of each window.

4.10.4 The Director of Planning or Development Permit Board may ~~relax~~ vary the horizontal angle of daylight requirement, if:

(a) the Director of Planning or Development Permit Board first considers all the applicable policies and guidelines adopted by Council; and
(b) the minimum distance of unobstructed view is not less than 3.7 m.

4.10.5 An obstruction referred to in section 4.10.2 means:

(a) any part of the same building including permitted projections; or
(b) the largest building permitted under the zoning on any adjoining site.

4.10.6 A habitable room referred to in section 4.10.1 does not mean:

(a) a bathroom; or
(b) a kitchen whose floor area is the lesser of:
  (i) 10% or less of the total floor area of the dwelling unit, or
  (ii) 9.3 m^2.

4.11 (Reserved)

4.12 (Reserved)

4.13 (Reserved)

4.14 (Reserved)

4.15 Acoustics

4.15.1 A development permit application for dwelling uses shall require evidence in the form of a report and recommendations prepared by persons trained in acoustics and current techniques of noise measurement demonstrating that the noise levels in those portions of the dwelling units listed below shall not exceed the noise levels expressed in decibels set opposite such portions of the dwelling units. For the purposes of this section the noise level is the A-weighted 24-hour equivalent (Leq) sound level and will be defined simply as the noise level in decibels.

Portions of dwelling units	Noise levels (Decibels)
bedrooms	35
living, dining, recreation rooms	40
kitchen, bathrooms, hallways	45

4.16 (Reserved)

4.17 External Design

4.17.1 All developments shall provide along all abutting streets any one or a combination of display windows, individualized tenancy unit design, building articulation, pedestrian entrance definition via a recess or projecting canopy or any other architectural features which facilitate pedestrian interest to the satisfaction of the Director of Planning.

4.17.2 The first storey shall be built to the front and side property lines except as noted in sections 4.4.1 and 4.5.1 while the remaining storeys may terrace back from the property lines.

4.17.3 Direct pedestrian access at the fronting street at or near grade level to each individual commercial occupancy which abuts the fronting street of a development site shall be provided.

4.17.4 Continuous weather protection having a minimum depth of 1.5 m in the form of a retractable fabric awning, a canopy attached to the building face by bolts to facilitate easy removal, or other forms satisfactory to the Director of Planning and City Engineer shall be provided along the fronting street and flanking street where the adjoining site on the flanking street is in a C district.

4.17.5 That portion of building located at the intersection of a fronting and flanking street where the adjoining site on the flanking street is in a C district shall be rounded with a minimum radius of 1.8 m, indented or truncated with minimum dimensions of 1.8 m by 1.8 m, or architecturally treated by other means to facilitate pedestrian amenity to the satisfaction of the Director of Planning.

4.17.6 Building corners at the intersection of a fronting and flanking street where the adjoining site on the flanking street is in a C district shall be accentuated by variances of height, cupolas, domes, or other architectural appurtenances, or any proposals varying from the above, satisfactory to the Director of Planning.

4.17.7 A minimum of one pedestrian entrance to commercial uses shall be provided from the flanking street where the adjoining site on the flanking street is in a C district.

4.17.8 All garbage container storage areas shall be screened from view from nearby sidewalks and dwelling units.

4.17.9 Mechanical equipment shall be enclosed and set back so as not to be visible from street level or architecturally treated by other means satisfactory to the Director of Planning. Exposed duct work is not permitted.

4.17.10 Dwelling uses shall provide:

(a) pedestrian access separate from access to other uses;
(b) a minimum of one bicycle rack per four dwelling units in an enclosed storage room.

5 Relaxation of Regulations

5.1 Where a need for any public, social, cultural or recreational facility has been demonstrated to the satisfaction of the Development Permit Board, the Board may relax for any one building, which includes one or more of such facilities, the maximum floor space ratio and may require that any such facility be preserved in the public domain by way of a registered agreement and operated by the City or its delegates.

In determining the amount of the increase in floor area that may be permitted, the Development Permit Board shall consider:

(a) the construction cost of the facility;
(b) any costs to the developer of continuing maintenance required for the facility;

(c) the rental value of the increased floor area;
(d) the value of any authorized relaxation of other restrictions; and
(e) the opinion of City Council.

~~**5.2** The Director of Planning or the Development Permit Board may relax the regulations in the C-5A and C-6 districts regarding permitted floor space ratio for dwelling units in conjunction with other permitted uses, if the Director of Planning or the Development Permit Board first considers the intent of this schedule, and all applicable Council policies and guidelines, and:~~

~~(a) the floor space ratio does not exceed 7.0. in the C-5A district and 8.75 in the C-6 district;~~
~~(b) the floor space ratio for non-residential uses in the C-6 district must be no less than 1.2; and~~
~~(c) either a minimum of 20% of the floor area included in the calculation of floor space ratio must be used for social housing, or all dwelling units must be secured market rental housing, except that this does not apply to any portion of floor area increased pursuant to sections 4.7.1.1(b) or 4.7.8.~~

~~**5.3** The Director of Planning or the Development Permit Board may relax the regulations in the C-6 district regarding permitted height for dwelling units in conjunction with other permitted uses, if the Director of Planning or the Development Permit Board first considers the intent of the schedule, and all applicable Council policies and guidelines, and:~~

~~(a) the maximum height does not exceed 91.4 m.; and~~
~~(b) either a minimum of 20% of the floor area included in the calculation of floor space ratio is used for social housing, or all dwelling units must be secured market rental housing.~~

C-7 and C-8 Districts Schedule

1 Intent

The intent of this Schedule is to encourage the transition of a predominantly industrial and commercial area into a mixed-use community with a strong residential component, while respecting the needs of existing development. Emphasis is placed on well-designed all-residential or mixed residential and commercial buildings. The C-8 District differs from the C-7 District in encouraging pedestrian-oriented retail uses at grade.

2 Outright Approval Uses

2.1 Subject to all other provisions of this By-law and to compliance with section 2.3 and the regulations of this Schedule, the uses listed in section 2.2 shall be permitted in this District and shall be issued a permit.

2.2 Uses

2.2.1 The uses listed in section 2.2.1 shall be permitted in the C-7 and C-8 Districts

2.2.1.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 located in the rear yard and in no case are less than 3.1 m from the ultimate centre line of any rear or flanking lane;
  (c) the total floor area, measured to the extreme outer limits of the building, of all accessory buildings is not greater than 15 percent of the total area of the site;
  (d) not applicable; [Maximum width]
  (e) not applicable; and [Proximity to residential dwelling]
  (f) no accessory building obstructs the horizontal daylight access prescribed in this Schedule for residential use.

- Accessory Uses customarily ancillary to any of the uses listed in this section, provided that unless permitted as an outright approval use pursuant to section 2 of this Schedule, the total floor area of all accessory uses is not greater than 25 percent of the gross floor area of the principal use.

- The Director of Planning may vary the maximum height, floor area and location regulations for accessory buildings and accessory uses except that the maximum height shall not, in any event, exceed the maximum prescribed in section 4.3.1 nor the floor space exceed 33⅓ percent of the gross floor area of the principal use.

2.2.1.C [Cultural and Recreational]

- Arts and Culture Indoor Event.
- Library.
- Museum or Archives.

2.2.1.I [Institutional]

- School - Elementary or Secondary.

- School - University of College.

2.2.1.O [Office]

- Financial Institution.

- General Office.
- Health Care Office.

2.2.1.S [Service]

- Barber Shop or Beauty Salon.
- Beauty and Wellness Centre.
- Photofinishing or Photography Laboratory.
- Photofinishing or Photography Studio.
- Print Shop.
- School - Business.

2.2.1.Z Any other use which is not specifically listed in section 2.2 but which was existing as of December 12, 1995.

2.2.2 The uses listed in section 2.2.2 shall be permitted in the C-8 District.

2.2.2.R [Retail]

- Grocery or Drug Store.
- Retail Store.

2.3 Conditions of Use

2.3.1 All uses listed in section 2.2 of this Schedule shall be carried on wholly within a completely enclosed building except for the following:

(a) parking and loading facilities;
(b) display of flowers, plants, fruits and vegetables; and
(c) outside storage for any use which complies with section 2.2.1.Z of this Schedule.

2.3.2 The Director of Planning may vary the use conditions of section 2.3.1 to permit the outdoor display of retail goods, and may include such other conditions as the Director of Planning deems necessary, having regard to the type of merchandise, the area and location of the display with respect to adjoining sites, the hours of operation and the intent of this Schedule.

3 Conditional Approval Uses

3.1 Subject to all other provisions of this By-law, compliance with section 3.3 and the provisions and regulations of this Schedule, the Director of Planning or the Development Permit Board may approve any of the uses listed in section 3.2 of this Schedule, with or without conditions, provided that the Director of Planning or the Development Permit Board 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 C-7 and C-8 Districts

3.2.1.A

- Accessory Uses to any of the uses listed in this section, subject to the same provisions as section 2.2.1.A of this Schedule.

3.2.1.AG [Agricultural]

- Urban Farm - Class B.

3.2.1.C [Cultural and Recreational]

- Artist Studio.
- Billiard Hall.
- Bowling Alley.
- Club.
- Community Centre or Neighbourhood House.
- Fitness Centre.
- Hall.
- Park or Playground.
- Rink.
- Swimming Pool.
- Theatre.
- Zoo or Botanical Garden.

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

3.2.1.DW [Dwelling]

- Dwelling Units in conjunction with any of the uses listed in this Schedule.
- Infill.
- Multiple Conversion Dwelling, resulting from the conversion of a building which was in existence prior to June 18, 1956, provided that:

  (a) before making a decision the Director of Planning shall consider the quality and livability of the resulting units, the suitability of the building for conversion in terms of age and size, and the effect of the conversion on adjacent properties and the character of the area; and
  (b) no housekeeping or sleeping units shall be created.

- Residential Unit associated with and forming an integral part of an artist studio.
- Seniors Supportive or Assisted Housing.

3.2.1.I [Institutional]

- Ambulance Station.
- Child Day Care Facility.
- Church.
- Public Authority Use.
- Social Service Centre.
- Community Care Facility – Class A.
- Community Care Facility – Class B.
- Group Residence.

3.2.1.M [Manufacturing]

- Bakery Products Manufacturing.
- Clothing Manufacturing.
- Dairy Products Manufacturing.
- Electrical Products and Appliances Manufacturing.
- Food or Beverages Products Manufacturing - Class B.
- Furniture and Fixtures Manufacturing.
- Ice Manufacturing.
- Jewellery Manufacturing.
- Miscellaneous Products Manufacturing - Class B.
- Printing or Publishing.
- Textiles or Knit Goods Manufacturing.

3.2.1.O [Office]

- Health Enhancement Centre.

3.2.1.P [Parking]

- Parking Area.

3.2.1.R [Retail]

- Cannabis Store.
- Farmers' Market. *Compatibility with nearby sites, parking, traffic, noise, hours of operation, size of facility, pedestrian amenity*.
- Public Bike Share.

3.2.1.S [Service]

- Animal Clinic.
- Auction Hall.
- Bed and Breakfast Accommodation.
- Catering Establishment.
- Laboratory.
- Laundromat or Dry Cleaning Establishment.
- Neighbourhood Public House.
- Repair Shop - Class B.
- Production or Rehearsal Studio.
- Restaurant - Class 1.
- School - Arts or Self-Improvement.
- School - Vocational or Trade.
- Short Term Rental Accommodation.
- Work Shop.

3.2.1.T [Transportation and Storage]

- Mini-storage Warehouse.
- Storage Warehouse.
- Taxicab or Limousine Station.
- Works Yard.

3.2.1.U [Utility and Communication]

- Public Utility.
- Radiocommunication Station.
- Recycling Depot.

3.2.1.W [Wholesale]

- Lumber and Building Materials Establishment.
- Wholesaling - Class A.
- Wholesaling - Class B.

3.2.1.Z

- Any other use which is not specifically listed and defined as a use in section 2 of this By-law but which the Director of Planning considers comparable in nature to the uses listed in this Schedule, having regard to the intent of this District Schedule.

3.2.2 The uses listed in section 3.2.2 may be permitted in the C-7 District.

3.2.2.DW [Dwelling]

- Multiple Dwelling.

3.2.3 The uses listed in section 3.2.3 may be permitted in the C-8 District.

3.2.3.R [Retail]

- Gasoline Station - Full Serve.
- Gasoline Station - Split Island.
- Grocery Store with Liquor Store.
- Liquor Store.
- Pawnshop.
- Secondhand Store.
- Small-scale Pharmacy.
- Vehicle Dealer.

3.2.3.S [Service]

- Motor Vehicle Repair Shop.
- Motor Vehicle Wash.
- Wedding Chapel.

3.3 Conditions of Use

3.3.1 All commercial uses listed in this section shall be carried on wholly within a completely enclosed building, except for the following:

(a) parking and loading facilities;
(b) full serve and split island gasoline station, except that section 11.13.2 of this By-law continues to apply;
(c) vehicle dealer;
(d) taxicab or limousine station;
(e) restaurant;
(f) neighbourhood public house;
(g) farmers' market;
(h) public bike share; and
(i) Urban Farm - Class B.

3.3.2 The Director of Planning may vary the use conditions of section 3.3.1 to permit the outdoor display of retail goods, and may include such other conditions as the Director of Planning deems necessary, having regard to the type of merchandise, the area and location of the display with respect to adjoining sites, the hours of operation and the intent of this Schedule.

4 Regulations

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

4.1 Site Area -- Not Applicable.

4.2 Frontage -- Not Applicable.

4.3 Height

4.3.1 The maximum height of a building shall be 12.2 m, except that for sites with front yards or exterior side yards adjacent to an R District, with or without the intervention of a street, the maximum height shall be 9.5 m for a distance of 4.6 m from the front or side property line adjacent the R District.

4.3.2 The Director of Planning or the Development Permit Board, as the case may be, may permit an increase in the maximum height of a building to a height not exceeding 13.8 m with respect to

any development, to a height not exceeding 18.3 m to improve residential livability, and to a height not exceeding 24.4 m to facilitate the retention of heritage structures, provided the Director of Planning or the Development Permit Board, as the case may be, 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.

4.4 Front Yard and Setback

4.4.1 In the C-7 District, a front yard with a minimum average depth of 3.1 m shall be provided except that the Director of Planning may reduce the depth of the required front yard where the development does not contain dwelling uses or community care facilities or group residences within 2.0 m of street grade, provided 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.

4.4.2 In the C-8 District, no front yard shall be permitted except that the Director of Planning may permit a front yard or front setback where a pedestrian or shopping courtyard or other features benefitting pedestrian character are provided, or a front setback to improve the livability of dwelling uses or community care facilities or group residences above grade, provided 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.

4.4.3 A setback of 1.2 m from the front property line shall be required for any parking area.

4.5 Side Yards and Setback

4.5.1 No side yard shall be required, except for corner sites where an exterior side yard with the same average depth as the front yard shall be provided.

4.5.2 Where a side yard is provided, although not required, the minimum width shall be .9 m.

4.5.3 In the case of a corner site, a setback of 1.2 m from the side property line abutting the flanking street shall be required for any parking area.

4.6 Rear Yard and Setback

4.6.1 A rear yard with a minimum depth of 3.1 m shall be provided, except that where the rear of the site abuts a lane, this required minimum depth shall be decreased by the lane width between the rear property line and the ultimate centre line of the lane.

4.6.2 Any portion of a building containing residential uses, and any portion of a building above the first storey except for open roof decks~~gardens~~ at the second storey floor level, shall be set back a minimum of 7.6 m from the rear property line across the full width of the building, except that where the rear of the site abuts a lane, this required minimum setback shall be decreased by the lane width between the rear property line and the ultimate centre line of the lane.

4.6.3 The Director of Planning may reduce the minimum rear yard or rear setback to improve the livability of dwelling uses or community care facilities or group residences, provided 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.

4.7 Floor Space Ratio

4.7.1 (a) For uses permitted by section 2.2.1.Z of this Schedule, the floor space ratio shall not exceed the floor space ratio calculated using the building on the site as of December 12, 1995 except that the Director of Planning may permit an increase in the floor space ratio up to 2.25 provided that the Director of Planning first considers:
(i) the intent of this Schedule and all applicable policies and guidelines adopted by Council; and
(ii) the submission of any advisory group or property owner or tenant.

(b) For all other uses, the floor space ratio shall not exceed .75 except that the Director of Planning may permit an increase in the floor space ratio up to 2.25 provided that the Director of Planning first considers:
(i) the intent of this Schedule and all applicable policies and guidelines adopted by Council; and
(ii) the submission of any advisory group or property owner or tenant.

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

(a) all floors of all buildings including accessory buildings, both above and below ground level, to be measured to the extreme outer limits of the building.

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

(a) ~~open residential~~ balconies and decks 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~~8% of the ~~residential~~ floor area being provided;
(b) patios and roof decks~~gardens~~, provided that the Director of Planning first considers the effect on privacy and overlook. ~~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, heating and mechanical equipment, or uses which in the opinion of the Director of Planning are similar to the foregoing, those floors or portions thereof so used, which:
(i) are at or below the base surface, provided that the maximum exclusion for a parking space shall not exceed 7.3 m in length; or
(ii) are above the base surface and where developed as off-street parking are located in an accessory building situated in the rear yard, provided that the maximum exclusion for a parking space shall not exceed 7.3 m in length;
(d) amenity areas, including child day care facilities, recreation facilities and meeting rooms accessory to a residential use, to a maximum floor area of 10 percent of the total permitted floor area, provided that for child day care facilities 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; and
(e) all residential storage space above or below base surface, except that if the residential storage space above base surface exceeds 3.7 m² per dwelling unit, there will be no exclusion for any of the residential storage space above base surface for that unit.

4.7.4 The Director of Planning may permit the following to be excluded in the computation of floor space ratio:

(a) enclosed residential balconies, provided that the Director of Planning first considers all applicable policies and guidelines adopted by Council and approves the design of any balcony enclosure, subject to the following:
(i) the total area of all open and enclosed balcony or ~~sun~~deck exclusions does not exceed eight percent of the residential floor area being provided.~~;~~ and

(ii) no more than fifty percent of the excluded balcony floor area may be enclosed.

4.8 (Reserved)

4.9 (Reserved)

4.10 Horizontal Angle of Daylight

4.10.1 Each habitable room must have at least one window on an exterior wall of a building.

4.10.2 Each exterior window must be located so that a plane or planes extending from the window and formed by an angle of 50 degrees, or two angles with a sum of 70 degrees, will encounter no obstruction over a distance of 24.0 m.

4.10.3 The plane or planes referred to in section 4.10.2 must be measured horizontally from the centre of the bottom of each window.

4.10.4 The Director of Planning may ~~relax~~ vary the horizontal angle of daylight requirement, if:

(a) the Director of Planning first considers all the applicable policies and guidelines adopted by Council; and
(b) the minimum distance of unobstructed view is not less than 3.7 m.

4.10.5 An obstruction referred to in section 4.10.2 means:

(a) any part of the same building including permitted projections; or
(b) the largest building permitted under the zoning on any adjoining site.

4.10.6 A habitable room referred to in section 4.10.1 does not mean:

(a) a bathroom; or
(b) a kitchen whose floor area is the lesser of:
(i) 10% or less of the total floor area of the dwelling unit, or
(ii) 9.3 m^2.

4.15 Acoustics

4.15.1 A development permit application for dwelling uses shall require evidence in the form of a report and recommendations prepared by persons trained in acoustics and current techniques of noise measurement demonstrating that the noise levels in those portions of the dwelling units listed below shall not exceed the noise levels expressed in decibels set opposite such portions of the dwelling units. For the purposes of this section the noise level is the A-weighted 24-hour equivalent (Leq) sound level and will be defined simply as the noise level in decibels.

Portions of dwelling units	Noise levels (Decibels)
bedrooms	35
living, dining, recreation rooms	40
kitchen, bathrooms, hallways	45

4.15.2 In the C-7 District, an acoustical report shall not be required for developments having only residential uses and not abutting 12th Avenue or the CPR rail right-of-way.

~~5 Relaxation of Regulations~~

~~**5.1** The Director of Planning may relax the maximum height, floor area and location regulations for accessory buildings and accessory uses except that the relaxed height shall not, in any event, exceed the maximum prescribed in section 4.3.1 nor the floor space exceed 33 ⅓ percent of the gross floor area of the principal use.~~

~~**5.2** The Director of Planning may relax the use conditions of sections 2.3.1 and 3.3.1 to permit the outdoor display of retail goods, and may include such other conditions as the Director of Planning deems necessary, having regard to the type of merchandise, the area and location of the display with respect to adjoining sites, the hours of operation and the intent of this Schedule.~~

FC-1 District Schedule

(East False Creek)

1 Intent

The intent of this Schedule is to permit and encourage the development of a high-density mixed commercial use neighbourhood, including some residential and compatible industrial uses. For commercial development, a variety of small-scale retail and service uses are encouraged. Larger, more regional-oriented office and retail commercial uses are limited in size and extent for individual sites.

The retention and upgrading of existing multi-unit residential buildings and the development of new residential units on upper floors of commercial buildings are encouraged. Similarly, the development of new hotels is encouraged, provided that these do not result in the conversion of existing residential units. New residential and hotel development in the short-term will occur mostly to the west of Main Street, oriented to False Creek and the waterfront park system. Special design measures, however, will be necessary to mitigate the air and noise pollution problems, particularly adjacent to some existing industries and major traffic streets.

Because of the extended time required for the transition from an industrial to a mixed-use neighbourhood, certain uses (e.g. residential) may not be feasible on certain sites until a later phase of the area's development. Initially, the most intensive development is likely to be focussed on sites nearby the Main Street ALRT station to take advantage of excellent transit accessibility, good views and park outlook amenities. Higher building forms will be concentrated adjacent to the Main and Terminal location, with a transition to medium-scaled buildings around Thornton Park and adjacent to existing development on the northerly part of Main Street.

2 Outright Approval Uses

2.1 Subject to all other provisions of this By-law and to compliance with section 2.3 and the regulations of this Schedule, the uses listed in section 2.2 shall be permitted in this 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) not applicable; [Location]
  - (c) the total floor area, measured to the extreme outer limits of the building, of all accessory buildings is not greater than 10 percent of the total area of the site.
- Accessory Uses customarily ancillary to any of the uses listed in this section.

2.2.C [Cultural and Recreational]

- Arts and Culture Indoor Event.
- Bowling Alley.

- Community Centre or Neighbourhood House.
- Fitness Centre.
- Hall.
- Library.
- Rink.
- Swimming Pool.
- Theatre.

2.2.I [Institutional]

- School - University or College.

2.2.0 [Office]

- Financial Institution.
- General Office.

2.2.R [Retail]

- Cannabis Store.
- Furniture or Appliance Store.
- Grocery or Drug Store.
- Retail Store.

2.2.S [Service]

- Auction Hall.
- Barber Shop or Beauty Salon.
- Beauty and Wellness Centre.
- Catering Establishment.
- Laundromat or Dry Cleaning Establishment.
- Photofinishing or Photography Studio.
- Print Shop.
- Public Bike Share.
- Repair Shop - Class B.
- Restaurant - Class 1.
- School - Arts or Self-Improvement.
- School - Business.
- School - Vocational or Trade.
- Sign Painting Shop.

2.3 Conditions of Use

2.3.1 All uses listed in this section and accessory uses thereto shall be carried on wholly within a completely enclosed building except for the following:

(a) parking and loading facilities;
(b) restaurant;
(c) display of flowers, plants, fruits and vegetables.

2.3.2 The Director of Planning may vary the use conditions of section 2.3.1 to permit the outdoor display of retail goods, and may include such other conditions as is deemed necessary, having regard to the type of merchandise, the area and location of the display with respect to adjoining sites, the hours of operation and the intent of this Schedule.

3 Conditional Approval Uses

3.1 Subject to all other provisions of this By-law, compliance with section 3.3 and the provisions and regulations of this Schedule, the Director of Planning or the Development Permit Board

may approve any of the uses listed in section 3.2 of this Schedule, with or without conditions, provided that the Director of Planning or the Development Permit Board 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.A
- Accessory Uses to any of the uses listed in this Schedule.

3.2.C [Cultural and Recreational]

- Arcade.
- Artist Studio.
- Billiard Hall.
- Bingo Hall.
- Casino - Class 1.
- Club.
- Museum or Archives.
- Park or Playground.
- Zoo or Botanical Garden.

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

3.2.DW [Dwelling]

- Dwelling Units in conjunction with any of the uses listed in this Schedule, provided that the Director of Planning is of the opinion that the site is suitable for residential use.
- Micro dwelling.
- Multiple Dwelling, provided that the Director of Planning is of the opinion that the site is suitable for residential use.
- Residential Unit associated with and forming an integral part of an artist studio.
- Rooming House, provided that the Director of Planning is of the opinion that the site is suitable for residential use.
- Seniors Supportive or Assisted Housing.

3.2.I [Institutional]

- Ambulance Station.
- Child Day Care Facility.
- Church.
- Detoxification Centre.
- Public Authority Use.
- School - Elementary or Secondary.
- Community Care Facility – Class B.
- Group Residence.

3.2.M [Manufacturing]

- Clothing Manufacturing.
- Jewellery Manufacturing.
- Miscellaneous Products Manufacturing - Class B.
- Printing and Publishing.

3.2.O [Office]

- Health Care Office.
- Health Enhancement Centre.

3.2.P [Parking]

- Parking Uses.

3.2.R [Retail]

- Farmers' Market. *Compatibility with nearby sites, parking, traffic, noise, hours of operation, size of facility, pedestrian amenity*.
- Gasoline Station - Full Serve.
- Gasoline Station - Split Island.
- Grocery Store with Liquor Store.
- Liquor Store.
- Pawnshop.
- Public Bike Share.
- Secondhand Store.
- Small-scale Pharmacy.
- Vehicle Dealer.

3.2.S [Service]

- Animal Clinic.
- Bed and Breakfast Accommodation.
- Cabaret.
- Drive-through Service.
- Funeral Home.
- Hotel.
- Laboratory.
- Motor Vehicle Repair Shop.
- Motor Vehicle Wash.
- Neighbourhood Public House.
- Photofinishing or Photography Laboratory.
- Production or Rehearsal Studio.
- Repair Shop - Class A.
- Restaurant - Class 2.
- Restaurant - Drive-in.
- Short Term Rental Accommodation.
- Wedding Chapel.

3.2.T [Transportation and Storage]

- Mini-storage Warehouse.
- Railway Station or Rail Yard.
- Storage Warehouse.
- Taxicab or Limousine Station.

3.2.U [Utility and Communication]

- Public Utility.
- Radiocommunication Station.
- Recycling Depot.

3.2.W [Wholesale]

- Lumber and Building Materials Establishment.
- Wholesaling - Class A.
- Wholesaling - Class B.

3.2.Z • Any other use which is not specifically listed and defined as a use in section 2 of this By-law but which the Director of Planning considers comparable in nature to the uses listed in this Schedule, having regard to the intent of this District Schedule.

3.3 Conditions of Use

3.3.1 All commercial uses listed in this section shall be carried on wholly within a completely enclosed building, except for the following:

(a) parking and loading facilities;
(b) full serve and split island gasoline station, except that section 11.13.2 of this By-law continues to apply;
(c) vehicle dealer;
(d) drive-in restaurant;
(e) drive-through service;
(f) lumber store;
(g) taxicab or limousine station;
(h) neighbourhood public house;
(i) farmers' market;
(j) public bike share; and
(k) Urban Farm - Class B.

3.3.2 The conversion or upgrading of existing residential to hotels or other uses shall be subject to all applicable policies and guidelines adopted by Council regarding the protection of existing tenants.

3.3.3 The Director of Planning may vary the use conditions of section 3.3.1 to permit the outdoor display of retail goods, and may include such other conditions as is deemed necessary, having regard to the type of merchandise, the area and location of the display with respect to adjoining sites, the hours of operation and the intent of this Schedule.

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 -- Not Applicable.

4.2 Frontage

4.2.1 For all uses permitted in section 2.2, and located on the ground level, the maximum frontage shall be 15.3 m.

4.3 Height

4.3.1 The maximum height of a building shall be 22.9 m.

4.3.2 The Director of Planning or the Development Permit Board, as the case may be, may permit an increase in the maximum height of a building to a height not exceeding 83.9 m with respect to any development, provided the following are first taken into account:

(a) overshadowing;
(b) view obstruction; and
(c) other environmental criteria set out in all applicable policies and guidelines adopted by Council.

4.4 Front Yard

4.4.1 No front yard shall be required, except as follows:

(a) on the west side of Main Street, from National Avenue south by the provision of a minimum 3.0 m setback from the property line to the building face;

(b) on the east side of Main Street, from Terminal Avenue to Industrial Avenue, by the provision of a minimum 3.0 m setback from the property line to the building face;

(c) on the north side of Terminal Avenue, from Main Street to Quebec Street, by the provision of a minimum 3.0 m setback from the property line to the building face; and

(d) on the south side of Terminal Avenue, from Station Street to Quebec Street, by the provision of a minimum 6.0 m setback from the property line to the building face.

4.5 Side Yards

4.5.1 No side yard shall be required.

4.6 Rear Yard

4.6.1 No rear yard shall be required.

4.7 Floor Space Ratio

4.7.1 The floor space ratio shall not exceed 5.0, subject to the following:

(a) the maximum floor space ratio for retail or service uses except hotel shall be 1.0;

(b) the maximum floor space ratio for office uses or detoxification centre shall be 1.5;

(c) the maximum floor space ratio for hotel use shall be 4.0;

(d) the maximum floor space ratio for all other non-residential uses permitted by sections 2.2 and 3.2 but not listed in (a), (b) or (c) of this section 4.7.1 shall be 3.0, except that where a hotel use having a floor space ratio of at least 1.0 is included in the development, the maximum floor space ratio under this clause (d) shall be 4.0; and

(e) the maximum floor space ratio for residential use shall be 3.0.

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

(a) all floors of all buildings, including accessory buildings, both above and below ground level, to be measured to the extreme outer limits of the building.

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

(a) ~~open residential~~ balconies and decks 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~~8% of the ~~residential~~ floor area being provided;

(b) patios and roof decks~~gardens,~~ provided that the Director of Planning first considers the effect on privacy and overlook.~~any sunroofs or walls forming part thereof are approved by the Director of Planning;~~

(c) where floors are used for off-street parking and loading, the taking on or discharging of passengers, bicycle storage, heating and mechanical equipment, or uses which in the opinion of the Director of Planning are similar to the foregoing, those floors or portions thereof so used, which:

(i) are at or below the base surface, provided that the maximum exclusion for a parking space shall not exceed 7.3 m in length; or

(ii) are above the base surface and where developed as off-street parking are located in an accessory building situated in the rear yard, provided that the maximum exclusion for a parking space shall not exceed 7.3 m in length.

(d) elevator shafts, laundry rooms and entrance lobbies providing the areas are ancillary to residential use;

(e) social and recreational amenities and facilities as listed below, provided that the area of such excluded facilities does not exceed 20% of the allowable floor space or 1 000 m² whichever is the lesser. The following facilities shall be excluded from the floor space ratio provided that the areas are open to and primarily for the use of residents, tenants, and employees.
  (i) saunas;
  (ii) tennis courts;
  (iii) swimming pools;
  (iv) squash courts;
  (v) gymnasiums and work out rooms;
  (vi) games room and hobby rooms; and
  (vii) other similar related indoor uses of a recreational nature which in the opinion of the Director of Planning are of a type which contribute to social amenity; and

(f) all residential storage space above or below base surface, except that if the residential storage space above base surface exceeds 3.7 m² per dwelling unit, there will be no exclusion for any of the residential storage space above base surface for that unit.

4.7.4 The Director of Planning may permit the following to be excluded in the computation of floor space ratio:

(a) enclosed residential balconies, provided that the Director of Planning first considers all applicable policies and guidelines adopted by Council and approves the design of any balcony enclosure, subject to the following:
  (i) the total area of all open and enclosed balcony or sundeck exclusions does not exceed eight percent of the residential floor area being provided.; and
  (ii) no more than fifty percent of the excluded balcony floor area may be enclosed;

(b) interior public space, including atria and other similar spaces, provided that:
  (i) the excluded area shall not exceed the lesser of 10 percent of the permitted floor area or 600 m²;
  (ii) the excluded area shall be secured by covenant and right of way in favour of the City of Vancouver which set out public access and use; and
  (iii) the Director of Planning first considers all applicable policies and guidelines adopted by Council.

4.8 **Site Coverage --** Not Applicable.

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

4.10 **Horizontal Angle of Daylight --** Not Applicable.

4.11 **Vertical Angle of Daylight --** Not Applicable.

5 Relaxation of Regulations

5.1 The Director of Planning may relax the maximum frontage regulation in section 4.2, provided that a pedestrian amenity area such as a courtyard or resting area is provided, or where pedestrian interest is otherwise maintained and provided the Director of Planning first considers all applicable policies and guidelines adopted by Council.

~~**5.2** The Director of Planning may relax the use conditions of section 2.3.1 and 3.3.1 to permit the outdoor display of retail goods, and may include such other conditions as is deemed necessary, having regard to the type of merchandise, the area and location of the display with respect to adjoining sites, the hours of operation and the intent of this Schedule.~~

5.~~3~~2 Where a need for any public, social, cultural or recreational facility has been demonstrated to the satisfaction of the Development Permit Board, the Board may relax for any one building, which includes one or more of such facilities, the maximum floor space ratio or density of a building and may require that any such facility be preserved in the public domain by way of a registered agreement and operated by the City or its delegates.

In determining the amount of the increase in floor area or density that may be permitted, the Development Permit Board shall consider:

(a) the construction cost of the facility;
(b) any costs to the developer of continuing maintenance required for the facility;
(c) the rental value of the increased floor area;
(d) the value of any authorized relaxation of other restrictions; and
(e) the opinion of City Council.

FC-2 District Schedule

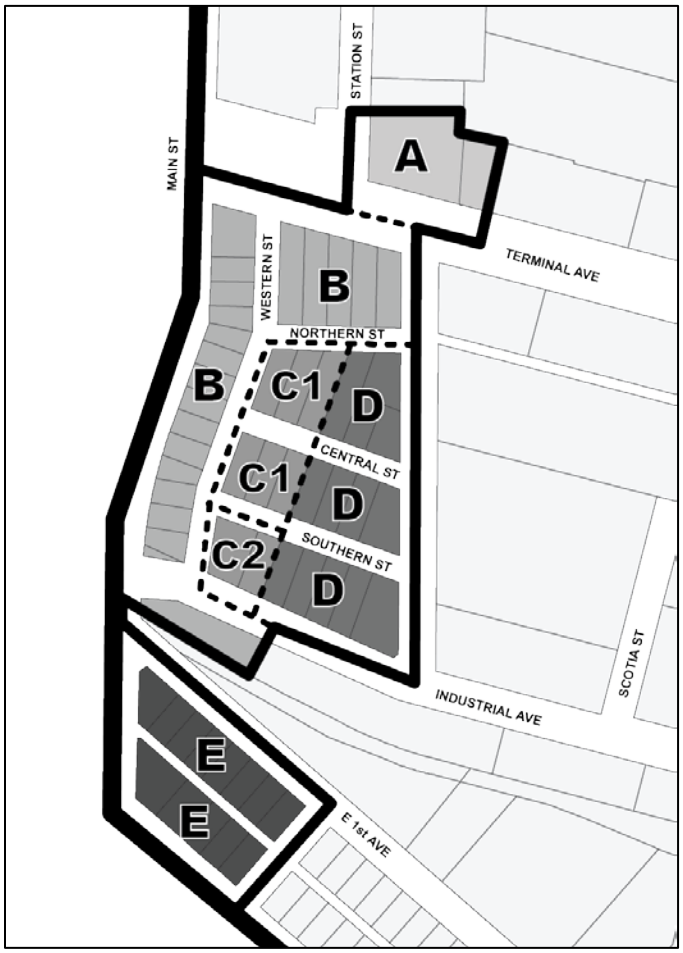
(False Creek Flats Innovation District)

1 Intent

1.1 The intent of this Schedule is to permit and encourage the development of a high-density mixed-use neighbourhood, including some residential and compatible industrial uses, together with job space to support a wide spectrum of economic uses, representing the broader False Creek Flats economy, including the creative, cultural and food economy, industrial production, research and development, and employment intensification.

1.2 The FC-2 District is to consist of six sub-areas as illustrated in Figure 1, solely for purpose of establishing permitted uses, floor area and height.

Figure 1



2 Outright Approval Uses

2.1 Subject to all other provisions of this By-law and to compliance with section 2.3 and the regulations of this Schedule, the uses listed in section 2.2 shall be permitted as specified in section 2.2 and shall be issued a permit.

2.2 Uses

2.2 The uses listed in section 2.2 shall be permitted in all sub-areas of the FC 2 District.

2.2.A

- Accessory Buildings customarily ancillary to any of the uses listed in this Schedule, except that:
  - (a) an accessory building must not exceed 4.6 m in height, and must not exceed 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 ridge of a gable, hip, or gambrel roof;
  - (b) an accessory building must be situate in the rear yard no less than 3.1 m from the ultimate centre line of any rear or flanking lane; and
  - (c) an accessory building's total floor area, measured to the extreme outer limits of the building, must not exceed 10% of the total area of the site.

- Accessory Uses customarily ancillary to any of the outright uses listed in this section, except that accessory retail use:
  - (a) may not be combined with wholesale use;
  - (b) is limited to the lesser of 33 1/3 percent or 500 m^2 of the gross floor area of the principal and accessory uses combined;
  - (c) except for accessory retail uses associated with an Artist Studio, must be separated by a wall from the floor area used for all other uses; and
  - (d) all uses other than accessory retail use must be inaccessible to the public.

2.2.C [Cultural and Recreational]

- Artist Studio.
- Arts and Culture Indoor Event.
- Theatre.

2.2.M [Manufacturing]

- Bakery Products Manufacturing.
- Clothing Manufacturing.
- Creative Products Manufacturing.
- Food or Beverage Products Manufacturing - Class B.
- Furniture or Fixtures Manufacturing.
- Information Communication Technology Manufacturing.
- Jewellery Manufacturing.
- Leather Products Manufacturing.
- Miscellaneous Products Manufacturing - Class B.
- Printing or Publishing.
- Shoes or Boots Manufacturing.
- Textiles or Knit Goods Manufacturing.
- Wood Products Manufacturing - Class B.

2.2.S [Service]

- Catering Establishment.

- Laboratory.
- Photofinishing or Photography Studio.
- Photofinishing or Photography Laboratory.
- Print Shop.
- Production or Rehearsal Studio.
- Repair Shop - Class A.
- Restaurant – Class 1, provided that the total floor area does not exceed 300 m^2.
- School - Vocational or Trade.
- Sign Painting Shop.
- Work Shop.

2.2.U [Utility and Communication]

- Radiocommunication Station.

2.3 Conditions of Use

2.3.1 No use listed in section 2.2 of this Schedule, except for Cultural and Recreational uses, Production or Rehearsal Studio, and Restaurant, shall be carried on other than wholly within a completely enclosed building, except for off-street parking and loading, heating and mechanical equipment, or other facilities or equipment which in the opinion of the Director of Planning are similar to the foregoing.

2.3.2 No use listed in section 2.2 of this Schedule shall involve the bulk storage, pending ultimate distribution off site, of explosives, fireworks, ammunition, matches, or flares; radioactive material; coal tar products or derivatives; or compressed gas or petroleum.

2.3.3 No use listed in section 2.2 of this Schedule shall involve the storage, other than wholly within a completely enclosed building, of lime; fertilizer; toxic or corrosive chemicals or acids; flammable liquids or solids; scrap or junk; rags or cotton waste; fungicides, herbicides or pesticides; paint, varnish, oil shellac or turpentine; grain, hops, or sugar; fish, fish oil or meal, animal oil or fat, or vegetable oil.

2.3.4 No use listed in section 2.2 of this Schedule, except for a Laboratory, shall involve the keeping of live animals.

3 Conditional Approval Uses

3.1 Subject to all other provisions of this By-law, compliance with section 3.3 and the provisions and regulations of this Schedule, the Director of Planning or the Development Permit Board may approve any of the uses listed in section 3.2 of this Schedule, with or without conditions, provided that the Director of Planning or the Development Permit Board 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 shall be permitted in all sub-areas of the FC 2 District.

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

3.2.1.AG [Agricultural]

- Urban Farm - Class B.

3.2.1.C [Cultural and Recreational]

- Club.
- Community Centre or Neighbourhood House.
- Fitness Centre.
- Hall.
- Park or Playground.

3.2.1.I [Institutional]

- Ambulance Station.
- Child Day Care Facility.
- Public Authority Use.
- Social Service Centre.

3.2.1.M [Manufacturing]

- Batteries Manufacturing.
- Brewing or Distilling.
- Dairy Products Manufacturing.
- Electrical Products or Appliances Manufacturing.
- Food or Beverage Products Manufacturing - Class A.
- Machinery or Equipment Manufacturing.
- Metal Products Manufacturing - Class B.
- Miscellaneous Products Manufacturing - Class A.
- Motor Vehicle Parts Manufacturing.
- Non-metallic Mineral Products Manufacturing - Class B.
- Paper Products Manufacturing.
- Plastic Products Manufacturing.
- Rubber Products Manufacturing.
- Transportation Equipment Manufacturing.

3.2.1.O [Office]

- General Office, including Digital Entertainment Information and Communication Technology, but not including the offices of accountants, lawyers and notary publics, nor the offices of real estate, advertising, insurance, travel and ticket agencies.
- General Office, but only in sub-areas A and E as shown in Figure 1.
- Financial Institution.
- Health Care Office, but only in sub-area A as shown in Figure 1.

3.2.1.P [Parking]

- Parking Uses.

3.2.1.R [Retail]

- Farmers' Market. Compatibility with nearby sites, parking, traffic, noise, hours of operation, size of facility, pedestrian amenity.
- Public Bike Share.

- Neighbourhood Grocery Store.
- Retail Store, but limited to:
- Accessory Retail Use.
- Retail Store, but limited to the sale of art and hand-crafted products.
- Limited Service Food Establishment, which means the use of premises for the primary purpose of selling, or selling and serving, prepared food to the public during all hours of operation, where the premises include not more than 16 indoor or outdoor seats for customers consuming food purchased on the premises, but where customers may also purchase food for take-out, and where live entertainment is not available.

3.2.1.S [Service]

- Animal Clinic.
- Hotel
- Laundry or Cleaning Plant.
- Motor Vehicle Repair Shop.
- Neighbourhood Public House.
- Restaurant – Class 2, provided that the total floor area does not exceed 300 m^2.
- Auction Hall.
- Repair Shop - Class B.
- Short Term Rental Accommodation.

3.2.1.T [Transportation and Storage]

- Bulk Data Storage.
- Railway Station or Rail Yard.
- Taxicab or Limousine Station.
- Truck Terminal or Courier Depot.
- Cold Storage Plant.
- Packaging Plant.
- Storage Warehouse.

3.2.1.U [Utility and Communication]

- Public Utility.
- Recycling Depot.

3.2.1.W [Wholesale]

- Wholesaling - Class A.
- Wholesaling - Class B.

3.2.1.Z
- Any other use which is not specifically listed and defined as a use in section 2 of this By-law but which the Director of Planning considers comparable in nature to the uses listed in this Schedule, having regard to the intent of this District Schedule.
- A use which is listed in section 2 of this Schedule but does not comply with the conditions of use in section 2.3.

3.2.2 The uses listed in section 3.2.2 shall be permitted in sub-areas B, C and E of the FC 2 District.

3.2.2.DW [Dwelling]

- Dwelling Units in conjunction with any of the uses listed in this Schedule.
- Micro dwelling.
- Residential Unit associated with and forming an integral part of an artist studio.
- Temporary Modular Housing.

3.3 Conditions of Use

3.3.1 All commercial uses listed in this section shall be carried on wholly within a completely enclosed building, except for the following:

(a) Parking and Loading Facilities;
(c) Neighbourhood Grocery Store;
(d) Restaurant;
(e) Retail Store;
(f) Farmers' Market;
(g) Public Bike Share;
(h) Urban Farm - Class B;
(i) Park or Playground;
(j) Neighbourhood Public House;
(k) Parking Uses; and
(l) Transportation and Storage Uses.

3.3.2 Despite section 3.3.1, the Director of Planning may permit a use listed in section 3.2 of this Schedule to be carried on outside of a completely enclosed building if appropriate measures are taken, to the satisfaction of the Director of Planning, to eliminate any dangerous, injurious, noxious or otherwise objectionable impact that could adversely affect the surrounding area and adjoining non-industrial districts.

3.3.3 No use listed in section 3.2 of this Schedule shall involve the bulk storage, pending ultimate distribution off site, of explosives, fireworks, ammunition, matches, or flares; radioactive material; coal tar products or derivatives; or compressed gas or petroleum.

3.3.4 No use listed in section 3.2 of this Schedule shall involve the storage, other than wholly within a completely enclosed building, of lime; fertilizer; toxic or corrosive chemicals or acids; flammable liquids or solids; rags or cotton waste; fungicides, herbicides or pesticides; paint, varnish, oil shellac or turpentine; grain, hops, or sugar; fish, fish oil or meal, animal oil or fat, or vegetable oil.

3.3.5 No use listed in section 3.2 of this Schedule, except for an animal clinic, shall involve the keeping of live animals.

3.3.6 No use listed in section 3.2 of this Schedule shall involve the storage of goods or materials other than wholly within a completely enclosed building unless the yard or portion of the yard containing the goods or materials is enclosed by a suitable fence or wall restricting public access.

3.3.7 A lounge use accessory to Brewing or Distilling use shall be carried on wholly within a completely enclosed building.

3.3.8 Except for entrances, Office uses are not permitted at street level.

3.3.9 Except for entrances, Bulk Data Storage use shall not be permitted at the ground floor.

3.3.10 Except for residential entrances, no dwelling uses are permitted at grade.

4 Regulations

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

4.1 Site Area – Not Applicable.

4.2 Frontage – Not Applicable.

4.3 Height

4.3.1 The maximum height of a building shall be

(a) 22.9 m in sub-areas A and B;
(b) 10.7 m in sub-area C1;
(c) 18.3 m in sub-areas C2, D, and E.

and except for buildings existing as October 31, 2017 the floor to floor height of the first floor of a building must measure a minimum of 6.0 m.

4.3.2 Despite section 4.3.1, the Director of Planning may ~~relax~~ vary the requirement to provide a minimum 6.0 m floor to floor height of the first floor of a building, provided the Director of Planning first considers the intent of this Schedule and all applicable policies and guidelines adopted by Council.

4.3.3 The Director of Planning or the Development Permit Board, as the case may be, may permit an increase in the maximum height of a building with respect to any development, provided that it first considers:

(a) the intent of this Schedule, all applicable policies and guidelines adopted by Council and the relationship of the development with nearby residential areas;
(b) the height, bulk, location and overall design of the building and its effect on the site, surrounding buildings and streets and existing views;
(c) the amount of open space, including plazas, and the effects of overall design on the general amenity of the area;
(d) the provision for pedestrian needs;
(e) the preservation of the character and general amenity desired for the area; and
(f) the submission of any advisory group, neighbouring property owner or tenant;

and the maximum height may not exceed:

(a) 51.8 m in sub-areas A, B, C2, and D;
(b) 18.3 m in sub-area C1; and
(c) 42.7 m in sub-area E.

4.4 Front Yard

4.4.1 A front yard with a minimum depth of 0.6 m shall be provided, except that the minimum front setback for any parking area shall be 1.2 m.

4.4.2 Despite section 4.4.1, the Director of Planning may permit a reduced or increased front yard or front setback for portions of the building, provided the Director of Planning first considers the intent of this Schedule and all applicable policies and guidelines adopted by Council.

4.5 Side Yards and Setbacks

4.5.1 No side yard shall be provided, except that on a corner site, the exterior side yard and side setback requirements shall be the same as the front yard and front setback requirements in section 4.4.1 and 4.4.2.

4.5.2 Despite section 4.5.1, the Director of Planning may permit a reduced or increased front yard or front setback for portions of the building, provided the Director of Planning first considers the intent of this Schedule and all applicable policies and guidelines adopted by Council.

4.6 Rear Yard and Setback

4.6.1 A rear yard with a minimum depth of 0.6 m shall be provided.

4.6.2 Despite section 4.6.1, the Director of Planning may permit a reduced rear yard or rear setback provided the Director of Planning first considers the intent of this Schedule and all applicable policies and guidelines adopted by Council.

4.7 Floor Area and Density

Floor Area and Density in Sub-Area A

4.7.1 The floor space ratio shall not exceed 7.0 in sub-area A, subject to the following:

(a) the maximum floor space ratio for retail or service uses except hotel shall be 1.0;
(b) the maximum floor space ratio for hotel use shall be 4.0;
(c) the maximum floor space ratio for all other uses permitted by sections 2.2 and 3.2 but not listed in (a) or (b) of this section 4.7.1 shall be 3.0; and
(d) the maximum floor space ratio for office use shall be 6.75,

provided that the Director of Planning or the Development Permit Board first considers:

(i) the intent of this Schedule, all applicable policies and guidelines adopted by Council and the relationship of the development with nearby residential areas;
(ii) the height, bulk, location and overall design of the building and its effect on the site, surrounding buildings and streets, and existing views;
(iii) the amount of open space, including plazas, and the effects of overall design on the general amenity of the area;
(iv) the effect of the development on traffic in the area; and
(v) the provision for pedestrian needs.

Floor Area and Density in Sub-Area B

4.7.2 The floor space ratio shall not exceed 5.00 for non-residential uses, and not exceed 3.0 for dwelling uses in sub-area B. The Director of Planning or the Development Permit Board may permit an increase in this maximum floor space ratio to any figure up to and including 6.50, which may include up to 5.00 of dwelling uses, provided that the Director of Planning or the Development Permit Board first considers:

(a) the intent of this Schedule, all applicable policies and guidelines adopted by Council and the relationship of the development with nearby residential areas;
(b) the height, bulk, location and overall design of the building and its effect on the site, surrounding buildings and streets, and existing views;

(c) the amount of open space, including plazas, and the effects of overall design on the general amenity of the area;
(d) the effect of the development on traffic in the area;
(e) the provision for pedestrian needs; and
(f) the design and livability of any dwelling uses.

Floor Area and Density in Sub-Area C1

4.7.3 The floor space ratio shall not exceed 1.00 for non-residential uses in sub area C-1. The Director of Planning or the Development Permit Board may permit an increase in this maximum floor space ratio up to and including 2.50, limited to 1.50 of non-residential uses and which may include up to 1.00 of dwelling uses developed as social housing, provided that the Director of Planning or the Development Permit Board first considers:

(a) the intent of this Schedule, all applicable policies and guidelines adopted by Council and the relationship of the development with nearby residential areas;
(b) the height, bulk, location and overall design of the building and its effect on the site, surrounding buildings and streets, and existing views;
(c) the amount of open space, including plazas, and the effects of overall design on the general amenity of the area;
(d) the effect of the development on traffic in the area;
(e) the provision for pedestrian needs; and
(f) the design and livability of any dwelling uses.

Floor Area and Density in Sub-Area C2

4.7.4 The floor space ratio shall not exceed 4.00 in sub area C-2, with a maximum of 1.00 for non-residential uses and a maximum of 3.00 for dwelling uses developed as social housing. The Director of Planning or the Development Permit Board may permit an increase in this maximum floor space ratio up to and including 6.50, limited to 1.50 of non-residential uses, and which may include up to 5.00 of dwelling uses developed as social housing, provided that the Director of Planning or the Development permit Board first considers:

(a) the intent of this Schedule, all applicable policies and guidelines adopted by Council and the relationship of the development with nearby residential areas;
(b) the height, bulk, location and overall design of the building and its effect on the site, surrounding buildings and streets, and existing views;
(c) the amount of open space, including plazas, and the effects of overall design on the general amenity of the area;
(d) the effect of the development on traffic in the area;
(e) the provision for pedestrian needs; and
(f) the design and livability of any dwelling uses.

Floor Area and Density in Sub-Area D

4.7.5 The floor space ratio shall not exceed 3.00 in sub-area D. The Director of Planning or Development Permit Board may permit an increase in this maximum floor space ratio up to and including 7.50 except that:

(a) the total floor area must include a minimum 1.00 FSR for any of the following uses combined:
    (i) Cultural and Recreational, limited to Artist Studio – Class B;

(ii) Manufacturing, limited to Bakery Products Manufacturing, Brewing or Distilling, Chemicals or Chemical Products Manufacturing - Class B, Clothing Manufacturing, Dairy Products Manufacturing, Food or Beverage Products Manufacturing - Class B, Furniture or Fixtures Manufacturing, Jewellery Manufacturing, Leather Products Manufacturing, Metal Products Manufacturing – Class A or B, Miscellaneous Products Manufacturing - Class A, Miscellaneous Products Manufacturing - Class B, Non-metallic Mineral Products Manufacturing - Class B, Paper Products Manufacturing, Printing or Publishing, Plastic Products Manufacturing, Rubber Products Manufacturing, Shoes or Boots Manufacturing, Textiles or Knit Goods Manufacturing, and Wood Products Manufacturing - Class B;

(iii) Service, limited to Catering Establishment, Motor Vehicle Repair Shop, Print Shop, Repair Shop - Class A, Repair Shop - Class B, and Sign Painting Shop; or

(iv) Accessory Uses customarily ancillary to any use permitted by this section; and

Provided the Director of Planning or Development Permit Board first considers:

(i) the intent of this Schedule, all applicable policies and guidelines adopted by Council and the relationship of the development with nearby residential areas;

(ii) the height, bulk, location and overall design of the building and its effect on the site, surrounding buildings and streets, and existing views;

(iii) the amount of open space, including plazas, and the effects of overall design on the general amenity of the area;

(iv) the effect of the development on traffic in the area;

(v) the provision for pedestrian needs; and

(vi) the design and livability of any dwelling uses.

Floor Area and Density in Sub-Area E

4.7.6 The floor space ratio shall not exceed 3.00, subject to the following:

(a) the maximum floor space ratio shall be 3.00 for Artist Studio, Manufacturing Uses, Transportation and Storage Uses, Utility and Communication Uses, Wholesale Uses, Service Uses listed in section 2.2.S, and Parking Uses;

(b) the maximum floor space ratio shall be 1.00 for Creative Products Manufacturing and the maximum floor space ratio shall be 1.00 for all other uses combined;

(c) the floor area for Retail Uses shall not exceed 1 000 m²;

(d) the floor area for General Office or Health Care Office combined shall not exceed 33 percent of the total gross floor area of all principal and accessory uses combined, except that the Director of Planning may permit up to a maximum floor space ratio of 2.00 for General Office if a minimum floor space ratio of 1.00 is provided for any of the following uses combined:

(i) Cultural and Recreational, limited to Artist Studio – Class B;

(ii) Manufacturing, limited to Bakery Products Manufacturing, Brewing or Distilling Clothing Manufacturing, Dairy Products Manufacturing, Food or Beverage Products Manufacturing - Class B, Jewellery Manufacturing, Leather Products Manufacturing, Metal Products Manufacturing – Class B, Miscellaneous Products Manufacturing - Class A, Miscellaneous Products Manufacturing - Class B, Non-metallic Mineral Products Manufacturing - Class B, Paper Products Manufacturing, Printing or Publishing, Shoes or Boots Manufacturing, Textiles or Knit Goods Manufacturing, Wood Products Manufacturing - Class B;

(iii) Service, limited to Catering Establishment, Motor Vehicle Repair Shop, Print Shop, and Repair Shop - Class B; or

(iv) Accessory Uses customarily ancillary to any use permitted by this section; and

(e) the floor area for a lounge use accessory to a Brewing or Distilling use must not exceed 80 m².

4.7.7 Notwithstanding section 4.7.6 of this schedule, if the Director of Planning first considers the intent of this schedule and all applicable Council policies and guidelines, and the submissions of any advisory groups, neighbourhood property owners or tenants consulted by the Director of Planning, the Director of Planning may permit an increase in the permitted floor area for the following uses:

(a) Dwelling Uses, provided that at least 50% of the residential floor area is comprised of social housing,

to a maximum additional floor space ratio of 3.50 in addition to the maximum permitted floor space ratio of 3.00 of non-residential uses, including the provision of a minimum floor space ratio for 1.00 combined of any uses listed in sub sections 4.7.6 (d) (i), (ii),(iii) and (iv).

4.7.8 Notwithstanding section 4.7.6 of this schedule, if the Director of Planning first considers the intent of this schedule and all applicable Council policies and guidelines, and the submissions of any advisory groups neighbourhood property owners or tenants consulted by the Director of Planning, the Director of Planning may permit an increase in the permitted floor area of one m^2 per amenity share, provided to the City at no cost to the City, for the following uses:

(a) Dwelling Uses developed as secured market rental housing,

to a maximum additional floor space ratio of 3.5 in addition to the maximum permitted floor space ratio of 3.0 of non-residential uses, including the provision of a minimum floor space ratio of 1.0 combined for any uses listed in sub sections 4.7.6 (d) (i), (ii), (iii) and (iv).

4.7.9 Notwithstanding section 4.7.8, the maximum floor space ratio achievable as a result of the provision of amenity shares must otherwise comply in all respects with this district schedule and this by-law.

4.7.10 For the purposes of section 4.7.8, amenity share means an amenity share as set out in Schedule F of this by-law.

4.7.11 For the purposes of this district schedule, amenity means the following:

(a) Community Centre or Neighbourhood House.

4.7.12 Notwithstanding section 4.7.6 of this schedule, if the Director of Planning first considers the intent of this schedule and all applicable Council policies and guidelines, and the submissions of any advisory groups neighbourhood property owners or tenants consulted by the Director of Planning, the Director of Planning may permit an increase in the permitted floor area for Dwelling Uses developed as secured market rental housing to a maximum additional floor space ratio of 3.5 in addition to the maximum permitted floor space ratio of 3.0 of non-residential uses, including the provision of a minimum floor space ratio of 1.0 combined for any uses listed in sub sections 4.7.6 (d) (i), (ii), (iii) and (iv), provided that a minimum of 35% of the dwelling units covering 35% of the floor space provided as secured market rental housing meet the rent requirements for each unit type set out in Schedule H of this By-law at the time of initial occupancy, and subject to the rental increases agreed upon in any Housing Agreement. Agreed upon rental increases will generally be in accordance with the increases permitted under section 22 of the Residential Tenancy Regulation, B.C. Reg. 477/2003.

4.7.13 Computation of floor area shall include:

(a) All floors of all buildings, both above and below ground level, to be measured to the extreme outer limits of the buildings.

4.7.14 Computation of floor area shall exclude:

(a) ~~open~~ balconies and decks 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 12% of the floor area being provided;

(b) patios, and roof decks ~~and roof gardens~~, provided that the Director of Planning first considers the effect on privacy and overlook.:
~~(i) the design of landscape treatments;~~
~~(ii) the effect on privacy and overlook; and~~
~~(iii) all applicable Council policies and guidelines.~~

(c) where floors are used for off street parking and loading, the taking on or discharging of passengers, bicycle storage, heating and mechanical equipment, or uses which in the opinion of the Director of Planning are similar to the foregoing, those floors or portions thereof so used, which are at or below the base surface provided that the off street parking spaces do not have a length of more than 7.3 m;

(d) all residential storage space above or below base surface, except that if the residential storage space above base surface exceeds 3.7 m² per dwelling unit, there will be no exclusion for any of the residential storage space above base surface for that unit; and

(e) storage space associated with an Artist Studio - Class B where the space is provided below the base surface and subject to a maximum exclusion of 20 m² for each Artist Studio - Class B.

4.7.15 Computation of floor area may exclude:

(a) interior public space, including atria and other similar spaces, provided that:
   (i) the excluded area shall not exceed the lesser of 10 % of the permitted floor area or 600 m²;
   (ii) the excluded area shall be secured by covenant and right of way in favour of the City which sets out public access and use; and
   (iii) the Director of Planning first considers all applicable policies and guidelines adopted by Council.

(b) amenity areas, including day care facilities and non-profit recreation facilities, to a maximum floor area of the lessor of 20 % of the permitted floor area or 1 000 m², provided, in the case of day care facilities, 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.

4.8 Site Coverage -- Not Applicable.

4.9 [Deleted -- see Parking By-law.]

4.10 Horizontal Angle of Daylight

4.10.1 Each habitable room must have at least one window on an exterior wall of a building.

4.10.2 Each exterior window must be located so that a plane or planes extending from the window and formed by an angle of 50 degrees, or two angles with a sum of 70 degrees, will encounter no obstruction over a distance of 24.0 m.

4.10.3 The plane or planes referred to in section 4.10.2 must be measured horizontally from the centre of the bottom of each window.

4.10.4 The Director of Planning may ~~relax~~ vary the horizontal angle of daylight requirement, if:

(a) the Director of Planning first considers all the applicable policies and guidelines adopted by Council; and
(b) the minimum distance of unobstructed view is not less than 3.7 m.

4.10.5 An obstruction referred to in section 4.10.2 means:

(a) any part of the same building including permitted projections; or
(b) the largest building permitted under the zoning on any adjoining site.

4.10.6 A habitable room referred to in section 4.10.1 does not mean:

(a) a bathroom; or
(b) a kitchen whose floor area is the lesser of:
  (i) 10% or less of the total floor area of the dwelling unit, or
  (ii) 9.3 m^2.

4.11 to 4.14 (Reserved)

4.15 Acoustics

4.15.1 A development permit application for dwelling uses shall require evidence in the form of a report and recommendations prepared by persons trained in acoustics and current techniques of noise measurement demonstrating that the noise levels in those portions of the dwelling units listed below shall not exceed the noise levels expressed in decibels set opposite such portions of the dwelling units. For the purposes of this section the noise level is the A weighted 24 hour equivalent (Leq) sound level and will be defined simply as the noise level in decibels.

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

I-1 District Schedule

1 Intent

The primary intent of this Schedule is to permit light industrial uses that are generally compatible with one another and with adjoining residential or commercial districts. It is also the intent to permit advanced technology industry, and industry with a significant amount of research and development activity. Commercial uses, including office and retail uses, which are compatible with or complementary to light industrial uses, are also permitted, subject to the limitations in this schedule.

2 Outright Approval Uses

2.1 Subject to all other provisions of this By-law, including the additional regulations in section 10.20 of this By-law, and to compliance with section 2.3 and the regulations of this Schedule, the uses listed in section 2.2 shall be permitted in this 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, except that:
  - (a) an accessory building must not exceed 4.6 m in height, and must not exceed 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 ridge of a gable, hip, or gambrel roof;
  - (b) an accessory building must be situate in the rear yard no less than 3.1 m from the ultimate centre line of any rear or flanking lane; and
  - (c) an accessory building's total floor area, measured to the extreme outer limits of the building, must not exceed 10% of the total area of the site.
- Accessory Uses customarily ancillary to any of the uses listed in this section, but not including accessory retail use in conjunction with wholesale uses listed in section 2.2.W, provided that, unless permitted as an outright approval use pursuant to section 2.2 of this Schedule, the total floor area of all accessory uses shall not be greater than 33-⅓ percent of the gross floor area of the principal and accessory uses combined, and provided that the floor area in accessory retail use, except for accessory retail use associated with an Artist Studio, is separated by a wall from the floor area in other uses which shall be inaccessible to the general public.

2.2.C [Cultural and Recreational]

- Artist Studio – Class A, provided that the use must not be combined with a Residential Unit, the change of use must only apply to floor area existing as of February 26, 2013, and any additions are limited to no more than 10 percent of existing floor area.
- Arts and Culture Indoor Event.
- Club.

2.2.I [Institutional]

- Church.

2.2.M [Manufacturing]

- Bakery Products Manufacturing.
- Batteries Manufacturing.

- Chemicals or Chemical Products Manufacturing - Class B.
- Clothing Manufacturing.
- Dairy Products Manufacturing.
- Electrical Products or Appliances Manufacturing.
- Food or Beverage Products Manufacturing - Class B.
- Furniture or Fixtures Manufacturing.
- Ice Manufacturing.
- Information Communication Technology Manufacturing.
- Jewellery Manufacturing.
- Leather Products Manufacturing.
- Miscellaneous Products Manufacturing - Class B.
- Non-metallic Mineral Products Manufacturing - Class B.
- Paper Products Manufacturing.
- Plastic Products Manufacturing.
- Printing or Publishing.
- Rubber Products Manufacturing.
- Shoes or Boots Manufacturing.
- Tobacco Products Manufacturing.
- Wood Products Manufacturing - Class B.

2.2.R [Retail]

- Gasoline Station - Full Serve.

2.2.S [Service]

- Animal Clinic.
- Catering Establishment.
- Laboratory.
- Laundry or Cleaning Plant.
- Motor Vehicle Repair Shop.
- Motor Vehicle Wash.
- Photofinishing or Photography Laboratory.
- Production or Rehearsal Studio.
- Repair Shop - Class A.
- School - Vocational or Trade.
- Sign Painting Shop.
- Work Shop.

2.2.T [Transportation and Storage]

- Cold Storage Plant.
- Packaging Plant.
- Storage Warehouse.

2.2.U [Utility and Communication]

- Radiocommunication Station.

2.2.W [Wholesale]

- Lumber and Building Materials Establishment.
- Wholesaling - Class A.
- Wholesaling - Class B, provided that floor area does not exceed 1 000 m^2.

2.3 Conditions of Use

2.3.1 No use listed in section 2.2 of this Schedule, except a full-serve gasoline station and a lumber store, shall be carried on other than wholly within a completely enclosed building, except for off-street parking and loading, heating and mechanical equipment, or other facilities or equipment which in the opinion of the Director of Planning are similar to the foregoing.

2.3.2 No use listed in section 2.2 of this Schedule shall involve the bulk storage, pending ultimate distribution off site, of explosives, fireworks, ammunition, matches, or flares; radioactive material; rags or cotton waste; and, except for a full-serve gasoline station, compressed gas, petroleum, coal or tar products or derivatives.

3 Conditional Approval Uses

3.1 Subject to all other provisions of this By-law, including the additional regulations in section 10.20 of this By-law, and compliance with section 3.3 and the provisions and regulations of this Schedule, the Director of Planning or the Development Permit Board may approve any of the uses listed in section 3.2 of this Schedule, with or without conditions, provided that the Director of Planning or the Development Permit Board 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.A
- Accessory Buildings to any of the uses listed in this Schedule, except as provided for in section 2.2.A of this Schedule.
- Accessory Uses customarily ancillary to any of the uses listed in this section, subject to the same provisions as section 2.2.A of this Schedule.
- Accessory Uses customarily ancillary to any of the uses listed in this Schedule, other than as provided for in section 2.2.A of this Schedule, except that accessory retail use may be approved only in conjunction with manufacturing uses.

3.2.AG [Agricultural]

- Urban Farm - Class B.

3.2.C [Cultural and Recreational]

- Artist Studio - Class B, provided that the change of use applies to floor area existing as of February 26, 2013 and additions are limited to a maximum of 10 percent of the existing floor area.
- Theatre.

3.2.DW [Dwelling]

- Dwelling Unit for a caretaker, watchman or other person or persons similarly employed, if such dwelling unit is considered to be essential to the operation of the business or establishment.
- Dwelling Unit existing as of and used continuously since October 25, 1988, provided that any additions thereto are limited to 10 percent of existing floor space or 37 m², whichever is the lesser.
- Residential Unit associated with and forming an integral part of an Artist Studio - Class B.

3.2.I [Institutional]

- Ambulance Station.
- Public Authority Use.
- Social Service Centre.

3.2.M [Manufacturing]

- Brewing or Distilling.
- Chemicals or Chemical Products Manufacturing - Class A.
- Food or Beverage Products Manufacturing - Class A.
- Linoleum or Coated Fabrics Manufacturing.
- Machinery or Equipment Manufacturing.
- Metal Products Manufacturing - Class B.
- Miscellaneous Products Manufacturing - Class A.
- Motor Vehicle Parts Manufacturing.
- Non-metallic Mineral Products Manufacturing - Class A.
- Rubber Manufacturing.
- Textiles or Knit Goods Manufacturing.
- Transportation Equipment Manufacturing.
- Vegetable Oil Manufacturing.

3.2.O [Office]

- General Office.
- Health Enhancement Centre.

3.2.P [Parking]

- Parking Uses.

3.2.R [Retail]

- Farmers' Market. *Compatibility with nearby sites, parking, traffic, noise, hours of operation, size of facility, pedestrian amenity*.
- Public Bike Share.
- Vehicle Dealer.

3.2.S [Service]

- Auction Hall.
- Barber Shop or Beauty Salon.
- Laundromat or Dry Cleaning Establishment.
- Neighbourhood Public House.
- Photofinishing or Photography Studio.
- Print shop.
- Repair Shop – Class B.
- Restaurant – Class 1.
- Restaurant – Class 2.
- School – Arts or Self-Improvement.
- School – Business.

3.2.T [Transportation and Storage]

- Aircraft Landing Place.
- Mini-storage Warehouse.
- Storage Yard.

- Taxicab or Limousine Station.
- Truck Terminal or Courier Depot.
- Weighing or Inspection Station.
- Works Yard.

3.2.U [Utility and Communication]

- Public Utility.
- Recycling Depot.

3.2.W [Wholesale]

- Cardlock Fuel Station.
- Wholesaling - Class B, other than as provided for in section 2.2.WH of this Schedule.

3.2.Z

- Any other use which is not specifically listed and defined as a use in section 2 of this By-law but which the Director of Planning considers comparable in nature to the uses listed in this Schedule, having regard to the intent of this District Schedule.
- Any use which is listed in section 2.2 of this Schedule but which does not comply with the provisions of section 2.3.1.
- Any other use which is not specifically listed in this district schedule but which was a legally conforming use existing as of October 25, 1988.

3.3 Conditions of Use

3.3.1 No use listed in section 3.2 of this Schedule, except a Cardlock fuel station, vehicle dealer and transportation and storage uses, shall be carried on other than wholly within a completely enclosed building unless appropriate measures are taken, to the satisfaction of the Director of Planning, to eliminate any dangerous, injurious, noxious or otherwise objectionable impact that could adversely affect the surrounding area and adjoining non-industrial districts.

3.3.2 No use listed in section 3.2 of this Schedule shall involve the bulk storage, pending ultimate distribution off site, of explosives, fireworks, ammunition, matches, or flares; radioactive material; rags or cotton waste; and, except for a Cardlock fuel station, compressed gas, petroleum, coal or tar products or derivatives.

3.3.3 No use listed in section 3.2 of this Schedule shall involve the storage, other than wholly within a completely enclosed building, of toxic or corrosive chemicals or acids; scrap; fungicides, herbicides or pesticides; paint, varnish, oil shellac or turpentine; grain, hops, or sugar; fish, fish oil or meal, animal oil or fat, or vegetable oil.

3.3.4 No use listed in section 3.2 of this Schedule shall involve the storage of goods or materials other than wholly within a completely enclosed building unless the yard or portion of the yard containing the goods or materials is enclosed by a suitable fence or wall restricting public access.

3.3.5 A Neighbourhood Public House use shall not be located within 300 m of an existing Neighbourhood Public House use.

3.3.6 A Restaurant - Class 2 use shall not be located within 200 m of an existing Restaurant - Class 2 use.

3.3.7 A lounge use accessory to Brewing or Distilling use shall be carried on wholly within a completely enclosed building.

4 Regulations

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

4.1 Site Area -- Not Applicable.

4.2 Frontage -- Not Applicable.

4.3 Height

4.3.1 The maximum height of a building shall be 18.3 m.

4.4 Front Yard

4.4.1 No front yard shall be required.

4.5 Side Yards

4.5.1 No side yard shall be required, except where the site adjoins, without the intervention of a lane, a site located in an R District, in which case a side yard with a minimum width of 1.5 m shall be provided adjoining the R District.

4.5.2 Where a side yard is provided, although not required, a side yard with a minimum width of .9 m shall be provided.

4.6 Rear Yard

4.6.1 A rear yard with a minimum depth of 3.1 m shall be provided, except that where the rear of the site abuts a lane, this required minimum depth shall be decreased by the lane width between the rear property line and the ultimate centre of the lane.

4.6.2 The Director of Planning may waive the requirement to provide a rear yard where the Director of Planning is satisfied that the site is located within an area where rear access to the site and adjacent sites is not likely to be required.

4.7 Floor Area and Density

4.7.1 Maximum floor space ratio shall not exceed 3.0, except that:

(a) the maximum floor space ratio shall be 3.0 for Manufacturing Uses, Transportation and Storage Uses, Utility and Communication Uses, Wholesale Uses, and Service Uses limited to: Catering Establishment; Laboratory; Laundry or Cleaning Plant; Motor Vehicle Repair Shop; Photofinishing or Photography Laboratory; Production or Rehearsal Studio; Repair Shop - Class A; Sign Painting Shop; and Work Shop;

(b) the maximum floor space ratio shall be 1.0 for General Office use, except that the Director of Planning may permit additional floor area for General Office use to a maximum floor space ratio of an additional 1.0, if an equal amount of floor area on the ground floor is used for a use listed in subsection 4.7.1(a);

(c) the maximum floor space ratio shall be 1.0 for Service Uses limited to: Animal Clinic; Auction Hall; Barber Shop or Beauty Salon; Laundromat or Dry Cleaning Establishment; Photofinishing or Photography Studio; Print Shop; Repair Shop - Class B; School - Arts or Self Improvement; School - Business; and School - Vocational or Trade;

(d) the maximum floor space ratio for all other uses combined must not exceed 1.0, except that:

(i) the floor area for Retail use, including accessory Retail use, must not exceed 1 000 m²,
(ii) the floor area for Neighbourhood Public House use must not exceed 500 m², of which at least 25 % must be Manufacturing Uses, limited to Brewing or Distilling,
(iii) the floor area for Restaurant - Class 1 use must not exceed 150 m²,
(iv) the floor area for Restaurant - Class 2 use must not exceed 300 m²; and
(v) the floor area for a lounge use accessory to a Brewing or Distilling use shall not exceed 80 m².

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

(a) all floors of all buildings, both above and below ground level, to be measured to the extreme outer limits of the building.

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

(a) ~~open~~ ~~residential~~ balconies and decks 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~~ these exclusions does not exceed ~~eight percent~~12% of the ~~residential~~ floor area being provided;
(b) patios and roof decks provided ~~if~~that the Director of Planning first considers the effect on privacy and overlook.:
~~(i) the design of landscape treatments;~~
~~(ii) the effect on privacy and overlook; and~~
~~(iii) all applicable Council policies and guidelines.~~
(c) where floors are used for off-street parking and loading, the taking on or discharging of passengers, bicycle storage, heating and mechanical equipment, or uses which in the opinion of the Director of Planning are similar to the foregoing, those floors or portions thereof so used, which:
(i) are at or below the base surface, provided that the maximum exclusion for a parking space shall not exceed 7.3 m in length; or
(ii) are above the base surface and where developed as off-street parking are located in an accessory building situated in the rear yard, provided that the maximum exclusion for a parking space shall not exceed 7.3 m in length;
(d) storage space associated with an artist studio - class B where the space is provided below the base surface and subject to a maximum exclusion of 20 m² for each artist studio - class B; and
(e) amenity areas, including child day care facilities, recreation facilities and meeting rooms accessory to a residential use, to a maximum total area of 10 percent of the total permitted floor area.

I-1A District Schedule

1 Intent

The primary intent of this schedule is to permit light industrial uses, including those with a significant amount of research and development activity, that are generally compatible with one another and with adjoining residential or commercial districts. Complementary commercial uses, including office and retail, with a particular focus on digital entertainment and information communication technology use, are also permitted, subject to the limitations in this schedule.

2 Outright Approval Uses

2.1 Subject to all other provisions of this By-law, and to compliance with section 2.3 and the regulations of this schedule, the uses listed in section 2.2 shall be permitted in these districts 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, except that:
  - (a) an accessory building must not exceed 4.6 m in height, and must not exceed 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 ridge of a gable, hip, or gambrel roof;
  - (b) an accessory building must be situated in the rear yard no less than 3.1 m from the ultimate centre line of any rear or flanking lane; and
  - (c) an accessory building's total floor area, measured to the extreme outer limits of the building, must not exceed 10% of the total area of the site.

- Accessory Uses customarily ancillary to any of the uses listed in this section, but not including accessory retail use in conjunction with wholesale uses listed in section 2.2.W, provided that, unless permitted as an outright approval use pursuant to section 2.2 of this schedule, the total floor area of all accessory uses shall not be greater than 33⅓ % of the gross floor area of the principal and accessory uses combined, and provided that the floor area in accessory retail use, except for accessory retail use associated with an Artist Studio, is separated by a wall from the floor area in other uses which shall be inaccessible to the general public.

2.2.C [Cultural and Recreational]

- Artist Studio – Class A, provided that the use must not be combined with a Residential Unit, the change of use must only apply to floor area existing as of May 2, 2017 and any additions are limited to no more than 10 % of existing floor area.
- Arts and Culture Indoor Event.
- Club.

2.2.I [Institutional]

- Church.

2.2.M [Manufacturing]

- Bakery Products Manufacturing.
- Batteries Manufacturing.
- Chemicals or Chemical Products Manufacturing - Class B.
- Clothing Manufacturing.
- Dairy Products Manufacturing.
- Electrical Products or Appliances Manufacturing.
- Food or Beverage Products Manufacturing - Class B.
- Furniture or Fixtures Manufacturing.
- Ice Manufacturing.
- Information Communication Technology Manufacturing.
- Jewellery Manufacturing.
- Leather Products Manufacturing.
- Miscellaneous Products Manufacturing - Class B.
- Non metallic Mineral Products Manufacturing - Class B.
- Paper Products Manufacturing.
- Plastic Products Manufacturing.
- Printing or Publishing.
- Rubber Products Manufacturing.
- Shoes or Boots Manufacturing.
- Tobacco Products Manufacturing.
- Wood Products Manufacturing - Class B.

2.2.R [Retail]

- Gasoline Station - Full Serve.

2.2.S [Service]

- Animal Clinic.
- Catering Establishment.
- Laboratory.
- Laundry or Cleaning Plant.
- Motor Vehicle Repair Shop.
- Motor Vehicle Wash.
- Photofinishing or Photography Laboratory.
- Production or Rehearsal Studio.
- Repair Shop - Class A.
- School - Vocational or Trade.
- Sign Painting Shop.
- Work Shop.

2.2.T [Transportation and Storage]

- Cold Storage Plant.
- Packaging Plant.
- Storage Warehouse.

2.2.U [Utility and Communication]

- Radiocommunication Station.

2.2.W [Wholesale]

- Lumber and Building Materials Establishment.
- Wholesaling - Class A.
- Wholesaling - Class B, provided that floor area does not exceed 1 000 m^2.

2.3 Conditions of Use

2.3.1 All uses listed in section 2.2 of this schedule, except a full serve gasoline station and a lumber store, shall be carried on wholly within a completely enclosed building, except for off street parking and loading, heating and mechanical equipment, or other facilities or equipment which in the opinion of the Director of Planning are similar to the foregoing.

2.3.2 No use listed in section 2.2 of this schedule shall involve the bulk storage, pending ultimate distribution off site, of explosives, fireworks, ammunition, matches, or flares; radioactive material; rags or cotton waste; and, except for a full serve gasoline station, compressed gas, petroleum, coal or tar products or derivatives.

3 Conditional Approval Uses

3.1 Subject to all other provisions of this By-law, including the additional regulations in section 10.20 of this By-law, and compliance with section 3.3 and the provisions and regulations of this Schedule, the Director of Planning or the Development Permit Board may approve any of the uses listed in section 3.2 of this Schedule, with or without conditions, provided that the Director of Planning or the Development Permit Board 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.A
- Accessory Buildings to any of the uses listed in this schedule, except as provided for in section 2.2.A of this schedule.
- Accessory Uses customarily ancillary to any of the uses listed in this section, subject to the same provisions as section 2.2.A of this schedule.
- Accessory Uses customarily ancillary to any of the uses listed in this schedule, other than as provided for in section 2.2.A of this schedule, except that accessory retail use may be approved only in conjunction with manufacturing uses.

3.2.AG [Agricultural]

- Urban Farm - Class B

3.2.C [Cultural and Recreational]

- Artist Studio - Class B, provided that the change of use applies to floor area existing as of May 2, 2017 and additions are limited to a maximum of 10 % of the existing floor area.
- Theatre.

3.2.DW [Dwelling]

- Dwelling Unit for a caretaker, watchman or other person or persons similarly employed, if such dwelling unit is considered to be essential to the operation of the business or establishment.
- Residential Unit associated with and forming an integral part of an Artist Studio - Class B.

3.2.I [Institutional]

- Ambulance Station.
- Public Authority Use.
- Social Service Centre.

3.2.M [Manufacturing]

- Brewing or Distilling.
- Chemicals or Chemical Products Manufacturing - Class A.
- Food or Beverage Products Manufacturing - Class A.
- Linoleum or Coated Fabrics Manufacturing.
- Machinery or Equipment Manufacturing.
- Metal Products Manufacturing - Class B.
- Miscellaneous Products Manufacturing - Class A.
- Motor Vehicle Parts Manufacturing.
- Non metallic Mineral Products Manufacturing - Class A.
- Rubber Manufacturing.
- Textiles or Knit Goods Manufacturing.
- Transportation Equipment Manufacturing.
- Vegetable Oil Manufacturing.

3.2.O [Office]

- General Office.
- Health Enhancement Centre.

3.2.P [Parking]

- Parking Uses.

3.2.R [Retail]

- Farmers' Market. *Compatibility with nearby sites, parking, traffic, noise, hours of operation, size of facility, pedestrian amenity*.
- Public Bike Share.
- Vehicle Dealer.

3.2.S [Service]

- Auction Hall.
- Barber Shop or Beauty Salon.
- Laundromat or Dry Cleaning Establishment.
- Neighbourhood Public House.
- Photofinishing or Photography Studio.
- Print shop.
- Repair Shop – Class B.
- Restaurant – Class 1.
- Restaurant – Class 2.
- School – Arts or Self-Improvement.
- School – Business.

3.2.T [Transportation and Storage]

- Aircraft Landing Place.
- Storage Yard.
- Taxicab or Limousine Station.
- Truck Terminal or Courier Depot.
- Weighing or Inspection Station.
- Works Yard

3.2.U [Utility and Communication]

- Public Utility.
- Recycling Depot.

3.2.W [Wholesale]

- Cardlock Fuel Station.
- Wholesaling - Class B, other than as provided for in section 2.2.WH of this Schedule.

3.2.Z

- Any other use which is not specifically listed and defined as a use in section 2 of this by-law but which the Director of Planning considers comparable in nature to the uses listed in this schedule, having regard to the intent of this district schedule.
- Any use which is listed in section 2.2 of this schedule but which does not comply with the provisions of section 2.3.1.
- Any other use which is not specifically listed in this district schedule but which was a legally conforming use existing as of October 25, 1988.

3.3 Conditions of Use

3.3.1 All uses listed in section 3.2 of this schedule, except a Cardlock fuel station, vehicle dealer and transportation and storage uses, shall be carried wholly within a completely enclosed building unless appropriate measures are taken, to the satisfaction of the Director of Planning, to eliminate any dangerous, injurious, noxious or otherwise objectionable impact that could adversely affect the surrounding area and adjoining non industrial districts.

3.3.2 No use listed in section 3.2 of this schedule shall involve the bulk storage, pending ultimate distribution off site, of explosives, fireworks, ammunition, matches, or flares; radioactive material; rags or cotton waste; and, except for a Cardlock fuel station, compressed gas, petroleum, coal or tar products or derivatives.

3.3.3 No use listed in section 3.2 of this schedule shall involve the storage, other than wholly within a completely enclosed building, of toxic or corrosive chemicals or acids; scrap; fungicides, herbicides or pesticides; paint, varnish, oil shellac or turpentine; grain, hops, or sugar; fish, fish oil or meal, animal oil or fat, or vegetable oil.

3.3.4 No use listed in section 3.2 of this schedule shall involve the storage of goods or materials other than wholly within a completely enclosed building unless the yard or portion of the yard containing the goods or materials is enclosed by a suitable fence or wall restricting public access.

3.3.5 A Neighbourhood Public House use shall not be located within 300 m of an existing Neighbourhood Public House use.

3.3.6 A Restaurant - Class 2 use shall not be located within 200 m of an existing Restaurant - Class 2 use.

3.3.7 A Lounge use accessory to Brewing or Distilling use shall be carried on wholly within a completely enclosed building.

4 Regulations

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

4.1 Site Area -- Not Applicable.

4.2 Frontage -- Not Applicable.

4.3 Height

4.3.1 The maximum height of a building shall not exceed 33.5 m except that:

(a) for a depth of 6.1 m measured from a property line adjacent to Quebec Street, the height of a building must not exceed 18.3 m, as illustrated in Figure 1;
(b) for a depth of 4.5 m measured from a property line adjacent to 2nd Avenue, 3rd Avenue, 4th Avenue and 5th Avenue, the height of a building must not exceed 18.3 m, as illustrated in Figure 2;
(c) for a depth of 9.1 m measured from the property line adjacent to the north/south lane running between 2nd and 5th Avenue, the height of a building must not exceed 18.3 m, as illustrated in Figure 3;
(d) the floor area of any storey located above 18.3m in height must not exceed 65% of the floor area of the largest storey located at or below 18.3 m; and
(e) except for those buildings existing as of May 2, 2017, the floor to floor height of the first floor of a building must measure a minimum of 5.35 m.

Figure 1 Height Limit along Quebec Street

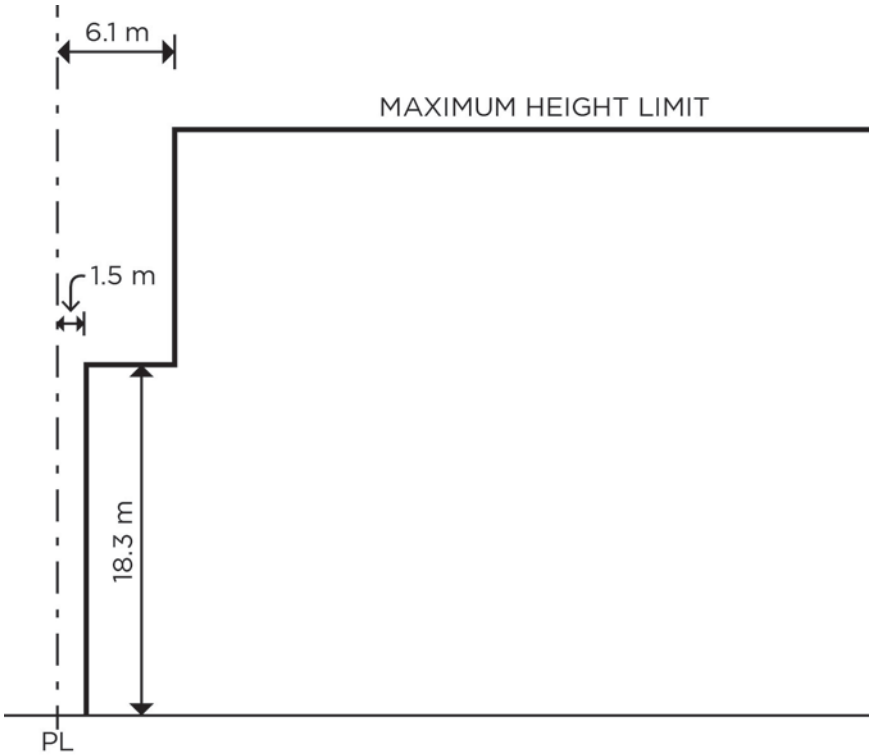


Figure 2 Height Limit along 2nd, 3rd, 4th and 5th Avenue

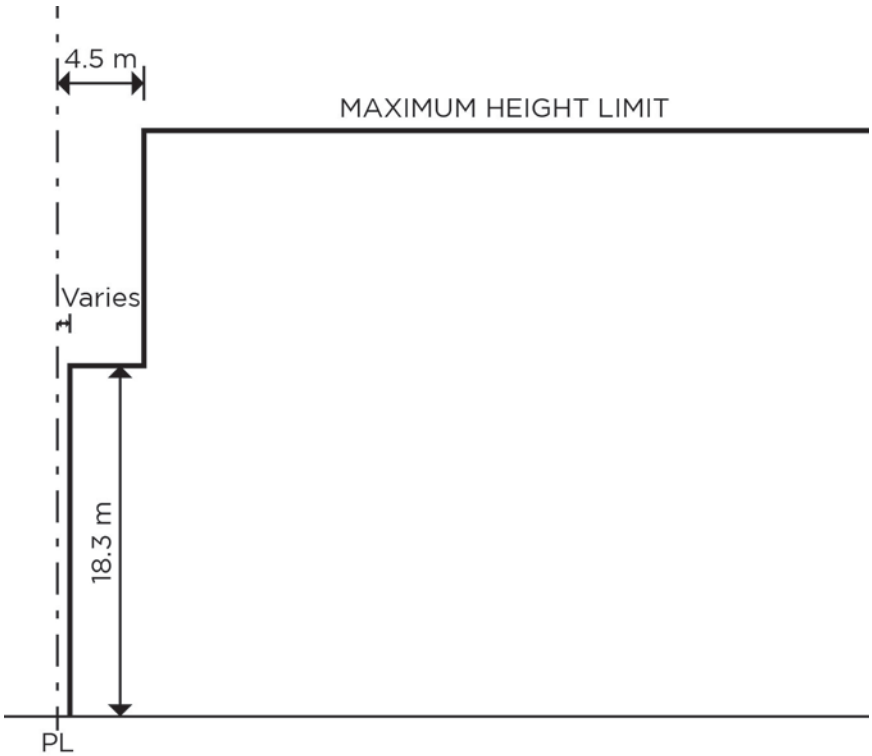
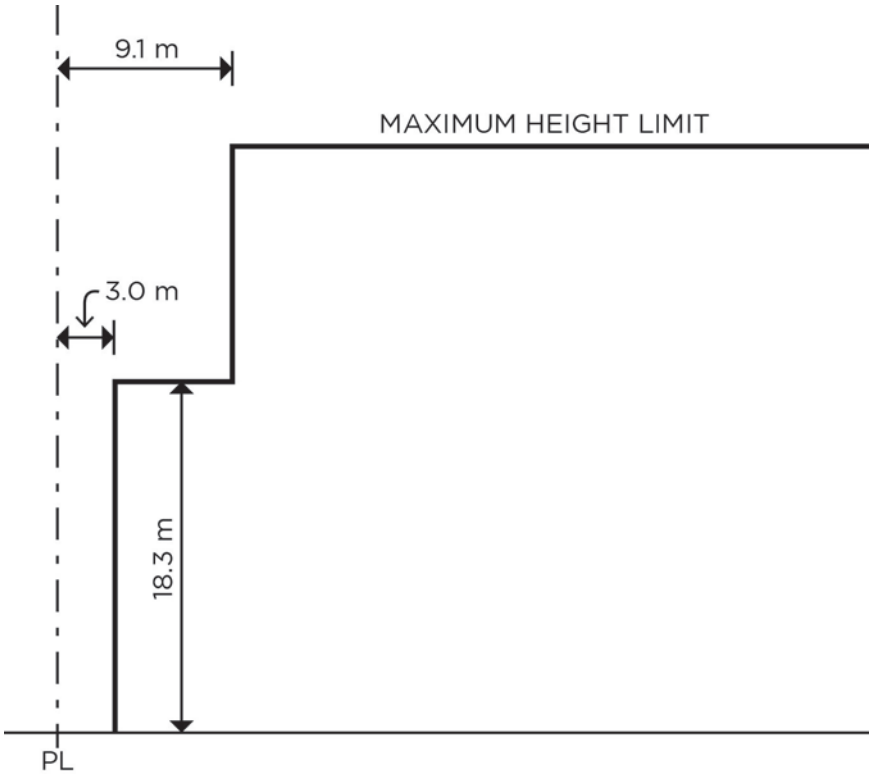


Figure 3 Height Limit at North/South Lane between 2nd and 5th Avenue



4.3.2 The Director of Planning may vary the height requirements of section 4.3.1 as follows:

(a) the maximum height of a building existing as of May 2, 2017, may exceed 33.5 m by 1.5m to a maximum height of 35 m;

(b) any floor above 18.3 m may be permitted to extend into the required upper floor setback as follows:

(i) on Quebec Street, the width of the building may extend up to 3.0 m into the required 6.1 m upper floor setback for up to one-third of the width of a building fronting the street, and

(ii) on 2nd, 3rd , 4th and 5th Avenue, the 4.5 m upper floor setback may be reduced for up to one-third of the width of a building fronting the avenue,

except that:

(iii) the floor area of any storey located above 18.3 m in height must not exceed 80% of the floor area of the largest permitted storey located at or below 18.3m; and

(iv) the building must not encroach into the ground floor setbacks as specified in section 4.4.

4.4 Setbacks

The setback of a building must be at least:

(a) for properties on the south side of 2nd Avenue, 31.7 m measured from the property line adjacent to the north side of the dedicated street;
(b) 1.5 m from the property line adjacent to Quebec Street;
(c) 0.65 m from the property line adjacent to 3rd Avenue;
(d) 0.65 m from the property line adjacent to 4th Avenue;
(e) 0.65 m from the property line adjacent to 5th Avenue;
(f) 3.0 m from property line adjacent to the north/south lane, running between 2nd and 5th Avenue; and
(g) 0.6 m from any property line adjacent to an east-west lane,

except that no setbacks shall be required for buildings existing as of May 2, 2017.

4.5 Floor Area and Density

4.5.1 Maximum floor space ratio shall not exceed 3.0, except that:

(a) the maximum floor space ratio shall be 3.0 for Manufacturing Uses, Transportation and Storage Uses, except mini-storage warehouse use, Utility and Communication Uses, Wholesale Uses and Service Uses limited to: Catering Establishment; Laboratory; Laundry or Cleaning Plant; Motor Vehicle Repair Shop; Photofinishing or Photography Laboratory; Production or Rehearsal Studio; Repair Shop - Class A; Sign Painting Shop; and Work Shop;
(b) the maximum floor space ratio shall be 1.0 for General Office use, except that the Director of Planning may permit additional floor area for General Office use to a maximum floor space ratio of an additional 1.0, if an equal amount of floor area on the ground floor is used for a use listed in subsection 4.5.1(a);
(c) the maximum floor space ratio shall be 1.0 for Service Uses limited to: Animal Clinic; Auction Hall; Barber Shop or Beauty Salon; Laundromat or Dry Cleaning Establishment; Photofinishing or Photography Studio; Print Shop; Repair Shop - Class B; School - Arts or Self Improvement; School - Business; and School - Vocational or Trade; and

(d) the maximum floor space ratio for all other uses combined must not exceed 1.0, except that the maximum permitted floor area:
   (i) for Retail use, including accessory Retail use, must not exceed 1,000 m²,
   (ii) for Neighbourhood Public House use must not exceed 500 m², of which at least 25 % must be Manufacturing Uses, limited to Brewing or Distilling,
   (iii) for Restaurant - Class 1 use must not exceed 150 m²,
   (iv) for Restaurant - Class 2 use must not exceed 300 m², and
   (v) for a lounge use accessory to a Brewing or Distilling use must not exceed 80 m².

4.5.2 Notwithstanding section 4.5.1 of this schedule, if the Director of Planning first considers the intent of this schedule and all applicable Council policies and guidelines, the Director of Planning may permit an increase in the permitted floor area of one m^2 per amenity share, provided to the city at no cost to the city, for the following uses:

(a) uses listed in subsection 4.5.1(a), and
(b) digital entertainment and information communication technology use,

to a maximum additional floor space ratio of 2.0 above the maximum permitted floor space ratio of 3.0.

4.5.3 For the purposes of section 4.5.2, amenity share means an amenity share as set out in Schedule F of this by-law.

4.5.4 Notwithstanding section 4.5.2, the maximum floor space ratio achievable as a result of the provision of amenity shares must otherwise comply in all respects with this district schedule and this by-law.

4.5.5 For the purposes of this district schedule, amenity means a Child Day Care Facility.

4.6 Computation of Floor Area

4.6.1 Computation of floor area must include all floors of all buildings, both above and below ground level, measured to the extreme outer limits of the building.

4.6.2 Computation of floor area must exclude:

(a) ~~open~~ ~~residential~~ balconies and decks 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 these exclusions does not exceed ~~eight percent~~12% of the ~~residentia~~l floor area being provided;
(b) patios and roof decks provided~~if~~ that the Director of Planning first considers the effect on privacy and overlook:
   ~~(i) the design of landscape treatments,~~
   ~~(ii) the effect on privacy and overlook, and~~
   ~~(iii) all applicable Council policies and guidelines;~~
(c) where floors are used for off street parking and loading, the taking on or discharging of passengers, bicycle storage, heating and mechanical equipment, or uses which in the opinion of the Director of Planning are similar to the foregoing, those floors or portions thereof so used, which:
   (i) are at or below the base surface, provided that the maximum exclusion for a parking space shall not exceed 7.3 m in length, or
   (ii) are above the base surface and where developed as off street parking are located in an accessory building situated in the rear yard, provided that the maximum exclusion for a parking space shall not exceed 7.3 m in length; and
(d) storage area associated with an artist studio - class B where the storage area is provided below the base surface and subject to a maximum exclusion of 20 m² for each artist studio - class B;

4.6.3 The Director of Planning may vary the computation of floor area exclusions of section 4.6.2 for accessory amenity areas, including child day care facilities and recreation facilities to a maximum of 10 % of the total permitted floor area.

~~5 Relaxation of Regulations~~

~~5.1 The Director of Planning may relax the height requirements of section 4.3 of this schedule as follows:~~

~~(a) the maximum height of a building existing as of May 2, 2017, may exceed 33.5 m by 1.5m to a maximum height of 35 m;~~

~~(b) any floor above 18.3 m may be permitted to extend into the required upper floor setback as follows:~~

~~(i) on Quebec Street, the width of the building may extend up to 3.0 m into the required 6.1 m upper floor setback for up to one third of the width of a building fronting the street, and~~
~~(ii) on 2nd, 3rd , 4th and 5th Avenue, the 4.5 m upper floor setback may be reduced for up to one third of the width of a building fronting the avenue,~~

~~except that:~~

~~(iii) the floor area of any storey located above 18.3 m in height must not exceed 80% of the floor area of the largest permitted storey located at or below 18.3m; and~~
~~(iv) the building must not encroach into the ground floor setbacks as specified in section 4.4.~~

~~5.2 The Director of Planning may relax the computation of floor area exclusions of section 4.6.2 of this schedule for accessory amenity areas, including child day care facilities and recreation facilities to a maximum of 10 % of the total permitted floor area.~~

I-1B District Schedule

1. Intent

The primary intent of this schedule is to permit light industrial uses, including those with a significant amount of research and development activity, that are generally compatible with one another and with adjoining residential or commercial districts. Complementary commercial uses, including office and retail, with a particular focus on digital entertainment and information communication technology use, are also permitted, subject to the limitations in this schedule.

2. Outright Approval Uses

2.1 Subject to all other provisions of this By-law, and to compliance with section 2.3 and the regulations of this Schedule, the uses listed in section 2.2 shall be permitted in these districts 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, except that:
  - (a) an accessory building must not exceed 4.6 m in height, and must not exceed 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 ridge of a gable, hip, or gambrel roof;
  - (b) an accessory building must be situated in the rear yard no less than 3.1 m from the ultimate centre line of any rear or flanking lane; and
  - (c) an accessory building's total floor area, measured to the extreme outer limits of the building, must not exceed 10% of the total area of the site.
- Accessory Uses customarily ancillary to any of the uses listed in this section, but not including accessory retail use in conjunction with wholesale uses listed in section 2.2.W, provided that, unless permitted as an outright approval use pursuant to section 2.2 of this schedule, the total floor area of all accessory uses shall not be greater than 33⅓ % of the gross floor area of the principal and accessory uses combined, and provided that the floor area in accessory retail use, except for accessory retail use associated with an Artist Studio, is separated by a wall from the floor area in other uses which shall be inaccessible to the general public.

2.2.C [Cultural and Recreational]

- Artist Studio – Class A, provided that the use must not be combined with a Residential Unit, the change of use must only apply to floor area existing as of May 2, 2017 and any additions are limited to no more than 10 % of existing floor area.
- Arts and Culture Indoor Event.
- Club.s

2.2.I [Institutional]

- Church.

2.2.M [Manufacturing]

- Bakery Products Manufacturing.
- Batteries Manufacturing.

- Chemicals or Chemical Products Manufacturing - Class B.
- Clothing Manufacturing.
- Dairy Products Manufacturing.
- Electrical Products or Appliances Manufacturing.
- Food or Beverage Products Manufacturing - Class B.
- Furniture or Fixtures Manufacturing.
- Ice Manufacturing.
- Information Communication Technology Manufacturing.
- Jewellery Manufacturing.
- Leather Products Manufacturing.
- Miscellaneous Products Manufacturing - Class B.
- Non metallic Mineral Products Manufacturing - Class B.
- Paper Products Manufacturing.
- Plastic Products Manufacturing.
- Printing or Publishing.
- Rubber Products Manufacturing.
- Shoes or Boots Manufacturing.
- Tobacco Products Manufacturing.
- Wood Products Manufacturing - Class B.

2.2.R [Retail]

- Gasoline Station - Full Serve.

2.2.S [Service]

- Animal Clinic.
- Catering Establishment.
- Laboratory.
- Laundry or Cleaning Plant.
- Motor Vehicle Repair Shop.
- Motor Vehicle Wash.
- Photofinishing or Photography Laboratory.
- Production or Rehearsal Studio.
- Repair Shop - Class A.
- School - Vocational or Trade.
- Sign Painting Shop.
- Work Shop.

2.2.T [Transportation and Storage]

- Cold Storage Plant.
- Packaging Plant.
- Storage Warehouse.

2.2.U [Utility and Communication]

- Radiocommunication Station.

2.2.W [Wholesale]

- Lumber and Building Materials Establishment.
- Wholesaling - Class A.
- Wholesaling - Class B, provided that floor area does not exceed 1 000 m^2.

2.3 Conditions of Use

2.3.1 No use listed in section 2.2 of this schedule, except a full serve gasoline station and a lumber store, shall be carried on other than wholly within a completely enclosed building, except for off street parking and loading, heating and mechanical equipment, or other facilities or equipment which in the opinion of the Director of Planning are similar to the foregoing.

2.3.2 No use listed in section 2.2 of this schedule shall involve the bulk storage, pending ultimate distribution off site, of explosives, fireworks, ammunition, matches, or flares; radioactive material; rags or cotton waste; and, except for a full serve gasoline station, compressed gas, petroleum, coal or tar products or derivatives.

3. Conditional Approval Uses

3.1 Subject to all other provisions of this By-law, including the additional regulations in section 10.20 of this By-law, and compliance with section 3.3 and the provisions and regulations of this Schedule, the Director of Planning or the Development Permit Board may approve any of the uses listed in section 3.2 of this Schedule, with or without conditions, provided that the Director of Planning or the Development Permit Board 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.A
- Accessory Buildings to any of the uses listed in this schedule, except as provided for in section 2.2.A of this schedule.
- Accessory Uses customarily ancillary to any of the uses listed in this section, subject to the same provisions as section 2.2.A of this schedule.
- Accessory Uses customarily ancillary to any of the uses listed in this schedule, other than as provided for in section 2.2.A of this schedule, except that accessory retail use may be approved only in conjunction with manufacturing uses.

3.2.AG [Agricultural]

- Urban Farm – Class B.

3.2.C [Cultural and Recreational]

- Artist Studio - Class B, provided that the change of use applies to floor area existing as of May 2, 2017 and additions are limited to a maximum of 10 % of the existing floor area.
- Theatre.

3.2.DW [Dwelling]

- Dwelling Unit for a caretaker, watchman or other person or persons similarly employed, if such dwelling unit is considered to be essential to the operation of the business or establishment.
- Residential Unit associated with and forming an integral part of an Artist Studio - Class B.

3.2.I [Institutional]

- Ambulance Station.
- Public Authority Use.
- Social Service Centre.

3.2.M [Manufacturing]

- Brewing or Distilling.
- Chemicals or Chemical Products Manufacturing - Class A.
- Food or Beverage Products Manufacturing - Class A.
- Linoleum or Coated Fabrics Manufacturing.
- Machinery or Equipment Manufacturing.
- Metal Products Manufacturing - Class B.
- Miscellaneous Products Manufacturing - Class A.
- Motor Vehicle Parts Manufacturing.
- Non metallic Mineral Products Manufacturing - Class A.
- Rubber Manufacturing.
- Textiles or Knit Goods Manufacturing.
- Transportation Equipment Manufacturing.
- Vegetable Oil Manufacturing.

3.2.O [Office]

- General Office.
- Health Enhancement Centre.

3.2.P [Parking]

- Parking Uses.

3.2.R [Retail]

- Farmers' Market. *Compatibility with nearby sites, parking, traffic, noise, hours of operation, size of facility, pedestrian amenity.*
- Public Bike Share.
- Vehicle Dealer.

3.2.S [Service]

- Auction Hall.
- Barber Shop or Beauty Salon.
- Laundromat or Dry Cleaning Establishment.
- Neighbourhood Public House.
- Photofinishing or Photography Studio.
- Print shop.
- Repair Shop – Class B.
- Restaurant – Class 1.
- Restaurant – Class 2.
- School – Arts or Self-Improvement.
- School – Business.

3.2.T [Transportation and Storage]

- Aircraft Landing Place
- Storage Yard.
- Taxicab or Limousine Station.
- Truck Terminal or Courier Depot.
- Weighing or Inspection Station.
- Works Yard.

3.2.U [Utility and Communication]

- Public Utility.
- Recycling Depot.

3.2.W [Wholesale]

- Cardlock Fuel Station.
- Wholesaling - Class B, other than as provided for in section 2.2.WH of this schedule.

3.2.Z
- Any other use which is not specifically listed and defined as a use in section 2 of this by-law but which the Director of Planning considers comparable in nature to the uses listed in this schedule, having regard to the intent of this district schedule.
- Any use which is listed in section 2.2 of this schedule but which does not comply with the provisions of section 2.3.1.
- Any other use which is not specifically listed in this district schedule but which was a legally conforming use existing as of October 25, 1988.

3.3 Conditions of Use

3.3.1 All uses listed in section 3.2 of this schedule, except a Cardlock fuel station, vehicle dealer and transportation and storage uses, shall be carried on wholly within a completely enclosed building unless appropriate measures are taken, to the satisfaction of the Director of Planning, to eliminate any dangerous, injurious, noxious or otherwise objectionable impact that could adversely affect the surrounding area and adjoining non industrial districts.

3.3.2 No use listed in section 3.2 of this schedule shall involve the bulk storage, pending ultimate distribution off site, of explosives, fireworks, ammunition, matches, or flares; radioactive material; rags or cotton waste; and, except for a Cardlock fuel station, compressed gas, petroleum, coal or tar products or derivatives.

3.3.3 No use listed in section 3.2 of this schedule shall involve the storage, other than wholly within a completely enclosed building, of toxic or corrosive chemicals or acids; scrap; fungicides, herbicides or pesticides; paint, varnish, oil shellac or turpentine; grain, hops, or sugar; fish, fish oil or meal, animal oil or fat, or vegetable oil.

3.3.4 No use listed in section 3.2 of this schedule shall involve the storage of goods or materials other than wholly within a completely enclosed building unless the yard or portion of the yard containing the goods or materials is enclosed by a suitable fence or wall restricting public access.

3.3.5 A Neighbourhood Public House use shall not be located within 300 m of an existing Neighbourhood Public House use.

3.3.6 A Restaurant - Class 2 use shall not be located within 200 m of an existing Restaurant - Class 2 use.

3.3.7 A lounge use accessory to Brewing or Distilling use shall be carried on wholly within a completely enclosed building.

4. Regulations

All uses approved under sections 2 or 3 of this schedule shall be subject to the following regulations:

4.1 Site Area -- Not Applicable.

4.2 Frontage -- Not Applicable.

4.3 Height

4.3.1 The maximum height of a building shall not exceed 38 m except that:

(a) for a depth of 6.1 m measured from a property line adjacent to Quebec Street, the height of a building must not exceed 18.3 m, as illustrated in Figure 1;
(b) for a depth of 4.5 m measured from a property line adjacent to 5th Avenue and 6th Avenue, the height of a building must not exceed 18.3 m, as illustrated in Figure 2;
(b) for a depth of 9.1 m measured from the property line adjacent to the north-south lane running between 5th Avenue and 6th Avenue, the height of a building must not exceed 18.3m, as illustrated in Figure 3;
(c) the floor area of any storey located above 18.3 m in height must not exceed 65% of the floor area of the largest storey located at or below 18.3 m; and
(d) except for those buildings existing as of May 2, 2017, the floor to floor height of the first floor of a building must measure a minimum of 5.35 m.

Figure 1 Height Limit along Quebec Street

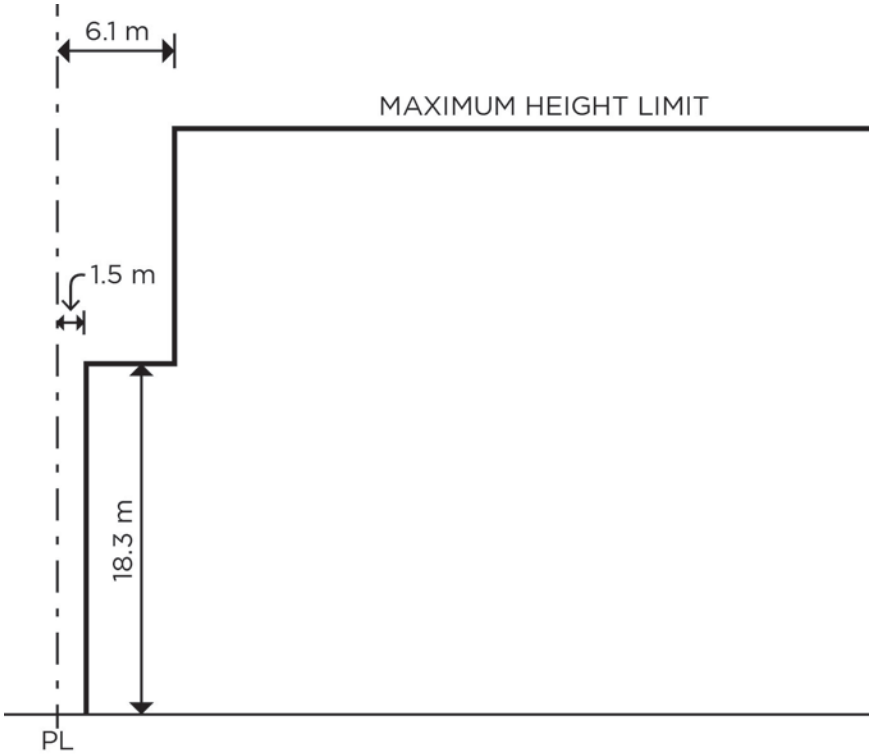


Figure 2 Height Limits along 5th and 6th Avenue

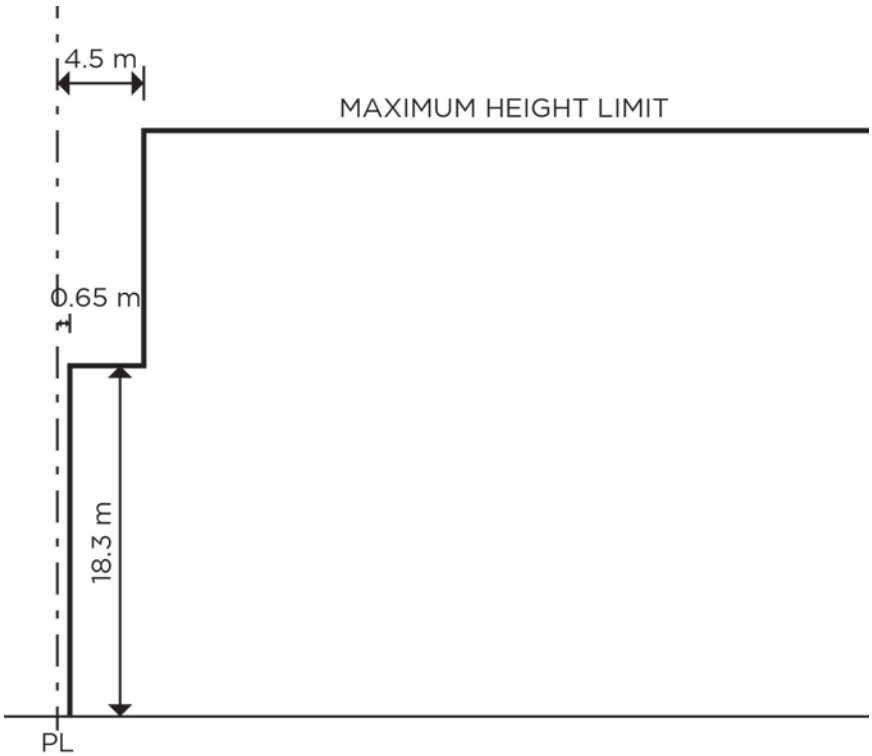
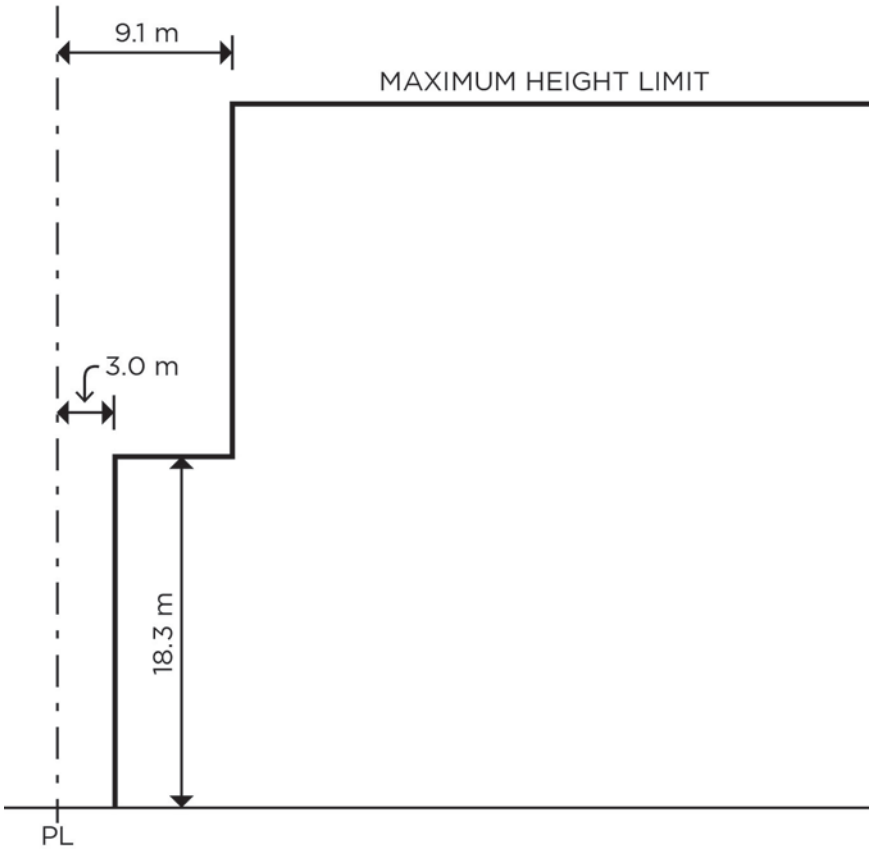


Figure 3 Height Limit at North/South Lane running between 5th and 6th Avenue



4.3.2 The Director of Planning may vary the height requirements of section 4.3.1 as follows:

(a) any floor above 18.3 m may be permitted to extend into the required upper floor setback as follows:

(i) on Quebec Street, the width of the building may extend up to 3.0 m into the required 6.1 m upper floor setback for up to one-third of the width of a building fronting the street, and

(ii) on 5th and 6th Avenue, the 4.5 m upper floor setback may be reduced for up to one-third of the width of a building fronting the avenue,

except that:

(iii) the floor area of any storey located above 18.3 m in height must not exceed 80% of the floor area of the largest permitted storey located at or below 18.3m; and

(iv) the building must not encroach into the ground floor setbacks as specified in section 4.4.

4.4 Setbacks

The setback of a building must be at least:

(a) 1.5 m from the property line adjacent to Quebec Street;
(b) 0.65 m from the property line adjacent to 5th Avenue;
(c) 0.65 m from the property line adjacent to 6th Avenue;
(d) 3.0 m from the property line adjacent to the north/south lane, running between 5th and 6th Avenue; and
(e) 0.6 m from any property line adjacent to an east-west lane,

except that no setbacks shall be required for buildings existing as of May 2, 2017.

4.5 Floor Area and Density

4.5.1 Maximum floor space ratio shall not exceed 3.0, except that:

(a) the maximum floor space ratio shall be 3.0 for Manufacturing Uses, Transportation and Storage Uses, except mini-storage warehouse use, Utility and Communication Uses, Wholesale Uses and Service Uses limited to: Catering Establishment; Laboratory; Laundry or Cleaning Plant; Motor Vehicle Repair Shop; Photofinishing or Photography Laboratory; Production or Rehearsal Studio; Repair Shop - Class A; Sign Painting Shop; and Work Shop;

(b) the maximum floor space ratio shall be 1.0 for General Office use, except that the Director of Planning may permit additional floor area for General Office use to a maximum floor space ratio of an additional 1.0, if an equal amount of floor area on the ground floor is used for a use listed in subsection 4.5.1(a); -

(c) the maximum floor space ratio shall be 1.0 for Service Uses limited to: Animal Clinic; Auction Hall; Barber Shop or Beauty Salon; Laundromat or Dry Cleaning Establishment; Photofinishing or Photography Studio; Print Shop; Repair Shop - Class B; School - Arts or Self Improvement; School - Business; and School - Vocational or Trade; and

(d) the maximum floor space ratio for all other uses combined must not exceed 1.0, except that the maximum permitted floor area:

(i) for Retail use, including accessory Retail use, must not exceed 1,000 m²,

(ii) for Neighbourhood Public House use must not exceed 500 m², of which at least 25 % must be Manufacturing Uses, limited to Brewing or Distilling,

(iii) for Restaurant - Class 1 use must not exceed 150 m²,
(iv) for Restaurant - Class 2 use must not exceed 300 m², and
(v) for a lounge use accessory to a Brewing or Distilling use must not exceed 80 m².

4.5.2 Notwithstanding section 4.5.1 of this schedule, if the Director of Planning first considers the intent of this schedule and all applicable Council policies and guidelines, the Director of Planning may permit an increase in the permitted floor area of one m^2 per amenity share (level 1) provided to the city at no cost to the city, for the following uses:

(a) uses listed in subsection 4.5.1(a), and
(b) digital entertainment and information communication technology use,

to a maximum additional floor space ratio of 2.0 above the maximum permitted floor space ratio of 3.0.

4.5.3 For the purposes of section 4.5.2, an amenity share (level 1) means an amenity share (level 1) as set out in Schedule F of this by-law.

4.5.4 For the purposes of this district schedule, an amenity (level 1) means a Child Day Care Facility.

4.5.5 Notwithstanding sections 4.5.1 and 4.5.2 of this district schedule, if the Director of Planning first considers the intent of this schedule and all applicable Council policies and guidelines, the Director of Planning may permit an increase in the permitted floor area of one m^2 per amenity share (level 2) provided to the city at no cost to the city, for the following uses:

(a) uses listed in subsection 4.5.1(a), and
(b) digital entertainment and information communication technology use,

to a maximum additional floor space ratio of 1.0 above the maximum additional floor space ratio of 2.0 provided for in section 4.5.2.

4.5.6 For the purposes of section 4.5.5, amenity share (level 2) means an amenity share (level 2) as set out in Schedule F of this by-law

4.5.7 For the purposes of section 4.5.5, an amenity (level 2) means

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

4.5.8 Amenity (level 2) shares are allocated as follows:

(a) 14% must be allocated to a Child Day Care Facility; and
(b) 86% must be allocated to any amenity (level 2) use listed in section 4.5.7.

4.5.9 Notwithstanding sections 4.5.2 and 4.5.5, the maximum floor space ratio achievable as a result of the provision of amenity shares must otherwise comply in all respects with this district schedule and this by-law.

4.6 Computation of Floor Area

4.6.1 Computation of floor area must include all floors of all buildings, both above and below ground level, measured to the extreme outer limits of the building.

4.6.2 Computation of floor area must exclude:

(a) ~~open residential~~ balconies and decks 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~~ these exclusions does not exceed ~~8~~ 12 % of the ~~residentia~~l floor area being provided;

(b) patios and roof decks provided that the ~~if the~~ Director of Planning first considers the effect on privacy and ~~overlook~~overlook ~~.:~~
~~(i) the design of landscape treatments;~~
~~(ii) the effect on privacy and overlook; and~~
~~(iii) all applicable Council policies and guidelines.~~

(c) where floors are used for off street parking and loading, the taking on or discharging of passengers, bicycle storage, heating and mechanical equipment, or uses which in the opinion of the Director of Planning are similar to the foregoing, those floors or portions thereof so used, which:

(i) are at or below the base surface, provided that the maximum exclusion for a parking space shall not exceed 7.3 m in length; or

(ii) are above the base surface and where developed as off street parking are located in an accessory building situated in the rear yard, provided that the maximum exclusion for a parking space shall not exceed 7.3 m in length;

(d) storage area associated with an artist studio - class B where the storage area is provided below the base surface and subject to a maximum exclusion of 20 m² for each artist studio - class B.

4.6.3 The Director of Planning may vary the computation of floor area exclusions of section 4.6.2 for accessory amenity areas, including child day care facilities and recreation facilities, to a maximum of 10 % of the total permitted floor area.

~~5 Relaxation of Regulations~~

~~5.1 The Director of Planning may relax the height requirements of section 4.3 of this schedule as follows:~~

~~(a) any floor above 18.3 m may be permitted to extend into the required upper floor setback as follows:~~

~~(i) on Quebec Street, the width of the building may extend up to 3.0 m into the required 6.1 m upper floor setback for up to one third of the width of a building fronting the street, and~~

~~(ii) on 5th and 6th Avenue, the 4.5 m upper floor setback may be reduced for up to one third of the width of a building fronting the avenue,~~

~~except that:~~

~~(iii) the floor area of any storey located above 18.3 m in height must not exceed 80% of the floor area of the largest permitted storey located at or below 18.3m; and~~

~~(iv) the building must not encroach into the ground floor setbacks as specified in section 4.4.~~

~~5.2 The Director of Planning may relax the computation of floor area exclusions of section 4.6.2 for accessory amenity areas, including child day care facilities and recreation facilities, to a maximum of 10 % of the total permitted floor area.~~

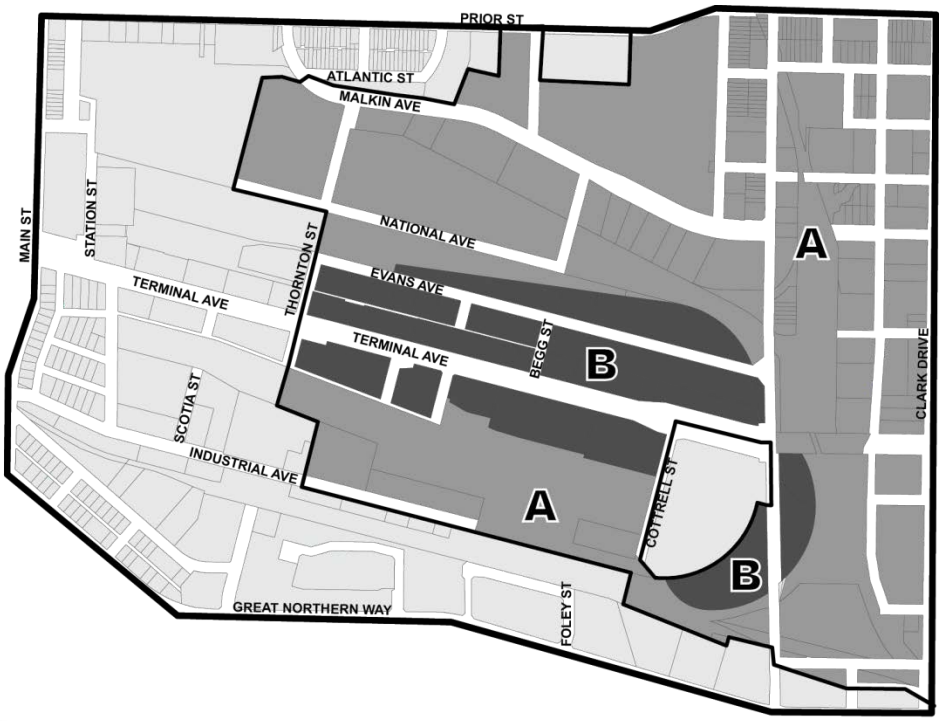
I-2 District Schedule

1 Intent

1.1 The intent of this Schedule is to permit industrial and other uses that are generally incompatible with residential land use but are beneficial in that they provide industrial and service employment opportunities or serve a useful or necessary function in the city. It is not the intent, however, to permit uses that are potentially dangerous or environmentally incompatible when situated near residential districts.

1.2 Within the False Creek Flats, bounded by Prior Street, Clark Drive, Great Northern Way and Main Street, I-2 is to include two sub-areas as illustrated in Figure 1, solely for the purpose of establishing permitted uses, setbacks, height, floor area and building width and depth. Sites with a frontage on Prior Street west of Malkin are not included as part of sub-area A or B.

Figure 1



2 Outright Approval Uses

2.1 Subject to all other provisions of this By-law, including the additional regulations in section 10.20 of this By-law, and to compliance with section 2.3 and the regulations of this Schedule, the uses noted in section 2.2 shall be permitted in this 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, except that:

(a) an accessory building must not exceed 4.6 m in height, and must not exceed 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 ridge of a gable, hip, or gambrel roof;
(b) not applicable [Location]
(c) an accessory building's total floor area, measured to the extreme outer limits of the building, must not exceed 10% of the total area of the site.

- Accessory Uses customarily ancillary to any of the uses listed in this section, but not including accessory retail use in conjunction with wholesale uses listed in Section 2.2.W, provided that, unless permitted as an outright approval use pursuant to Section 2.2 of this schedule, the total floor area of all accessory uses is not greater than 33 ⅓ percent of the gross floor area of the principal and accessory uses combined, and provided that the floor area in accessory retail use, except for accessory retail use associated with an Artist Studio, is separated by a wall from the floor area in other uses which shall be inaccessible to the general public.

2.2.C [Cultural and Recreational]

- Artist Studio – Class A, provided that the use must not be combined with a Residential Unit, the change of use must only apply to floor area existing as of February 26, 2013, and any additions are limited to no more than 10 percent of existing floor area.
- Artist Studio – Class B, provided that the building contains no dwelling use other than a caretaker dwelling, the change of use must only apply to floor area existing as of February 26, 2013, and any additions are limited to no more than 10 percent of existing floor area.
- Artist Studio – Class A, but only in sub-area A or B as shown in Figure 1.
- Artist Studio – Class B, but only in sub-area A or B as shown in Figure 1.
- Arts and Culture Indoor Event.

2.2.M [Manufacturing]

- Bakery Products Manufacturing.
- Batteries Manufacturing.
- Chemicals or Chemical Products Manufacturing - Class B.
- Clothing Manufacturing.
- Dairy Products Manufacturing.
- Electrical Products or Appliances Manufacturing.
- Food or Beverage Products Manufacturing - Class B.
- Furniture or Fixtures Manufacturing.
- Ice Manufacturing.
- Information Communication Technology Manufacturing.
- Jewellery Manufacturing.
- Leather Products Manufacturing.
- Machinery or Equipment Manufacturing.
- Metal Products Manufacturing - Class B.
- Miscellaneous Products Manufacturing - Class B.
- Motor Vehicle Parts Manufacturing.
- Non-metallic Mineral Products Manufacturing - Class B.
- Paper Products Manufacturing.
- Plastic Products Manufacturing.
- Printing or Publishing.
- Rubber Products Manufacturing.
- Shoes or Boots Manufacturing.

- Textiles or Knit Goods Manufacturing.
- Tobacco Products Manufacturing.
- Transportation Equipment Manufacturing.
- Wood Products Manufacturing - Class B.

2.2.R [Retail]

- Gasoline Station - Full Serve, but not in sub-area A or B as shown in Figure 1.

2.2.S [Service]

- Animal Clinic.
- Catering Establishment.
- Laboratory.
- Laundry or Cleaning Plant.
- Motor Vehicle Repair Shop.
- Motor Vehicle Wash.
- Photofinishing or Photography Laboratory.
- Photofinishing or Photography Studio, but only in sub-area A or B as shown in Figure 1.
- Production or Rehearsal Studio.
- Repair Shop - Class A.
- School - Vocational or Trade.
- Sign Painting Shop.
- Work Shop.

2.2.T [Transportation and Storage]

- Cold Storage Plant.
- Packaging Plant.
- Storage Warehouse.

2.2.U [Utility and Communication]

- Public Utility, on a site not less than 61.0 m from any R district.
- Radiocommunication Station.

2.2.W [Wholesale]

- Wholesaling - Class A.

2.3 Conditions of Use

2.3.1 No use listed in section 2.2 of this Schedule shall involve the bulk storage, pending ultimate distribution off site of explosives, fireworks, ammunition, matches, or flares; radioactive material; coal tar products or derivatives; or, except for a full serve gasoline station, compressed gas or petroleum.

2.3.2 No use listed in section 2.2 of this Schedule shall involve the bulk storage, other than wholly within a completely enclosed building, of lime; fertilizer; toxic or corrosive chemicals or acids; flammable liquids or solids; scrap or junk; rags or cotton waste; fungicides, herbicides or pesticides; paint, varnish, oil shellac or turpentine; grain, hops, or sugar; fish, fish oil or meal, animal oil or fat, or vegetable oil.

2.3.3 No use listed in section 2.2 of this Schedule, except for an animal clinic or laboratory, shall involve the keeping of live animals, live poultry or other fowl.

2.3.4 No use listed in section 2.2 of this Schedule, except for a full serve gasoline station, shall involve the storage of goods or materials other than wholly within a completely enclosed building.

3 Conditional Approval Uses

3.1 Subject to all other provisions of this By-law, including the additional regulations in section 10.20 of this By-law, and compliance with section 3.3 and the provisions and regulations of this Schedule, the Director of Planning or the Development Permit Board may approve any of the uses listed in section 3.2 of this Schedule, with or without conditions, provided that the Director of Planning or the Development Permit Board 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.A
- Accessory Buildings to any of the uses listed in this Schedule, except as provided for in section 2.2.A of this Schedule.
- Accessory Uses to any of the uses listed in this Schedule, other than as provided for in section 2.2.A of this Schedule.

3.2.AG [Agricultural]

- Urban Farm - Class B.

3.2.C [Cultural and Recreational]

- Artist Studio - Class B, provided that the change of use applies to floor area existing as of February 26, 2013 and additions are limited to a maximum of 10 percent of the existing floor area.
- Community Centre or Neighbourhood House.
- Marina.
- Park or Playground.

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

3.2.DW [Dwelling]

- Dwelling Unit for a caretaker or watchman or other person similarly employed, if such dwelling unit is considered to be essential to the operation of the business or establishment, but not in sub-area A or B as shown in Figure 1.
- Residential Unit associated with and forming an integral part of an Artist Studio - Class B, but not in sub-area A or B as shown in Figure 1.

3.2.I [Institutional]

- Ambulance Station.
- Child Day Care Facility.
- Public Authority Use.
- Social Service Centre.

3.2.M [Manufacturing]

- Brewing or Distilling.
- Chemicals or Chemical Products Manufacturing - Class A.
- Creative Products Manufacturing, but only in sub-area B as shown in Figure 1.
- Food or Beverage Products Manufacturing - Class A.
- Linoleum or Coated Fabrics Manufacturing.
- Miscellaneous Products Manufacturing - Class A.
- Non-metallic Mineral Products Manufacturing - Class A.
- Paper Manufacturing.
- Rubber Manufacturing.
- Vegetable Oil Manufacturing.

3.2.O [Office]

- General Office, including Digital Entertainment and Information Communication Technology, but not including the offices of accountants, lawyers and notary publics, nor the offices of real estate, advertising, insurance, travel and ticket agencies.

3.2.P [Parking]

- Parking Uses.

3.2.R [Retail]

- Farmers' Market. Compatibility with nearby sites, parking, traffic, noise, hours of operation, size of facility, pedestrian amenity.
- Furniture or Appliance Store.
- Gasoline Station - Split Island.
- Public Bike Share.
- Retail Store, but limited to:
  Retail Store for the renting of merchandise in which the exclusive use of at least 50% of the floor area is for the storage of inventory.
- Limited Service Food Establishment, which means the use of premises for the primary purpose of selling, or selling and serving, prepared food to the public during all hours of operation, where the premises include not more than 16 indoor or outdoor seats for customers consuming food purchased on the premises, but where customers may also purchase food for take-out, and where live entertainment is not available.
- convenience store, in conjunction with a Gasoline Station – Full Serve or Gasoline Station – Split Island.
- Accessory Retail Use.
- Vehicle Dealer, but not in sub-area A as shown in Figure 1.

3.2.S [Service]

- Auction Hall.
- Funeral Home.
- Laundromat or Dry Cleaning Establishment.
- Photofinishing or Photography Studio.
- Print Shop.
- Repair Shop - Class B.
- Restaurant - Class 1.

3.2.T [Transportation and Storage]

- Aircraft Landing Place.
- Bulk Data Storage.
- Booming Ground.
- Marine Terminal or Berth.
- Mini-storage Warehouse, but not in sub-area A or B as shown in Figure 1.
- Railway Station or Rail Yard.
- Storage Yard.
- Taxicab or Limousine Station.
- Truck Terminal or Courier Depot.
- Weighing or Inspection Station.
- Works Yard.

3.2.U [Utility and Communication]

- Public Utility, other than as provided for in section 2.2.U of this Schedule.
- Recycling Depot.
- Waste Disposal Facility, but limited to the transfer, sorting or recycling of refuse or garbage.

3.2.W [Wholesale]

- Cardlock Fuel Station.
- Junk Yard or Shop existing as of November 26, 1996.
- Lumber and Building Materials Establishment.
- Wholesaling - Class B.

3.2.Z

- Any other use which is not specifically listed and defined as a use in section 2 of this By law but which the Director of Planning considers comparable in nature to the uses listed in this Schedule, having regard to the intent of this District Schedule.

- A use which is listed in section 2 of this Schedule but does not comply with the conditions of use in section 2.3.

3.3 Conditions of Use

3.3.1 Uses listed in section 3.2 of this Schedule, except for approved Transportation and Storage Uses, must not involve the bulk storage, pending ultimate distribution off site, of explosives, fireworks, ammunition, matches, or flares, radioactive material; coal tar products or derivatives; or, except for a split island gasoline station, compressed gas or petroleum.

3.3.2 No use listed in section 3.2 of this Schedule shall involve the bulk storage, other than wholly within a completely enclosed building or suitably contained for distribution off-site, of lime; fertilizer; toxic or corrosive chemicals or acids; flammable liquids or solids; rags or cotton waste; fungicides, herbicides or pesticides; paint, varnish, oil shellac or turpentine; grain, hops, or sugar; fish, fish oil or meal, animal oil or fat, or vegetable oil.

3.3.3 No use listed in section 3.2 of this Schedule, except for a retail store, shall involve the keeping of live animals.

3.3.4 No use listed in section 3.2 of this Schedule shall involve the storage of goods or materials other than wholly within a completely enclosed building unless the yard or portion of the yard containing the goods or materials is enclosed by a suitable fence or wall restricting public access.

3.3.5 A lounge use accessory to Brewing or Distilling use shall be carried on wholly within a completely enclosed building.

3.3.6 Except for entrances, Bulk Data Storage use shall not be permitted at the ground floor.

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 -- Not Applicable.

4.2 Frontage -- Not Applicable.

4.3 Height

4.3.1 The maximum height of a building shall be 18.3 m, and in sub-areas A and B, except for buildings existing as of October 31, 2017:

(a) the floor to floor height of the first floor of a building must measure a minimum of 6.0 m; and
(b) the floor to floor height of any floor above the first floor of a building must measure a minimum of 4.0 m.

4.3.2 In all areas of the I-2 District except sub-area B, the Director of Planning or the Development Permit Board, as the case may be, may permit an increase in the maximum height of a building to a height not exceeding 30.5 m with respect to any development provided that consideration is given to:

(a) the intent of this Schedule, all applicable policies and guidelines adopted by Council and the relationship of the development with nearby residential districts;
(b) the submission of any advisory group, property owner or tenant; and
(c) the effect of building height, bulk and siting on daylight access and visual privacy of developments in nearby residential districts. Daylight access can be adequately maintained if there is no shadow impact at 10 a.m., noon and 2 p.m. on September 21 and March 21. Visual privacy can be achieved by separating building facades by 24.4 m.

4.3.3 In sub-area B, the Director of Planning or the Development Permit Board, as the case may be, may with respect to any development permit an additional increase in the maximum height of a building to a height not exceeding 36.5 m provided that consideration is given to the intent of this Schedule, all applicable policies and guidelines adopted by Council, and:

(a) the provision of a minimum floor space ratio of 1.0 combined for any uses listed in sub-section 4.7.1 (e) (i), (ii), (iii) and (iv);
(b) the height, bulk, massing, location and overall design of the building and its effect on the site, surrounding buildings and streets;
(c) the provision of public open space, landscape, and the effects of overall design on the general amenity of the area;
(d) the effect of the development on traffic in the area; and
(e) the provision for pedestrian needs.

4.3.4 Despite sections 4.3.1 and 4.3.2, for sloping sites in sub-area A with a property line adjacent to Clark Drive, the Director of Planning may permit an increase in height of up to 4.0 m for portions of the building, provided the Director of Planning first considers the intent of this Schedule and all applicable policies and guidelines adopted by Council.

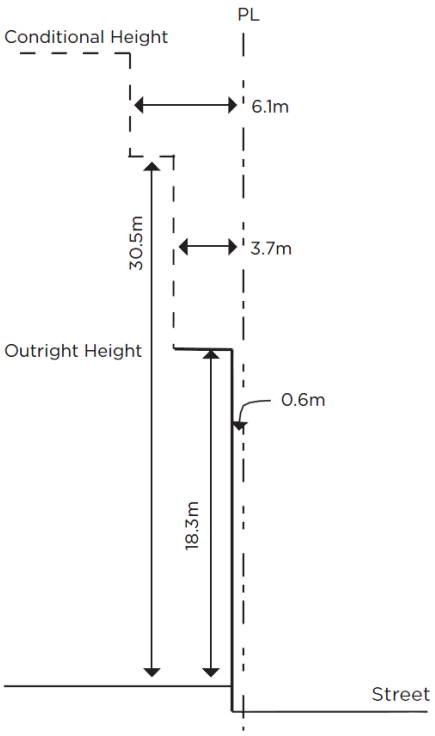
4.4 Front Yard and Setback

4.4.1 No front yard shall be required.

4.4.2 Despite section 4.4.1, in sub-area B the front yard and front setback shall be as follows and as illustrated in Figure 2:

(a) For portions of buildings within 2.0 m above the officially established building grades at the front property line:
  ii. subject to clause (ii) and (iii), the depth of the yard shall be 0.6 m, and
  iii. above a height of 18.3 m measured from a plane formed by the lines extending horizontally back from the property line at grade, the minimum depth of the front setback shall be a minimum of 3.7 m except that open roof gardens may intrude into the setback; and
  iv. above a height of 30.5 m measured from a plane formed by the lines extending horizontally back from the property line at grade, the minimum depth of the front setback shall be a minimum of 6.1 m except that open roof gardens may intrude into the setback; and
(b) despite subsection (a), the minimum front setback, measured from the front property line, of any parking area shall be 1.2 m.

Figure 2



4.4.3 Despite section 4.4.2, the Director of Planning may permit a reduced front yard or front setback for portions of the building, provided the Director of Planning first considers the intent of this Schedule and all applicable policies and guidelines adopted by Council.

4.5 Side Yards and Setback

4.5.1 No side yard shall be required, except that where the site adjoins, without the intervention of a lane, a site located in an R district, in which case the following side yard requirements apply:

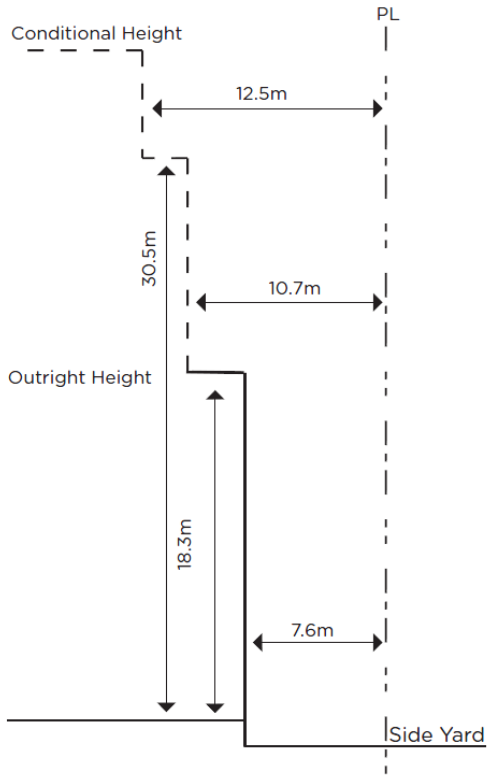
(a) where the adjoining site is in an RM district, a side yard with a minimum width of 1.5 m shall be provided adjoining the RM district;
(b) in all other cases, a side yard with a minimum width of 0.9 m shall be provided, except in the case of a corner site in which case an exterior side yard need not be provided.

4.5.2 Where a side yard is provided, although not required, the minimum provisions of section 4.5.1 shall apply.

4.5.3 Despite sections 4.5.1 and 4.5.2, in sub-area B the side yards and side setback shall be as follows and as illustrated in Figure 3:

(a) a side yard with a minimum depth of 7.6 metres shall be provided;
(b) where any portion of a building is greater than 18.3 m in height, a side setback with a minimum depth of 10.7 m shall be provided;
(c) where any portion of a building is greater than 30.5 m in height, a side setback with a minimum depth of 12.2 m shall be provided; and
(d) on a corner site, the exterior side yard and side setback requirements shall be the same as the front yard and front setback requirements in section 4.4.2 and 4.4.3.

Figure 3



4.5.5 Despite section 4.5.3, in sub-area B, the Director of Planning may permit a reduced side yard or side setback, provided that the Director of Planning first considers the existing street network, loading and vehicular access, and the provision of open space.

4.6 Rear Yard and Setback

4.6.1 A rear yard with a minimum depth of 3.1 m shall be provided, except that where the rear of the site abuts a lane, this required minimum depth shall be decreased by the lane width between the rear property line and the ultimate centre line of the lane.

4.6.2 The Director of Planning may waive the requirement to provide a rear yard where the Director of Planning is satisfied that the site is located within an area where rear access to the site and adjacent sites is not likely to be required and that site is sufficiently large to provide adequate open space.

4.7 Floor Area and Density

4.7.1 The floor space ratio shall not exceed 3.0, subject to the following:

(a) the maximum floor space ratio shall be 3.0 for Manufacturing Uses, Transportation and Storage Uses, Utility and Communication Uses, Wholesale Uses, and the following Service Uses: Laboratory; Laundry or Cleaning Plant; Production or Rehearsal Studio; Repair Shop - Class A; Work Shop; and, in sub-area A and B, Artist Studio Class B.

(b) the maximum floor space ratio shall be 1.0 for each of the following Service Uses: Catering Establishment; Motor Vehicle Repair Shop; Photofinishing or Photography Laboratory, and Sign Painting Shop; and, in sub-area B, for Creative Products Manufacturing;

(c) the maximum floor space ratio shall be 1.0 for all other uses combined;
(d) the floor area in Retail Uses, including accessory retail but not including Vehicle Dealer, shall not exceed 1 000 m², except that in sub-areas A and B, the floor area for accessory retail shall not exceed 500 m^2;
(e) for Vehicle Dealer in sub-area B, the maximum floor space ratio shall be 1.0, subject to the provision of a minimum floor space ratio of 2.0 of uses listed in sub-section 4.7.1(a) which must include a minimum floor space ratio of 1.0 for any of the following uses combined:
    (i) Cultural and Recreational, limited to Artist Studio – Class B;
    (ii) Manufacturing, limited to Bakery Products Manufacturing, Brewing or Distilling, Chemicals or Chemical Products Manufacturing - Class B, Clothing Manufacturing, Dairy Products Manufacturing, Food or Beverage Products Manufacturing - Class B, Furniture or Fixtures Manufacturing, Jewellery Manufacturing, Leather Products Manufacturing, Metal Products Manufacturing – Class A or B, Miscellaneous Products Manufacturing - Class A, Miscellaneous Products Manufacturing - Class B, Non-metallic Mineral Products Manufacturing - Class B, Paper Products Manufacturing, Printing or Publishing, Plastic Products Manufacturing, Rubber Products Manufacturing, Shoes or Boots Manufacturing, Textiles or Knit Goods Manufacturing, and Wood Products Manufacturing - Class B;
    (iii) Service, limited to Catering Establishment, Motor Vehicle Repair Shop, Print Shop, Repair Shop - Class A, Repair Shop - Class B, and Sign Painting Shop; or
    (iv) Accessory Uses customarily ancillary to any use permitted in this section.
(f) the floor area in General Office use shall not exceed the greater of 235 m² or 33 ⅓ percent of the total gross floor area of all principal and accessory uses combined;
(g) the floor area in convenience store in conjunction with a Gasoline Station – Full Serve or Gasoline Station – Split Island use must not exceed 200 m² per site;
(h) the floor area in Restaurant – Class 1 use must not exceed 300 m²; and
(i) the floor area for a lounge use accessory to a Brewing or Distilling use must not exceed 80 m².

4.7.2 In sub-area B, the Director of Planning or the Development Permit Board, as the case may be, may permit an increase in the maximum floor space ratio to 4.0 with respect to any development, which may include up to 3.0 of Creative Products Manufacturing use, provided that consideration is given to the intent of this Schedule, all applicable policies and guidelines adopted by Council, and:

(a) the provision of a minimum floor space ratio of 1.0 combined for any uses listed in sub-section 4.7.1 (e) (i), (ii), (iii) and (iv);
(b) the height, bulk, massing, location and overall design of the building and its effect on the site, surrounding buildings and streets;
(c) the provision of public open space, landscape, and the effects of overall design on the general amenity of the area;
(d) the effect of the development on traffic in the area; and
(e) the provision for pedestrian needs.

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

(a) all floors of all buildings including accessory buildings, both above and below ground level, to be measured to the extreme outer limits of the building.

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

(a) ~~open~~ balconies and decks 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~~ these exclusions does not exceed ~~twelve percent~~12% of the floor area being provided;

(b) patios and roof decks ~~if~~ provided that the Director of Planning first considers the effect on privacy and overlook.:
~~(i) the design of landscape treatments;~~
~~(ii) the effect on privacy and overlook; and~~
~~(iii) all applicable Council policies and guidelines.~~

(c) where floors are used for off-street parking and loading, the taking on or discharging of passengers, bicycle storage, heating and mechanical equipment, or uses which in the opinion of the Director of Planning are similar to the foregoing, those floors or portions thereof so used, which:
   (i) are at or below the base surface, provided that the maximum exclusion for a parking space shall not exceed 7.3 m in length; or
   (ii) are above the base surface and where developed as off-street parking are located in an accessory building situated in the rear yard, provided that the maximum exclusion for a parking space shall not exceed 7.3 m in length;

(d) storage space associated with an Artist Studio - Class B where the space is provided below the base surface and subject to a maximum exclusion of 20 m² for each Artist Studio - Class B; and

(e) amenity areas for the social and recreational enjoyment of residents and employees, or providing a service to the public, including facilities for general fitness, general recreation and child day care provided that:
   (i) the total area being excluded shall not exceed the lesser of 20 percent of the permitted floor space or 100 m²; and
   (ii) in the case of a child day care centre, 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 building or in the immediate neighbourhood.

4.7.5 The Director of Planning may ~~relax~~ vary the provisions of section 4.7.1(e) for General Office uses limited to manufacturer's agent or import broker or similar uses, subject to the maximum floor space provisions of section 4.7.1(c) and 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 extent to which building design conforms to industrial standards for wholesale uses, including but not limited to consideration for loading bays, large truck access, freight elevators, ceiling heights, corridor and door widths, and load bearing surfaces.

4.8 Site Coverage -- Not Applicable.

4.9 [Deleted -- see Parking By-law.]

4.10 Horizontal Angle of Daylight -- Not Applicable.

4.11 Vertical Angle of Daylight -- Not Applicable.

4.12 to 4.15 Reserved

4.16 Building Depth and Building Width

4.16.1 In sub-area B, the building depth must not exceed 61 m, measured in a straight line parallel to the side property line, from the front exterior wall to rear exterior wall at street grade.

4.16.2 In sub-area B, the building width must not exceed 61 m, measured in a straight line parallel to the front property line, from the two side exterior walls at grade.

4.16.3 Notwithstanding sections 4.16.1 and 4.16.2, eaves and gutters or other projections, which in the opinion of the Director of Planning are similar, may project into the minimum side yard to a maximum of 1.0 m measured horizontally

4.16.4 Despite sections 4.16.1 and 4.16.2, where a functional or hardship need is demonstrated, the Director of Planning may permit an increased building depth or width if consideration is given to:

(a) the existing street network, loading and vehicular access;
(b) the provision of a visually interesting building massing; and
(c) the intent of this district schedule and all applicable policies and guidelines.

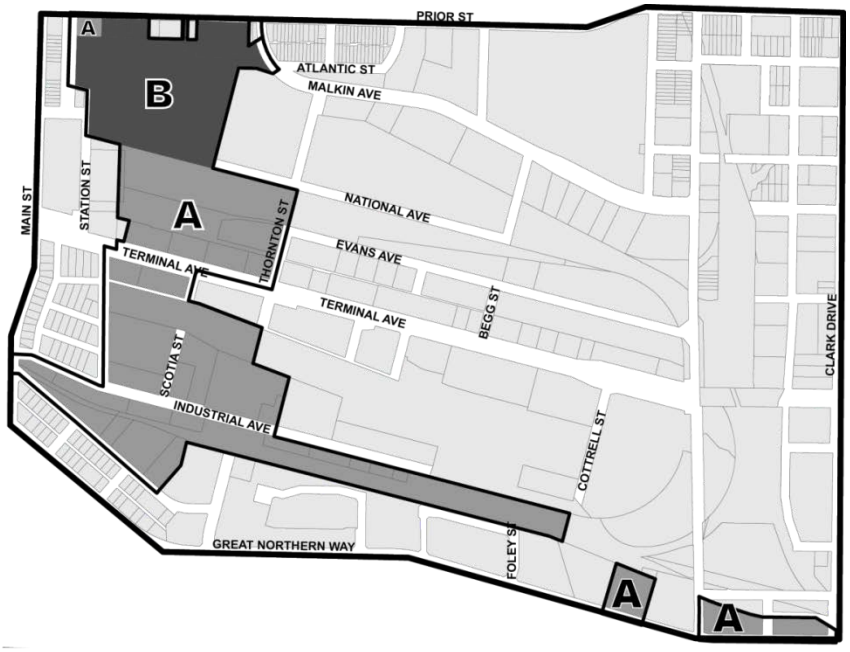
I-3 District Schedule

1 Intent

1.1 The intent of this Schedule is to permit high technology industry, creative products manufacturing, digital entertainment, information and communication technology, and related industry with a significant amount of research and development activity. It is also the intent to permit light industrial uses that are generally compatible with high-technology and other industrial uses, and with adjoining residential or commercial districts. Health care offices are encouraged in the area around the future St. Paul's Hospital site.

1.2 The I-3 District is to consist of two sub-areas as illustrated in Figure 1, solely for the purpose of establishing permitted uses, floor area and height.

Figure 1



2 Outright Approval Uses

2.1 Subject to all other provisions of this By-law, including the additional regulations in section 10.20 of this By-law, and to compliance with section 2.3 and the regulations of this Schedule, the uses noted in section 2.2 shall be permitted in this 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, except that:

  (a) an accessory building must not exceed 4.6 m in height, and must not exceed 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 ridge of a gable, hip, or gambrel roof;

(b) an accessory building must be situate in the rear yard no less than 3.1 m from the ultimate centre line of any rear or flanking lane; and
(c) an accessory building's total floor area, measured to the extreme outer limits of the building, must not exceed 10% of the total area of the site.

- Accessory Uses customarily ancillary to any of the uses listed in this section, provided that, unless permitted as an outright approval use pursuant to Section 2.2 of this schedule, the total floor area of all accessory uses is not greater than 33 ⅓ percent of the gross floor area of the principal and accessory uses, except for accessory retail use associated with an Artist Studio, after the words combined, and provided that the floor area in accessory retail use is separated by a wall from the floor area in other uses which shall be inaccessible to the general public.

2.2.C [Cultural and Recreational]

- Artist Studio – Class A, provided that the use must not be combined with a Residential Unit, the change of use must only apply to floor area existing as of February 26, 2013, and any additions are limited to no more than 10 percent of existing floor area.
- Artist Studio – Class A, but only in sub-area A as shown in Figure 1.
- Artist Studio – Class B, but only in sub-area A as shown in Figure 1.
- Arts and Culture Indoor Event.

2.2.M [Manufacturing]

- Electrical Products or Appliances Manufacturing.
- Information Communication Technology Manufacturing.
- Miscellaneous Products Manufacturing - Class B.
- Printing or Publishing.

2.2.O [Office]

- General Office, but limited to Digital Entertainment and Information Communication Technology.

2.2.S [Service]

- Laboratory.
- Photofinishing or Photography Laboratory.
- Production or Rehearsal Studio.
- Work Shop.

2.2.U [Utility and Communication]

- Radiocommunication Station.

2.3 Conditions of Use

2.3.1 No use listed in section 2.2 of this Schedule, except a production or rehearsal studio, shall be carried on other than wholly within a completely enclosed building, except for off-street parking and loading, heating and mechanical equipment, or other facilities or equipment which in the opinion of the Director of Planning are similar to the foregoing.

2.3.2 No use listed in section 2.2 of this Schedule shall involve the bulk storage, pending ultimate distribution off site, of explosives, fireworks, ammunition, matches, or flares; radioactive material; coal tar products or derivatives; or compressed gas or petroleum.

2.3.3 No use listed in section 2.2 of this Schedule shall involve the storage, other than wholly within a completely enclosed building, of lime; fertilizer; toxic or corrosive chemicals or acids; flammable liquids or solids; scrap or junk; rags or cotton waste; fungicides, herbicides or pesticides; paint, varnish, oil shellac or turpentine; grain, hops, or sugar; fish, fish oil or meal, animal oil or fat, or vegetable oil.

2.3.4 No use listed in section 2.2 of this Schedule, except for a laboratory, shall involve the keeping of live animals.

3 Conditional Approval Uses

3.1 Subject to all other provisions of this By-law, including the additional regulations in section 10.20 of this By-law, and compliance with section 3.3 and the provisions and regulations of this Schedule, the Director of Planning or the Development Permit Board may approve any of the uses listed in section 3.2 of this Schedule, with or without conditions, provided that the Director of Planning or the Development Permit Board 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.A
- Accessory Uses to any of the uses listed in this Schedule, other than as provided for in section 2.2.A of this Schedule.

3.2.AG [Agricultural]
- Urban Farm - Class B.

3.2.C [Cultural and Recreational]
- Artist Studio - Class B, provided that the change of use applies to floor area existing as of February 26, 2013 and additions are limited to a maximum of 10 percent of the existing floor area.
- Community Centre or Neighbourhood House.
- Fitness Centre.
- Hall.
- Marina.
- Park or Playground.

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

3.2.DW [Dwelling]
- Dwelling Unit for a caretaker or watchman or other person similarly employed, if such dwelling unit is considered to be essential to the operation of the business or establishment but only in sub-area B as shown in Figure 1.
- Residential Unit associated with and forming an integral part of an Artist Studio - Class B, but only in sub-area B as shown in Figure 1.

3.2.I [Institutional]

- Ambulance Station.
- Child Day Care Facility.
- Public Authority Use.
- School - University or College.
- Social Service Centre.

3.2.M [Manufacturing]

- Bakery Products Manufacturing.
- Batteries Manufacturing.
- Brewing or Distilling.
- Chemicals or Chemical Products Manufacturing - Class B.
- Clothing Manufacturing.
- Creative Products Manufacturing. but only in sub-area A as shown in Figure 1.
- Dairy Products Manufacturing.
- Food or Beverage Products Manufacturing - Class A existing as of July 20, 1999.
- Food or Beverage Products Manufacturing - Class B.
- Furniture or Fixtures Manufacturing.
- Ice Manufacturing.
- Jewellery Manufacturing.
- Leather Products Manufacturing.
- Machinery or Equipment Manufacturing.
- Metal Products Manufacturing - Class B.
- Miscellaneous Products Manufacturing - Class A.
- Motor Vehicle Parts Manufacturing.
- Non-metallic Mineral Products Manufacturing - Class B.
- Paper Products Manufacturing.
- Plastic Products Manufacturing.
- Rubber Products Manufacturing.
- Shoes or Boots Manufacturing.
- Textiles or Knit Goods Manufacturing.
- Tobacco Products Manufacturing.
- Transportation Equipment Manufacturing.
- Wood Products Manufacturing - Class B.

3.2.O [Office]

- General Office, but not including the offices of accountants, lawyers and notary publics, nor the offices of real estate, advertising, insurance, travel and ticket agencies.
- Health Care Office, but only in sub-area A as shown in Figure 1.

3.2.P [Parking]

- Parking Uses.

3.2.R [Retail]

- Drug Store, but only in sub-area A as show in Figure 1 on sites adjacent to Great Northern Way.
- Farmers' Market. Compatibility with nearby sites, parking, traffic, noise, hours of operation, size of facility, pedestrian amenity.

- Gasoline Station - Full Serve, but only in sub-area B as shown in Figure 1.
- Gasoline Station - Split Island, but only in sub-area B as shown in Figure 1.
- Neighbourhood Grocery Store, but only in sub-area A as show in Figure 1 on sites adjacent to Great Northern Way.
- Public Bike Share.
- Retail Store, but only in sub-area A as shown in Figure 1, and limited to:
  - Limited Service Food Establishment, which means the use of premises for the primary purpose of selling, or selling and serving, prepared food to the public during all hours of operation, where the premises include not more than 16 indoor or outdoor seats for customers consuming food purchased on the premises, but where customers may also purchase food for take-out, and where live entertainment is not available.
- Vehicle Dealer, but limited to the rental of motor vehicles, but only in sub-area B as shown in Figure 1.

3.2.S [Service]

- Animal Clinic.
- Catering Establishment.
- Laundry or Cleaning Plant.
- Motor Vehicle Repair Shop.
- Motor Vehicle Wash.
- Photofinishing or Photography Studio.
- Print Shop.
- Repair Shop - Class A.
- Repair Shop - Class B.
- Restaurant - Class 1, provided that the total floor area does not exceed 300 m².
- Restaurant - Class 2, but only in sub-area A as shown in Figure 1, provided that the total floor area does not exceed 300 m².
- School - Arts or Self-Improvement.
- School - Business.
- School - Vocational or Trade.
- Sign Painting Shop.

3.2.T [Transportation and Storage]

- Aircraft Landing Place.
- Bulk Data Storage, but only in sub-area A as shown in Figure 1.
- Cold Storage Plant.
- Marine Terminal or Berth.
- Mini-storage Warehouse, but only in sub-area B as shown in Figure 1.
- Packaging Plant.
- Railway Station or Rail Yard.
- Storage Warehouse.
- Taxicab or Limousine Station.
- Truck Terminal or Courier Depot.

3.2.U [Utility and Communication]

- Public Utility.
- Recycling Depot.

3.2.W [Wholesale]

- Wholesaling - Class A.
- Wholesaling - Class B.

3.2.Z
- Any other use which is not specifically listed and defined as a use in section 2 of this By law but which the Director of Planning considers comparable in nature to the uses listed in this Schedule, having regard to the intent of this District Schedule.
- A use which is listed in section 2 of this Schedule but does not comply with the conditions of use in section 2.3.

3.3 Conditions of Use

3.3.1 No use listed in section 3.2 of this Schedule, except a gasoline station, vehicle dealer, parking uses and transportation and storage uses, shall be carried on other than wholly within a completely enclosed building unless appropriate measures are taken, to the satisfaction of the Director of Planning, to eliminate any dangerous, injurious, noxious or otherwise objectionable impact that could adversely affect the surrounding area and adjoining non-industrial districts.

3.3.2 No use listed in section 3.2 of this Schedule shall involve the bulk storage, pending ultimate distribution off site, of explosives, fireworks, ammunition, matches, or flares; radioactive material; coal tar products or derivatives; or, except for a gasoline station, compressed gas or petroleum.

3.3.3 No use listed in section 3.2 of this Schedule shall involve the storage, other than wholly within a completely enclosed building, of lime; fertilizer; toxic or corrosive chemicals or acids; flammable liquids or solids; rags or cotton waste; fungicides, herbicides or pesticides; paint, varnish, oil shellac or turpentine; grain, hops, or sugar; fish, fish oil or meal, animal oil or fat, or vegetable oil.

3.3.4 No use listed in section 3.2 of this Schedule, except for an animal clinic, shall involve the keeping of live animals.

3.3.5 No use listed in section 3.2 of this Schedule shall involve the storage of goods or materials other than wholly within a completely enclosed building unless the yard or portion of the yard containing the goods or materials is enclosed by a suitable fence or wall restricting public access.

3.3.6 A lounge use accessory to Brewing or Distilling use shall be carried on wholly within a completely enclosed building.

3.3.7 Except for entrances, Bulk Data Storage use shall not be permitted at the ground floor.

3.3.8 Except for entrances, Office Uses listed in 3.2.O shall not be permitted at the ground floor.

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 -- Not Applicable.

4.2 Frontage -- Not Applicable.

4.3 Height

4.3.1 The maximum height of a building shall be 18.3 m, and in sub-area A, except for buildings existing as of October 31, 2017:

(a) the floor to floor height of the first floor of a building must measure a minimum of 6.0 m; and
(b) the floor to floor height of any floor above the first floor of a building must measure a minimum of 4.0 m.

4.3.2 The Director of Planning or the Development Permit Board, as the case may be, may permit an increase in the maximum height of a building to a height not exceeding 30.5 m with respect to any development provided that consideration is given to:

(a) the intent of this Schedule, all applicable policies and guidelines adopted by Council and the relationship of the development with nearby residential districts;
(b) the submission of any advisory group, property owner or tenant; and
(c) the effect of building height, bulk and siting on daylight access and visual privacy of developments in nearby residential districts. Daylight access can be adequately maintained if there is no shadow impact at 10 a.m., noon and 2 p.m. on September 21 and March 21. Visual privacy can be achieved by separating building facades by 24.4 m.

4.3.3 In sub-area A, the Director of Planning or the Development Permit Board, as the case may be, may permit an increase in the maximum height of a building to a height not exceeding 45.7 m with respect to any development provided that consideration is given to:

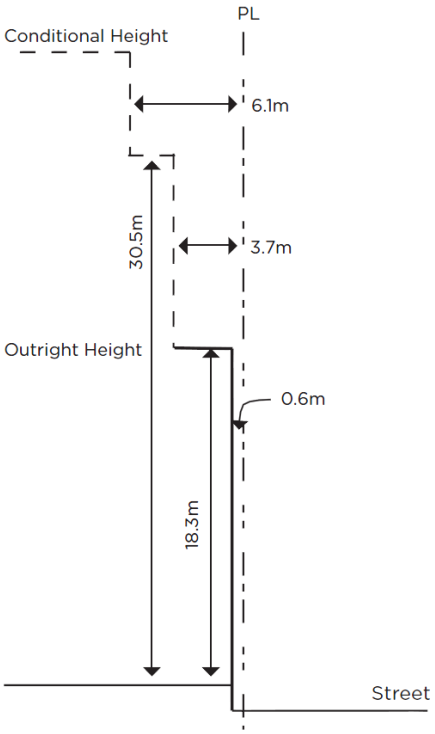
(a) the height, bulk, massing, location and overall design of the building and its effect on the site, surrounding buildings and streets;
(b) the provision of public open space, landscape, and the effects of overall design on the general amenity of the area;
(c) the effect of the development on traffic in the area; and
(d) the provision for pedestrian needs.

4.4 Front Yard

4.4.1 No front yard shall be required in sub-area B and the front yard and front setback in sub-area A shall be as follows and as illustrated in Figure 2:

(a) For portions of buildings within 2.0 m above the officially established building grades at the front property line:
  (i) subject to clause (ii) and (iii), the depth of the yard shall be 0.6 m;
  (ii) above a height of 18.3 m measured from a plane formed by the lines extending horizontally back from the property line at grade, the depth of the front setback shall be a minimum of 3.7 m except that open roof gardens may intrude into the setback; and
  (iii) above a height of 30.5 m measured from a plane formed by the lines extending horizontally back from the property line at grade, the minimum depth of the front setback shall be a minimum of 6.1 m except that open roof gardens may intrude into the setback; and
(b) despite subsection (a), the minimum front setback, measured from the front property line, of any parking area shall be 1.2 m.

Figure 2



4.4.2 Despite section 4.4.1, the Director of Planning may permit a reduced front yard or front setback for portions of the building if consideration is given to the following:

(a) to encourage massing that is stepped and varied in response to the context; and
(b) to provide a more visually interesting form of architectural expression,

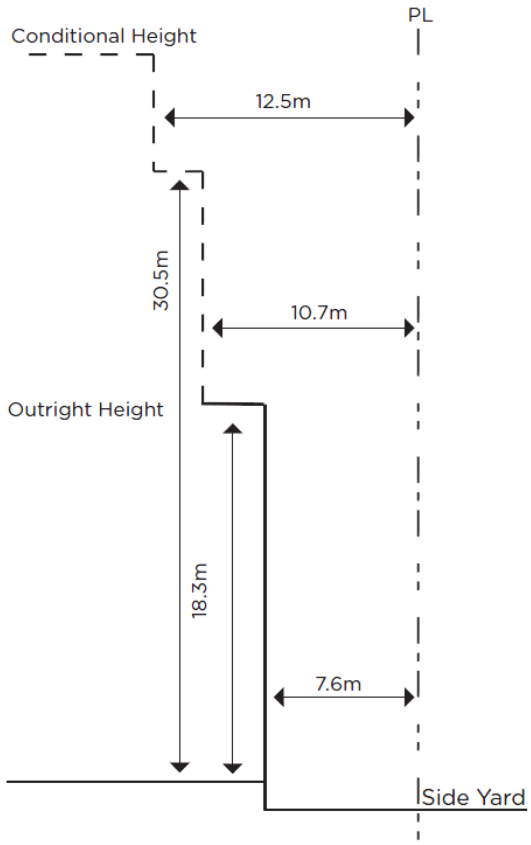
provided the Director of Planning first considers the intent of this Schedule and all applicable policies and guidelines adopted by Council.

4.5 Side Yards and Setbacks

4.5.1 In sub-area A, the side yards and side setback shall be as follows and as illustrated in Figure 3:

(a) a side yard with a minimum depth of 7.6 meters shall be provided;
(b) where any portion of a building is greater than 18.3 m in height, a side setback with a minimum depth of 10.7 m shall be provided;
(c) where any portion of a building is greater than 30.5 m in height, a side setback with a minimum depth of 12.2 m shall be provided; and
(d) on a corner site, the exterior side yard and side setback requirements shall be the same as the front yard and front setback requirements in section 4.4.1 and 4.4.2.

Figure 3



4.5.2 Despite section 4.5.1, the Director of Planning may permit a reduced side yard or side setback, provided that the Director of Planning first considers the existing street network, loading and vehicular access, and the provision of open space.

4.5.3 In sub-area B, no side yard shall be required, except that where the site adjoins, without the intervention of a lane, a site located in an R district, in which case a side yard with a minimum width of 1.5 m shall be provided adjoining the R district.

4.54 Where a side yard is provided in sub-area B, although not required, a side yard with a minimum depth of 0.9 m shall be provided.

4.6 Rear Yard

4.6.1 A rear yard with a minimum depth of 3.1 m shall be provided, except that where the rear of the site abuts a lane, this required minimum depth shall be decreased by the lane width between the rear property line and the ultimate centre line of the lane.

4.6.2 The Director of Planning may waive the requirement to provide a rear yard where the Director of Planning is satisfied that the site is located within an area where rear access to the site and adjacent sites is not likely to be required and that site is sufficiently large to provide adequate open space.

4.7 Floor Area and Density

4.7.1 The floor space ratio shall not exceed 3.0 in sub-area A, subject to the following:

(a) the maximum floor space ratio shall be 3.0 for Artist Studio, Manufacturing Uses, Office Uses listed in section 2.2.O, Transportation and Storage Uses, Utility and Communication Uses, Wholesale Uses, Service Uses listed in section 2.2.S, and Parking Uses;
(b) the maximum floor space ratio shall be 1.0 for all other uses combined;
(c) the floor area in Retail Uses, including accessory retail, shall not exceed 1 000 m²;
(d) the floor area for Office Uses listed in section 3.2.O shall not exceed 33 percent of the total gross floor area of all principal and accessory uses combined; and
(e) the floor area for a lounge use accessory to a Brewing or Distilling use must not exceed 80 m².

4.7.2 The floor space ratio shall not exceed 3.0 in sub-area B, subject to the following:

(a) the maximum floor space ratio shall be 3.0 for Manufacturing Uses, Transportation and Storage Uses, Utility and Communication Uses, Wholesale Uses, Service Uses listed in section 2.2.S, and Parking Uses;
(b) the maximum floor space ratio shall be 1.0 for all other uses combined;
(c) the floor area in Retail Uses, including accessory retail, shall not exceed 1 000 m²;
(d) the floor area in Office Uses listed in section 3.2.O shall not exceed 33 percent of the total gross floor area of all principal and accessory uses combined; and
(e) the floor area for a lounge use accessory to a Brewing or Distilling use must not exceed 80 m².

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

(a) all floors of all buildings including accessory buildings, both above and below ground level, to be measured to the extreme outer limits of the building.

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

(a) ~~open~~ balconies and decks 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~~ these exclusions does not exceed ~~twelve percent~~12% of the floor area being provided;
(b) patios and roof decks provided that the~~if the~~ Director of Planning first considers the effect on privacy and overlook.:
~~(i) the design of landscape treatments;~~
~~(ii) the effect on privacy and overlook; and~~
~~(iii) all applicable Council policies and guidelines.~~
(c) where floors are used for off-street parking and loading, the taking on or discharging of passengers, bicycle storage, heating and mechanical equipment, or uses which in the opinion of the Director of Planning are similar to the foregoing, those floors or portions thereof so used, which:
   (i) are at or below the base surface, provided that the maximum exclusion for a parking space shall not exceed 7.3 m in length; or
   (ii) are above the base surface and where developed as off-street parking are located in an accessory building situated in the rear yard, provided that the maximum exclusion for a parking space shall not exceed 7.3 m in length;
(d) storage space associated with an Artist Studio - Class B where the space is provided below the base surface and subject to a maximum exclusion of 20 m² for each Artist Studio - Class B; and

(e) amenity areas for the social and recreational enjoyment of residents and employees, or providing a service to the public, including facilities for general fitness, general recreation and child day care provided that:
  (i) the total area being excluded shall not exceed the lesser of 20 percent of the permitted floor space or 100 m²; and
  (ii) in the case of a child day care centre, 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 building or in the immediate neighbourhood.

4.7.5 In sub-area A, notwithstanding section 4.7.1 of this schedule, if the Director of Planning first considers the intent of this schedule and all applicable Council policies and guidelines, the Director of Planning may permit an increase in the permitted floor area of one m^2 per amenity share, provided to the City at no cost to the City, to a maximum additional floor space ratio of 2.0 in addition to the maximum permitted floor space ratio of 3.0, for the following uses:

(a) Artist Studio, Manufacturing Uses, Utility and Communication Uses, Wholesale Uses, and Service Uses listed in section 2.2.S; and
(b) Office Uses listed in 2.2.O and 3.2.O, except that the total floor area may include up to a maximum floor space ratio of 4.0 for Office Uses, and must include a minimum 1.0 floor space ratio for any of the following uses combined:
  (i) Cultural and Recreational, limited to Artist Studio – Class B;
  (ii) Manufacturing, limited to Bakery Products Manufacturing, Brewing or Distilling, Chemicals or Chemical Products Manufacturing - Class B, Clothing Manufacturing, Dairy Products Manufacturing, Food or Beverage Products Manufacturing - Class B, Furniture or Fixtures Manufacturing, Jewellery Manufacturing, Leather Products Manufacturing, Metal Products Manufacturing – Class A or B, Miscellaneous Products Manufacturing - Class A, Miscellaneous Products Manufacturing - Class B, Non-metallic Mineral Products Manufacturing - Class B, Paper Products Manufacturing, Printing or Publishing, Plastic Products Manufacturing, Rubber Products Manufacturing, Shoes or Boots Manufacturing, Textiles or Knit Goods Manufacturing, and Wood Products Manufacturing - Class B;
  (iii) Retail, limited to Farmers' Market;
  (iv) Service, limited to Catering Establishment, Motor Vehicle Repair Shop, Print Shop, Repair Shop - Class A, Repair Shop - Class B, and Sign Painting Shop; or
  (v) Accessory Uses customarily ancillary to any use permitted by this section.

4.7.6 Notwithstanding section 4.7.5, the maximum floor space ratio achievable as a result of the provision of amenity shares must otherwise comply in all respects with this district schedule and this by-law, and consideration shall be given to:

(a) the height, bulk, massing, location and overall design of the building and its effect on the site, surrounding buildings and streets;
(b) the provision of public open space, landscape, and the effects of overall design on the general amenity of the area;
(c) the provision of roads and bike and pedestrian connections as outlined in plans and policies adopted by Council;
(c) the effect of the development on traffic in the area; and
(d) the provision for pedestrian needs.

4.7.7 For the purposes of section 4.7.5, amenity share means an amenity share as set out in Schedule F of the Zoning and Development By-law.

4.7.8 For the purposes of this district schedule, amenity means the following:

(a) Community Centre or Neighbourhood House.

4.7.9 In sub-area B, the Development Permit Board or the Director of Planning, as the case may be, may ~~relax~~ vary the provisions of section 4.7.2 up to a floor space ratio of 3.0 for Office Uses listed in section 2.2.0, if the Development Permit Board or the Director of Planning, as the case may be, first considers:

(a) the intent of the schedule, all applicable policies and guidelines adopted by Council, and the relationship of the development to any nearby residential uses;
(b) the height, bulk, location, and overall design of the building and its effect on the site, surrounding buildings, and streets; and
(c) the provision of roads and bike and pedestrian connections as outlined in plans and policies adopted by Council.

4.8 to 4.15 (Reserved)

4.16 Building Depth and Building Width

4.16.1 In sub-area A, the building depth must not exceed 61 m, measured in a straight line parallel to the side property line, from the front exterior wall to rear exterior wall at street grade.

4.16.2 In sub-area A, the building width must not exceed 61 m, measured in a straight line parallel to the front property line, from the two side exterior walls at grade.

4.16.3 Notwithstanding sections 4.16.1 and 4.16.2, eaves and gutters or other projections, which in the opinion of the Director of Planning are similar, may project into the minimum side yard to a maximum of 1.0 m measured horizontally

4.16.4 Despite sections 4.16.1 and 4.16.2, where a functional need is demonstrated, the Director of Planning may permit an increased building depth or width if the Director of Planning first considers:

(a) the existing street network, loading and vehicular access;
(b) the provision of a visually interesting building massing; and
(c) the intent of this district schedule and all applicable policies and guidelines.

4.17 External Design

4.17.1 Any fence, wall, or landscaping located along the street property line (which is, for the purposes of this section 4.17, the property line along an abutting street but not a lane) shall facilitate pedestrian interest to the satisfaction of the Director of Planning.

4.17.2 All garbage containers shall be enclosed, located, or screened so as not to be visible from the centre line of an abutting street.

I-4 District Schedule (Historic Industrial District)

1 Intent

Railtown is one of the city's original industrial districts. The precinct has a distinct industrial character defined by its collection of historic building forms, building material, proximity to the Port of Vancouver and unique street pattern.

The intent of this schedule is to permit industrial and other uses that are generally incompatible when situated in or near residential districts but are beneficial because they provide industrial employment opportunities and serve a useful or necessary function in the city. One of the industrial uses that is permitted is creative products manufacturing. A limited number of office uses compatible with or complementing light industrial uses are also permitted. The retention or conservation of historic buildings and features is encouraged.

2 Outright Approval Uses

2.1 Subject to all other provisions of this by-law and to compliance with section 2.3 and the regulations of this schedule, the uses noted in section 2.2 are permitted in this district and will be issued a permit.

2.2 Uses

2.2.A

- Accessory Buildings customarily ancillary to any of the uses listed in this schedule, provided that:
  - (a) no accessory building exceeds 3.7 m in height measured to the highest point of the roof if a flat roof, to the deck line of a mansard roof, or to the mean height 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) the total floor area, measured to the extreme outer limits of the building, of all accessory buildings is not greater than 10 percent of the total area of the site.

- Accessory Uses customarily ancillary to any of the outright uses listed in this section, except that accessory retail use:
  - (a) may not be combined with wholesale use;
  - (b) is limited to the lesser of 33 1/3 percent or 500 m^2 of the gross floor area of the principal and accessory uses combined;
  - (c) except for accessory retail uses associated with an Artist Studio, must be separated by a wall from the floor area used for all other uses; and
  - (d) all uses other than accessory retail use must be inaccessible to the public.

2.2.C [Cultural and Recreational]

- Artist Studio - Class A and Artist Studio - Class B, except that either use must not be combined with a Residential Unit and the change in use must only apply to floor area existing as of May 7, 2017 and any additions are limited to no more than 10 percent of existing floor area.

- Arts and Culture Indoor Event.

2.2.M [Manufacturing]

- Bakery Products Manufacturing.
- Batteries Manufacturing.
- Chemicals or Chemical Products Manufacturing – Class B
- Clothing Manufacturing.
- Creative Products Manufacturing.
- Dairy Products Manufacturing.
- Electrical Products or Appliances Manufacturing.
- Food or Beverage Products Manufacturing - Class B.
- Furniture or Fixtures Manufacturing.
- Ice Manufacturing.
- Information Communication Technology Manufacturing.
- Jewellery Manufacturing.
- Leather Products Manufacturing.
- Machinery or Equipment Manufacturing.
- Metal Products Manufacturing - Class B.
- Miscellaneous Products Manufacturing - Class B.
- Motor Vehicle Parts Manufacturing.
- Non-metallic Mineral Products Manufacturing - Class B.
- Paper Products Manufacturing.
- Plastic Products Manufacturing.
- Printing or Publishing.
- Rubber Products Manufacturing.
- Shoes or Boots Manufacturing.
- Textiles or Knit Goods Manufacturing.
- Tobacco Products Manufacturing.
- Transportation Equipment Manufacturing.
- Wood Products Manufacturing - Class B.

2.2.S [Service]

- Animal Clinic.
- Catering Establishment.
- Laundry or Cleaning Plant.
- Motor Vehicle Repair Shop.
- Production or Rehearsal Studio.
- Repair Shop - Class A.
- School - Vocational or Trade.
- Work Shop.

2.2.T [Transportation and Storage]

- Cold Storage Plant.
- Packaging Plant.
- Storage Warehouse.

2.2.U [Utility and Communication]

- Public Utility.
- Radiocommunication Station.

2.2.W [Wholesale]

- Wholesaling - Class A.
- Wholesaling - Class B. Provided that the gross floor area does not exceed 500 m^2.

2.3 Conditions of Use

2.3.1 No use listed in section 2.2 of this schedule shall involve the bulk storage of vegetable oil or fat; fish oil or meal; scrap; junk; lime; fertilizer; explosives; matches; industrial chemicals; paints; varnishes; or compressed gas, petroleum, coal tar products or derivatives.

2.3.2 No use listed in section 2.2 of this schedule shall involve the keeping of live animals, live poultry or other fowl, except Animal Clinic.

3 Conditional Approval Uses

3.1 Subject to all other provisions of this By-law, including the additional regulations in section 10.20 of this By-law, and compliance with section 3.3 and the provisions and regulations of this Schedule, the Director of Planning or the Development Permit Board may approve any of the uses listed in section 3.2, with or without conditions, provided that the Director of Planning or the Development Permit Board 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.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; and
  (b) the total floor area, measured to the extreme outer limits of the building, of all accessory buildings is not greater than 10 percent of the total area of the site.

- Accessory Uses customarily ancillary to any of the uses listed in this section, other than as provided in section 2.2.A, except that accessory retail use:

  (a) may not be combined with wholesale use;
  (b) is limited to the lesser of 33 1/3 percent or 500 m^2 of the gross floor area of the principal and accessory uses combined;
  (c) must be separated by a wall from the floor area used for all other uses; and
  (d) all uses other than accessory retail use must be inaccessible to the public.

3.2.C [Cultural and Recreational]

- Park or Playground.
- Artist Studio – Class B, including a Residential Unit and the change in use must only apply to floor area existing as of May 2, 2017 and any additions are limited to no more than 10 percent of existing floor area.

3.2.D

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

3.2.DW [Dwelling]

- Dwelling Unit for a caretaker or watchman or other person similarly employed, if such dwelling unit is considered to be essential to the operation of the business or establishment.
- Residential Unit associated with and forming an integral part of an Artist Studio - Class B.

3.2.I [Institutional]

- Ambulance Station.
- Child Day Care Facility.
- Public Authority Use.
- Social Service Centre.

3.2.M [Manufacturing]

- Brewing or Distilling.
- Chemical Products Manufacturing – Class A.
- Food or Beverage Products Manufacturing – Class A.
- Linoleum or Coated Fabrics Manufacturing.
- Metal Products Manufacturing.
- Miscellaneous Products Manufacturing.
- Non-metallic Mineral Products Manufacturing – Class A.
- Rubber Manufacturing.
- Vegetable Oil Manufacturing.
- Wood Products Manufacturing – Class A.

3.2.O [Office]

- General office, but not including the offices of accountants, lawyers and notary publics, real estate, advertising, insurance, travel and ticket agencies.
- Digital Entertainment Information and Communication Technology.

3.2.P [Parking]

- Parking Uses.

3.2.R [Retail]

- Farmers' Market.
  Compatibility with nearby sites, parking, traffic, noise, hours of operation, size of facility, pedestrian amenity.
- Public Bike Share.
- Retail Store, but limited to:
  (a) Retail Store for the renting of merchandise in which the exclusive use of at least 50 percent of the gross floor area is for the storage of inventory.
  (b) Limited Service Food Establishment, which means the use of premise for the primary purpose of selling, or selling and serving, prepared food to the public during all hours of operation, where the premises include not more than 16 indoor or outdoor seats for customers consuming food purchased on the premises, but where customers may also purchase food for take-out, and where live entertainment is not available.
  (c) Accessory Retail Use.

3.2.S [Service]

- Laboratory.
- Motor Vehicle Wash.
- Photofinishing or Photography Laboratory.
- Photofinishing or Photography Studio.
- Print Shop.
- Repair Shop - Class B.
- Restaurant - Class 1.
- Sign Painting Shop.

3.2.T [Transportation and Storage]

- Storage Yard, provided it is enclosed by a suitable fence which is painted and neatly maintained at all times.
- Taxicab or Limousine Station.
- Truck Terminal or Courier Depot.
- Weighing or Inspection Station.
- Works Yard.

3.2.U [Utility and Communication]

- Public Utility, other than as provided for in section 2.2.U of this Schedule.
- Recycling Depot.

3.2.W [Wholesale]

- Lumber and Building Materials Establishment.

3.2.Z

- Any other use which is not specifically listed and defined as a use in section 2 of this by-law but which the Director of Planning considers comparable in nature to the uses listed in this schedule, having regard to the intent of this schedule.
- A use which is listed in section 2.2 of this schedule but does not comply with the conditions of use in sections 2.3.1 or 2.3.2.

3.3 Conditions of Use

3.3.1 Lounge use accessory to Brewing or Distilling use must be carried on wholly within an enclosed building.

4 Regulations

All uses approved under sections 2 and 3 of this district schedule are subject to the following regulations.

4.1 Site Area -- Not Applicable.

4.2 Frontage -- Not Applicable.

4.3 Height

4.3.1 The maximum permitted height of a building is 30.5 m.

4.4 Front Yard and Setback

4.4.1 No front yard is required.

4.5 Side Yards and Setbacks

4.5.1 No side yard is required.

4.6 Rear Yard and Setback

4.6.1 A rear yard with a minimum depth of 3.1 m must be provided, except that where the rear of the site abuts a lane, this required minimum depth must be decreased by the lane width between the rear property line and the ultimate centre line of the lane.

4.6.2 The Director of Planning may waive the requirement to provide a rear yard where the Director of Planning is satisfied that the site is located within an area where rear access to the site and adjacent sites is not likely to be required and that site is sufficiently large to provide adequate open space.

4.7 Floor Area and Density

4.7.1 Floor space ratio must not exceed 5.0, but:

(a) for Manufacturing uses, Transportation and Storage uses, Wholesaling – Class A, Wholesaling – Class B, or Artist Studio – Class B, the maximum permitted floor space ratio shall be 5.0;

(b) for Production or Rehearsal Studio, Office and all other uses not listed in section 4.7.1 (a), the maximum permitted floor space ratio shall be 2.5 combined, and the following limitation applies:

(i) for Office uses and all other uses not listed in section 4.7.1 (a), the maximum permitted floor space ratio shall be 1.0 combined, and the floor area for Office use must not exceed 25 percent of the gross floor area of all principal and accessory uses combined;

(c) for Production or Rehearsal Studio, Office and all other uses not listed in section 4.7.1 (a), the maximum permitted floor space ratio in a building existing as of May 2, 2017 shall be 3.0 combined, and the following limitation applies;

(i) for Office uses and all other uses not listed in 4.7.1 (a), the maximum permitted floor space ratio shall be 1.5 combined, and the floor area for Office use must not exceed 33 1/3 percent of the gross floor area of all principal and accessory uses combined;

(d) the floor area in Retail uses, including accessory retail, must not exceed 500 m²;

(e) the floor area in Restaurant – Class 1 use must not exceed 150 m²; and

(f) the floor area for a lounge use accessory to a Brewing or Distilling use must not exceed 80 m².

4.7.2 Computation of floor area must include all floors of all buildings including accessory buildings, both above and below ground level, to be measured to the extreme outer limits of the building.

4.7.3 Computation of floor area must exclude:

(a) balconies and decks and any other appurtenances which, in the opinion of the Director of Planning, are similar to the foregoing, provided that the total area of these exclusions does not exceed 12% of the floor area being provided;

(b) patios and roof decks, provided that the Director of Planning first considers the effect on privacy and overlook.:

(c)where floors are used for off-street parking and loading, the taking on or discharging of passengers, bicycle storage, heating and mechanical equipment, or uses which in the opinion of the Director of Planning are similar to the foregoing, those floors or portions thereof so used which:

i) are at or below the base surface, provided that the maximum exclusion for a parking space shall not exceed 7.3 m in length; or

(ii) are above the base surface and where developed as off-street parking are located in an accessory building situated in the rear yard, provided that the maximum exclusion for a parking space shall not exceed 7.3 m in length;

(~~b~~d) amenity areas for the social and recreational enjoyment of employees or for providing a service to the public, including facilities for general fitness, general recreation and child day care facility, provided that:

(i) the total area excluded must not exceed the lesser of 20 percent of the permitted floor area or 100 m²; and

(ii) in the case of a child day care facility, the Director of Planning on the advice of the Director of Social Planning is satisfied that there is a need for a child day care facility in the building or in the immediate neighbourhood; and

(~~c~~e) storage area associated with an Artist Studio - Class B where the storage area is provided below base surface, to a maximum exclusion of 20 m².

4.8 Site Coverage -- Not Applicable.

4.9 [Deleted -- see Parking By-law.]

4.10 Horizontal Angle of Daylight -- Not Applicable.

IC-1 and IC-2 Districts Schedule

1 Intent

The primary intent of this Schedule is to permit light industrial uses that are generally compatible with one another and with adjoining residential or commercial districts. It is also the intent to permit advanced technology industry, industry with a significant amount of research and development activity, and commercial uses compatible with and complementing light industrial uses.

The general intent of external design regulations in the IC-2 District is to achieve a form of development compatible with the function and character of abutting major streets. The specific intent is to achieve building continuity that contributes a unified image to development along major streets in the IC-2 District.

2 Outright Approval Uses

2.1 Subject to all other provisions of this By-law, including the additional regulations in section 10.20 of this By-law, and to compliance with section 2.3 and the regulations of this Schedule, the uses listed in section 2.2 shall be permitted in the IC-l and IC-2 Districts 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, except that:
  - (a) an accessory building must not exceed 4.6 m in height, and must not exceed 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 ridge of a gable, hip, or gambrel roof;
  - (b) an accessory building must be situate in the rear yard no less than 3.1 m from the ultimate centre line of any rear or flanking lane; and
  - (c) an accessory building's total floor area, measured to the extreme outer limits of the building, must not exceed 10% of the total area of the site.

- Accessory Uses customarily ancillary to any of the uses listed in this section, but not including accessory retail use in conjunction with wholesale uses listed in section 2.2.W, provided that, unless permitted as an outright approval use pursuant to section 2.2 of this Schedule, the total floor area of all accessory uses shall not be greater than 33-⅓ percent of the gross floor area of the principal and accessory uses combined, and provided that the floor area in accessory retail use, except for accessory retail use associated with an Artist Studio, is separated by a wall from the floor area in other uses which shall be inaccessible to the general public.

2.2.C [Cultural and Recreational]

- Artist Studio – Class A, provided that the use must not be combined with a Residential Unit, the change of use must only apply to floor area existing as of February 26, 2013, and any additions are limited to no more than 10 percent of existing floor area.

- Arts and Culture Indoor Event.

2.2.M [Manufacturing]

- Bakery Products Manufacturing.
- Batteries Manufacturing.
- Chemicals or Chemical Products Manufacturing - Class B.
- Clothing Manufacturing.
- Dairy Products Manufacturing.
- Electrical Products or Appliances Manufacturing.
- Food or Beverage Products Manufacturing - Class B.
- Furniture or Fixtures Manufacturing.
- Ice Manufacturing.
- Information Communication Technology Manufacturing.
- Jewellery Manufacturing.
- Leather Products Manufacturing.
- Miscellaneous Products Manufacturing - Class B.
- Non-metallic Mineral Products Manufacturing - Class B.
- Paper Products Manufacturing.
- Plastic Products Manufacturing.
- Printing or Publishing.
- Rubber Products Manufacturing.
- Shoes or Boots Manufacturing.
- Tobacco Products Manufacturing.
- Wood Products Manufacturing - Class B.

2.2.O [Office]

- General Office.

2.2.R [Retail]

- Furniture or Appliance Store.
- Gasoline Station - Full Serve.
- Retail Store.
- Vehicle Dealer.

2.2.S [Service]

- Animal Clinic.
- Catering Establishment.
- Laboratory.
- Laundry or Cleaning Plant.
- Motor Vehicle Repair Shop.
- Motor Vehicle Wash.
- Photofinishing or Photography Laboratory.
- Photofinishing or Photography Studio.
- Print Shop.
- Production or Rehearsal Studio.
- Repair Shop - Class A.
- Repair Shop - Class B.
- Restaurant - Class 1, provided that total floor area does not exceed 65 m^2.
- School - Arts or Self-Improvement.
- School - Business.
- School - Vocational or Trade.
- Sign Painting Shop.
- Work Shop.

2.2.T [Transportation and Storage]

- Cold Storage Plant.
- Packaging Plant.
- Storage Warehouse.

2.2.U [Utility and Communication]

- Radiocommunication Station.

2.2.W [Wholesale]

- Lumber and Building Materials Establishment.
- Wholesaling - Class A.
- Wholesaling - Class B.

2.3 Conditions of Use

2.3.1 No use listed in section 2.2 of this Schedule, except a full-serve gasoline station and a lumber store, shall be carried on other than wholly within a completely enclosed building, except for off-street parking and loading, heating and mechanical equipment, or other facilities or equipment which in the opinion of the Director of Planning are similar to the foregoing.

2.3.2 No use listed in section 2.2 of this Schedule shall involve the bulk storage, pending ultimate distribution off site, of explosives, fireworks, ammunition, matches, or flares; radioactive material; rags or cotton waste; and, except for a full-serve gasoline station, compressed gas, petroleum, coal or tar products or derivatives.

3 Conditional Approval Uses

3.1 Subject to all other provisions of this By-law, including the additional regulations in section 10.20 of this By-law, and compliance with section 3.3 and the regulations of this Schedule, the Director of Planning or the Development Permit Board may approve any of the uses listed in section 3.2 of this Schedule, with or without conditions, provided that the Director of Planning or the Development Permit Board 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.A
- Accessory Uses customarily ancillary to any of the uses listed in this section, subject to the same provisions as section 2.2.A of this Schedule.
- Accessory Uses customarily ancillary to any of the uses listed in this Schedule, other than as provided for in section 2.2.A of this Schedule.

3.2.AG [Agricultural]

- Urban Farm - Class B.

3.2.C [Cultural and Recreational]

- Artist Studio, provided that the change of use applies to floor area existing as of February 26, 2013 and additions are limited to a maximum of 10 percent of the existing floor area.
- Club.
- Fitness Centre.
- Parks and Playground.

3.2.DW [Dwelling]

- Dwelling Unit for a caretaker or watchman or other person similarly employed, if such dwelling unit is considered to be essential to the operation of the business or establishment.
- Residential Unit associated with and forming an integral part of an artist studio.

3.2.I [Institutional]

- Ambulance Station.
- Public Authority Use.
- Social Service Centre.

3.2.M [Manufacturing]

- Brewing or Distilling.
- Chemicals or Chemical Products Manufacturing - Class A.
- Food or Beverage Products Manufacturing - Class A.
- Linoleum or Coated Fabrics Manufacturing.
- Machinery or Equipment Manufacturing.
- Metal Products Manufacturing - Class B.
- Miscellaneous Products Manufacturing - Class A.
- Motor Vehicle Parts Manufacturing.
- Non-metallic Mineral Products Manufacturing - Class A.
- Rubber Manufacturing.
- Textiles or Knit Goods Manufacturing.
- Transportation Equipment Manufacturing.
- Vegetable Oil Manufacturing.

3.2.P [Parking]

- Parking Uses.

3.2.R [Retail]

- Farmers' Market. *Compatibility with nearby sites, parking, traffic, noise, hours of operation, size of facility, pedestrian amenity*.
- Gasoline Station - Split Island.
- Public Bike Share.

3.2.S [Service]

- Auction Hall.

3.2.T [Transportation and Storage]

- Booming Ground.
- Marine Terminal or Berth.
- Mini-storage Warehouse.
- Storage Yard.
- Taxicab or Limousine Station.
- Truck Terminal or Courier Depot.
- Weighing or Inspection Station.
- Works Yard.

3.2.U [Utility]

- Public Utility.
- Recycling Depot.

3.2.W [Wholesale]

- Cardlock Fuel Station.

3.2.Z
- Any other use which is not specifically listed and defined as a use in section 2 of this By-law but which the Director of Planning considers comparable in nature to the uses listed in this Schedule, having regard to the intent of this District Schedule.
- A use which is listed in section 2.2 of this Schedule but does not comply with the condition of use in section 2.3.1.

3.3 Conditions of Use

3.3.1 No use listed in section 3.2 of this Schedule, except a split-island gasoline station and a Cardlock fuel station, shall be carried on other than wholly within a completely enclosed building unless appropriate measures are taken, to the satisfaction of the Director of Planning, to eliminate any dangerous, injurious, noxious or otherwise objectionable impact that could adversely affect the surrounding area and adjoining non-industrial districts.

3.3.2 No use listed in section 3.2 of this Schedule shall involve the bulk storage, pending ultimate distribution off site, of explosives, fireworks, ammunition, matches, or flares; radioactive material; rags or cotton waste; and, except for a split-island gasoline station and a Cardlock fuel station, compressed gas, petroleum, coal or tar products or derivatives.

3.3.3 No use listed in section 3.2 of this Schedule shall involve the storage, other than wholly within a completely enclosed building, of toxic or corrosive chemicals or acids; scrap; fungicides, herbicides or pesticides; paint, varnish, oil shellac or turpentine; grain, hops, or sugar; fish, fish oil or meal, animal oil or fat, or vegetable oil.

3.3.4 No use listed in section 3.2 of this Schedule shall involve the storage of goods or materials other than wholly within a completely enclosed building unless the yard or portion of the yard containing the goods or materials is enclosed by a suitable fence or wall restricting public access.

3.3.5 No use listed in section 3.2 of this Schedule shall involve the storage of goods or materials or the placement of machinery or of refuse or garbage receptacles other than wholly within a completely enclosed building unless adequately screened from view from any adjacent R district, or any R district across an adjacent street or lane, by evergreen planting, wall, or fence and related landscaping that is acceptable to the Director of Planning.

3.3.6 A lounge use accessory to Brewing or Distilling use shall be carried on wholly within a completely enclosed building.

4 Regulations

All uses approved under sections 2 and 3 of this Schedule shall be subject to the following regulations, except section 4.17 which shall apply only in the IC-2 District.

4.1 Site Area -- Not Applicable.

4.2 Frontage -- Not Applicable.

4.3 Height

4.3.1 The maximum height of a building shall be 18.3 m.

4.3.2 For any building or part of a building situated in the IC-2 District, the maximum building height at the street property line shall be 12.2 m and a building envelope shall apply, as follows:

(a) no portion of the building shall protrude above an envelope formed by a vertical line at the street property line and a plane formed by an angle of 45 degrees measured from the vertical and having its vertex at the maximum building height permitted at the street property line;
(b) in the case of a corner site, the provisions of section 4.3.2(a) shall apply at both street property lines.

4.4 Front Yard

4.4.1 No front yard shall be required.

4.5 Side Yards

4.5.1 No side yard shall be required, except where the site adjoins, without the intervention of a lane, a site located in an R District, in which case a side yard with a minimum width of 1.5 m shall be provided adjoining the R District.

4.5.2 Where a side yard is provided, although not required, a side yard with a minimum width of .9 m shall be provided.

4.6 Rear Yard

4.6.1 A rear yard with a minimum depth of 3.1 m shall be provided, except that where the rear of the site abuts a lane, this required minimum depth shall be decreased by the lane width between the rear property line and the ultimate centre of the lane.

4.6.2 The Director of Planning may waive the requirement to provide a rear yard where the Director of Planning is satisfied that the site is located within an area where rear access to the site and adjacent sites is not likely to be required.

4.7 Floor Space Ratio

4.7.1 The floor space ratio shall not exceed 3.0, subject to the following:

(a) the maximum floor space ratio shall be 1.0 for all uses other than manufacturing uses, transportation and storage uses, and Wholesaling - Class A;
(b) the maximum floor space ratio may be increased to 1.5 for any office use ancillary to manufacturing, provided that the principal use or uses only includes manufacturing and provided that the total floor area of all accessory uses shall not be greater than 50 percent of the gross floor area of all principal and accessory uses combined;
(c) the floor area in retail uses, including accessory retail, shall not exceed 1 000 m^2; and
(d) the floor area for a lounge use accessory to a Brewing or Distilling use shall not exceed 80 m^2.

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

(a) all floors of all buildings, both above and below ground level, to be measured to the extreme outer limits of the building.

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

(a) ~~open~~ ~~residential~~ balconies and decks 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~~ these exclusions does not exceed ~~eight~~ 12% ~~percent~~ of the ~~residentia~~l floor area being provided;

(b) patios and roof decks provided ~~if~~ that the Director of Planning first considers the effect on privacy and overlook.~~:~~
~~(i) the design of landscape treatments;~~
~~(ii) the effect on privacy and overlook; and~~
~~(iii) all applicable Council policies and guidelines.~~

(c) where floors are used for off-street parking and loading, the taking on or discharging of passengers, bicycle storage, heating and mechanical equipment, or uses which in the opinion of the Director of Planning are similar to the foregoing, those floors or portions thereof so used, which are at or below the base surface, provided that the off-street parking spaces do not have a length of more than 7.3 m for the purpose of exclusion from floor space ratio computation;

(d) storage space associated with an artist studio where the space is provided below the base surface and subject to a maximum exclusion of 20 m² for each artist studio; and

(e) amenity areas, including child day care facilities, recreation facilities and meeting rooms accessory to a residential use, to a maximum total area of 10 percent of the total permitted floor area.

4.8 to 4.16 (Reserved)

4.17 External Design

4.17.1 In the IC-2 District, building continuity shall be achieved at the street property line (which is, for the purposes of this section 4.17, the property line along an abutting street but not a lane) as follows:

(a) no yard shall be permitted along a street property line, except for a required setback, side or rear yard, and yard established by building line;

(b) the first storey shall include the main pedestrian entrance and facilities serving the public, such as reception area or lobby and showroom or display area, which shall be oriented with maximum visibility to the abutting street or, in the case of a corner site, the widest abutting street;

(c) where a building occupies a corner site, architectural features, lighting, signage, and related facade characteristics shall be located so as to orient the building to the widest abutting street;

(d) transparent window area shall comprise at least 80 percent of the exterior wall surface of the first storey along an abutting street and 40 percent of the exterior wall surface on every upper storey along an abutting street;

(e) no portion of the floor of the first storey along an abutting street shall be more than 1.0 m above or below grade at the street property line.

4.17.2 In the IC-2 District, garbage container storage areas, heating and mechanical equipment, and off-street parking and loading facilities shall be enclosed, located or screened so as not to be visible from the centre line of an abutting street.

4.17.3 In the IC-2 District, any use which is not carried on wholly within a completely enclosed building, including parking use, except a full-serve or split-island gasoline station, shall be set back 1.2 m from the street property line at an abutting street and screened, so as not to be visible from the centre line of every abutting street, by evergreen planting, wall, or fence with related landscaping.

IC-3 District Schedule

1 Intent

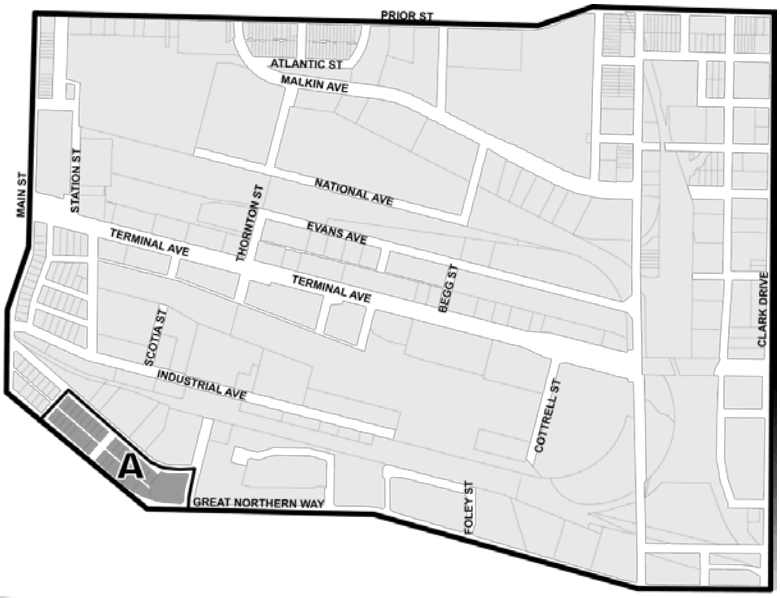
1.1 The primary intent of this Schedule is to permit a mix of light industrial, live arts and theatre, residential and related uses that are generally compatible with adjoining residential and commercial districts. Service uses compatible with and complementing light industrial uses and a limited number of office uses are also permitted, but not general retail stores.

In the False Creek Flats, north of Great Northern Way, additional discretionary height and density may be considered where 20% of the residential floor area is used for social housing or where all of the dwelling units are secured market rental housing.

The general intent of the external design regulations is to achieve certain public objectives with respect to the historic Brewery Creek water course.

1.2 Within the False Creek Flats, the area north of Great Northern Way and 2nd Avenue illustrated in Figure 1 is referred to as sub-area A, solely for the purpose of establishing permitted uses, setbacks, floor area and height.

Figure 1



2 Outright Approval Uses

2.1 Subject to all other provisions of this By-law, including the additional regulations in section 10.20 of this By-law, and to compliance with section 2.3 and the regulations of this Schedule, the uses listed in section 2.2 shall be permitted in this 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, except that:

  (a) an accessory building must not exceed 4.6 m in height, and must not exceed 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 ridge of a gable, hip, or gambrel roof;
  (b) an accessory building must be situate in the rear yard no less than 3.1 m from the ultimate centre line of any rear or flanking lane; and
  (c) an accessory building's total floor area, measured to the extreme outer limits of the building, must not exceed 10% of the total area of the site.

- Accessory Uses customarily ancillary to any of the uses listed in this section, but not including accessory retail use in conjunction with wholesale uses listed in section 2.2.W, provided that, unless permitted as an outright approval use pursuant to section 2.2 of this Schedule, the total floor area of all accessory uses shall not be greater than 33-⅓ percent of the gross floor area of the principal and accessory uses combined, and provided that the floor area in accessory retail use, except for accessory retail use associated with an Artist Studio, is separated by a wall from the floor area in other uses which shall be inaccessible to the general public.

2.2.C [Cultural and Recreational]

- Artist Studio – Class A, provided that the use must not be combined with a Residential Unit, the change of use must only apply to floor area existing as of February 26, 2013, and any additions are limited to no more than 10 percent of existing floor area.
- Arts and Culture Indoor Event.
- Club.
- Fitness Centre.
- Hall.
- Theatre.

2.2.M [Manufacturing]

- Bakery Products Manufacturing.
- Batteries Manufacturing.
- Chemicals or Chemical Products Manufacturing - Class B.
- Clothing Manufacturing.
- Dairy Products Manufacturing.
- Electrical Products or Appliances Manufacturing.
- Food or Beverage Products Manufacturing - Class B.
- Furniture or Fixtures Manufacturing.
- Ice Manufacturing.
- Information Communication Technology Manufacturing.
- Jewellery Manufacturing.
- Leather Products Manufacturing.
- Miscellaneous Products Manufacturing - Class B.
- Non-metallic Mineral Products Manufacturing - Class B.
- Paper Products Manufacturing.
- Plastic Products Manufacturing.
- Printing or Publishing.

- Rubber Products Manufacturing.
- Shoes or Boots Manufacturing.
- Tobacco Products Manufacturing.
- Wood Products Manufacturing - Class B.

2.2.R [Retail]

- Retail Store, but limited to the sale of art and hand-crafted products.

2.2.S [Service]

- Catering Establishment.
- Laboratory.
- Laundry or Cleaning Plant.
- Motor Vehicle Repair Shop.
- Motor Vehicle Wash.
- Photofinishing or Photography Laboratory.
- Photofinishing or Photography Studio.
- Print Shop.
- Production or Rehearsal Studio.
- School - Vocational or Trade.
- Sign Painting Shop.
- Work Shop.

2.2.T [Transportation and Storage]

- Cold Storage Plant.
- Packaging Plant.
- Storage Warehouse.

2.2.U [Utility and Communication]

- Radiocommunication Station.

2.2.W [Wholesale]

- Lumber and Building Materials Establishment.
- Wholesaling - Class A.
- Wholesaling - Class B, provided that floor area does not exceed 1 000 m^2.

2.3 Conditions of Use

2.3.1 No use listed in section 2.2 of this Schedule, except a retail store and a lumber store, shall be carried on other than wholly within a completely enclosed building, except for off-street parking and loading, heating and mechanical equipment, or other facilities or equipment which in the opinion of the Director of Planning are similar to the foregoing.

2.3.2 No use listed in section 2.2 of this Schedule shall involve the bulk storage, pending ultimate distribution off site, of explosives, fireworks, ammunition, matches, or flares; radioactive material; rags or cotton waste; and compressed gas, petroleum, coal or tar products or derivatives.

3 Conditional Approval Uses

3.1 Subject to all other provisions of this By-law, including the additional regulations in section 10.20 of this By-law, and compliance with section 3.3 and the provisions and regulations of this Schedule, the Director of Planning or the Development Permit Board may approve any of the uses listed in section 3.2, with or without conditions, provided that the Director of Planning or the Development Permit Board 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.A

- Accessory Uses customarily ancillary to any of the uses listed in this section, subject to the same provisions as section 2.2.A of this Schedule.

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

3.2.AG [Agricultural]

- Urban Farm - Class B.

3.2.C [Cultural and Recreational]

- Artist Studio.
- Bingo Hall.
- Casino - Class 1.
- Community Centre or Neighbourhood House.

3.2.DW [Dwelling]

- Dwelling Unit for a caretaker, watchman or other person or persons similarly employed, if such dwelling unit is considered to be essential to the operation of the business or establishment.
- Dwelling Units in conjunction with any of the uses listed in this schedule except that no portion of the first storey of a building to a depth of 10.7 m from the front wall of the building and extending across its full width shall be used for residential purposes except for entrances to the residential portion.
- Dwelling Unit existing as of and used continuously since October 25, 1988, provided that any additions thereto are limited to 10 percent of existing floor space or 37 m², whichever is the lesser.
- Micro dwelling, but only in sub-area A as shown in Figure 1.
- Residential Unit associated with and forming an integral part of an Artist Studio.

3.2.I [Institutional]

- Ambulance Station.
- Child Day Care Facility.
- Public Authority Use.
- Social Service Centre.

3.2.M [Manufacturing]

- Brewing or Distilling.
- Chemicals or Chemical Products Manufacturing - Class A.
- Food or Beverage Products Manufacturing - Class A.
- Linoleum or Coated Fabrics Manufacturing.
- Machinery or Equipment Manufacturing.
- Metal Products Manufacturing - Class B.
- Miscellaneous Products Manufacturing - Class A.
- Motor Vehicle Parts Manufacturing.
- Non-metallic Mineral Products Manufacturing - Class A.
- Rubber Manufacturing.
- Textiles or Knit Goods Manufacturing.
- Transportation Equipment Manufacturing.
- Vegetable Oil Manufacturing.

3.2.0 [Office]

- General office, but not including the offices of accountants, lawyers and notary publics, nor the offices of real estate, advertising, insurance, travel and ticket agencies.

3.2.P

- Parking Uses.

3.2.R [Retail]

- Farmers' Market. Compatibility with nearby sites, parking, traffic, noise, hours of operation, size of facility, pedestrian amenity.
- Public Bike Share.

3.2.S [Service]

- Auction Hall.
- Cabaret.
- Restaurant - Class 1.
- Restaurant - Class 2.
- School-Arts or Self Improvement.

3.2.T [Transportation and Storage]

- Aircraft Landing Place.
- Railway Station or Rail Yard.
- Storage Yard.
- Taxicab or Limousine Station.
- Truck Terminal or Courier Depot.
- Weighing or Inspection Station.
- Works Yard.

3.2.U [Utility and Communication]

- Public Utility.
- Recycling Depot.

3.2.W [Wholesale]

- Cardlock Fuel Station.

- Wholesaling - Class B, other than as provided for in section 2.2.WH of this Schedule.

3.2.Z
- Any other use which is not specifically listed and defined as a use in section 2 of this By-law but which the Director of Planning considers comparable in nature to the uses listed in this Schedule, having regard to the intent of this District Schedule.

- Any use which is listed in section 2.2 of this Schedule but which does not comply with the conditions of use of section 2.3.1.

- Any other use which is not specifically listed in this District Schedule but which was a legally conforming use existing as of October 25, 1988.

3.3 Conditions of Use

3.3.1 No use listed in section 3.2 of this Schedule, except a Cardlock fuel station and transportation and storage uses, shall be carried on other than wholly within a completely enclosed building unless appropriate measures are taken, to the satisfaction of the Director of Planning, to eliminate any dangerous, injurious, noxious or otherwise objectionable impact that could adversely affect the surrounding area and adjoining non-industrial districts.

3.3.2 No use listed in section 3.2 of this Schedule shall involve the bulk storage, pending ultimate distribution off site, of explosives, fireworks, ammunition, matches, or flares; radioactive material; rags or cotton waste; and, except for a Cardlock fuel station, compressed gas, petroleum, coal or tar products or derivatives.

3.3.3 No use listed in section 3.2 of this Schedule shall involve the storage, other than wholly within a completely enclosed building, of toxic or corrosive chemicals or acids; scrap; fungicides, herbicides or pesticides; paint, varnish, oil shellac or turpentine; grain, hops, or sugar; fish, fish oil or meal, animal oil or fat, or vegetable oil.

3.3.4 No use listed in section 3.2 of this Schedule shall involve the storage of goods or materials other than wholly within a completely enclosed building unless the yard or portion of the yard containing the goods or materials is enclosed by a suitable fence or wall restricting public access.

3.3.5 No use listed in section 3.2 of this Schedule shall involve the storage of goods or materials or the placement of machinery or of refuse or garbage receptacles other than wholly within a completely enclosed building unless adequately screened from view from any adjacent R district, or any R district across an adjacent street or lane, by evergreen planting, wall, or fence and related landscaping that is acceptable to the Director of Planning.

3.3.6 A lounge use accessory to Brewing or Distilling use shall be carried on wholly within a completely enclosed building.

4 Regulations

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

4.1 Site Area -- Not Applicable.

4.2 Frontage -- Not Applicable.

4.3 Height

4.3.1 The maximum height of a building shall be 18.3 m.

4.3.2 In sub-area A, as shown in Figure 1, the Director of Planning may vary the regulations regarding permitted height for dwelling units in conjunction with other permitted uses, if the Director of Planning first considers the intent of the schedule, and all applicable Council policies and guidelines, and:

(a) the maximum height does not exceed 30.5 m.; and

(b) a minimum of 20% of the residential floor area included in the calculation of floor space ratio is used for social housing, or

(c) all dwelling units must be secured market rental housing.

4.4 Front Yard

4.4.1 No front yard shall be required.

4.5 Side Yards

4.5.1 No side yard shall be required, except where the site adjoins, without the intervention of a lane, a site located in an R District, in which case a side yard with a minimum width of 1.5 m shall be provided adjoining the R District.

4.5.2 Where a side yard is provided, although not required, a side yard with a minimum width of .9 m shall be provided.

4.6 Rear Yard

4.6.1 A rear yard with a minimum depth of 3.1 m shall be provided, except that where the rear of the site abuts a lane, this required minimum depth shall be decreased by the lane width between the rear property line and the ultimate centre of the lane.

4.6.2 The Director of Planning may waive the requirement to provide a rear yard where the Director of Planning is satisfied that the site is located within an area where rear access to the site and adjacent sites is not likely to be required.

4.7 Floor Space Ratio

4.7.1 The floor space ratio shall not exceed 3.00, subject to the following:

(a) the maximum floor space ratio shall be 1.00 for all uses other than artist studio, manufacturing uses, retail store, school, theatre, transportation and storage uses, and wholesaling - class A;

(b) the maximum floor space ratio shall be 2.5 for artist studio and the associated residential unit;

(c) the floor area in retail uses, including accessory retail, shall not exceed 1 000 m²; and

(d) the floor area for a lounge use accessory to a Brewing or Distilling use shall not exceed 80 m².

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

(a) all floors of all buildings, both above and below ground level, to be measured to the extreme outer limits of the building; and

(b) in dwelling units and artists studios, where the distance from a floor to the floor above, or where there is no floor above, to the top of the roof rafters or deck exceeds 3.7 m, an additional amount equal to the area of the floor below the excess height, except that the Director of Planning may exclude additional height in combination with:

(i) an undeveloped floor area beneath roof elements which are, in the opinion of the Director of Planning, solely for decorative purposes and to which the only means of access is a hatch, residential lobby or mechanical penthouse, or

(ii) 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.

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

(a) ~~open~~ balconies and decks 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~~ these exclusions does not exceed ~~twelve percent~~12% of the floor area being provided;

(b) patios and roof decks provided that the ~~if~~ the Director of Planning first considers: the effect on privacy and overlook.
~~(i) the design of landscape treatments;~~
~~(ii) the effect on privacy and overlook; and~~
~~(iii) all applicable Council policies and guidelines.~~

(c) where floors are used for off-street parking and loading, the taking on or discharging of passengers, bicycle storage, heating and mechanical equipment, or uses which in the opinion of the Director of Planning are similar to the foregoing, those floors or portions thereof so used, which are at or below the base surface, provided that the off-street parking spaces do not have a length of more than 7.3 m for the purpose of exclusion from floor space ratio computation;

(d) storage space associated with an artist studio where the space is provided below the base surface and subject to a maximum exclusion of 20 m² for each artist studio; and

(e) amenity areas, including child day care facilities, recreation facilities and meeting rooms accessory to a residential use, to a maximum total area of 10 percent of the total permitted floor area.

~~4.7.4 Where a need for a cultural facility has been demonstrated to the satisfaction of the Development Permit Board, the Development Permit Board may increase the maximum floor space ratio for any one building, which includes one or more of such facilities. The Development Permit Board will require that any such facility be preserved in the public domain by way of a registered agreement and operated by the City or its delegates.~~

~~In determining the increase in floor area that may be permitted, the Development Permit Board or Director of Planning shall consider:~~

~~(a) the construction cost of the facility;~~
~~(b) any costs to the developer of continuing maintenance required for the facility;~~
~~(c) the rental value of the increased floor area;~~
~~(d) the value of any authorized relaxation of other restrictions;~~
~~(e) the opinion of City Council; and~~
~~(f) all applicable policies and guidelines adopted by Council.~~

4.7.4~~5~~ The Director of Planning or the Development Permit Board may, for any development where a residential unit is being provided in conjunction with and forming an integral part of an artist studio, permit an increase in floor space ratio, subject to prior approval by City Council, and the securing of a Housing Agreement and provided that the residential unit is occupied by persons receiving income equal to or less than the income defined by the British Columbia Housing Management Corporation as ‘core need’.

In determining the amount of the increase in floor space ratio that may be permitted by this section 4.7.5, the Director of Planning or the Development Permit Board, with advice from the Manager of the Housing Centre and the Manager of Real Estate, shall consider:

(a) the cost to the developer of adhering to the conditions of the housing agreement;
(b) the value of the increased floor area;
(c) the value of any relaxation of other regulations;
(d) the impact upon livability and environmental quality of the neighbourhood; and
(e) all applicable policies and guidelines adopted by Council.

4.7.5 In sub-area A, as shown in Figure 1, the Director of Planning may vary the regulations regarding permitted floor space ratio for dwelling units in conjunction with other permitted uses, if the Director of Planning first considers the intent of this schedule, and all applicable Council policies and guidelines, and:

(a) the total floor space ratio does not exceed 4.0, except that the maximum floor space ratio for dwelling uses shall not exceed 3.5, and
(b) for the purpose of this clause an artist studio and its associated residential unit shall together be considered a dwelling use; and
(c) a minimum of 20% of the residential floor area included in the calculation of floor space ratio must be used for social housing, or
(d) all dwelling units must be secured market rental housing.

4.8 to 4.14 (Reserved)

4.15 Acoustics

4.15.1 In sub-area A as shown in Figure 1, a development permit application for dwelling uses requires evidence in the form of a report and recommendations prepared by persons trained in acoustics and current techniques of noise measurements, demonstrating that the noise levels in those portions of the dwelling units listed below do not exceed the noise levels expressed in decibels set opposite such portions of the dwelling units. For the purposes of this section the noise level is the A-weighted 24-hour equivalent (Leq) sound level and will be defined simply as the noise level in decibels.

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

4.16 (Reserved)

4.17 External Design

4.17.1 Building continuity shall be achieved at the street property line (which is, for the purposes of this section 4.17, the property line along an abutting street but not a lane) as follows:

(a) no yard shall be permitted along a street property line, except for a required setback, side or rear yard, and yard established by building line;
(b) the first storey shall include the main pedestrian entrance and facilities serving the public, such as reception area or lobby and showroom or display area, which shall be oriented with maximum visibility to the abutting street or, in the case of a corner site, the widest abutting street;
(c) where a building occupies a corner site, architectural features, lighting, signage, and related facade characteristics shall be located so as to orient the building to the widest abutting street;

(d) transparent window area shall comprise at least 80 percent of the exterior wall surface of the first storey along an abutting street and 40 percent of the exterior wall surface on every upper storey along an abutting street;

(e) no portion of the floor of the first storey along an abutting street shall be more than 1.0 m above or below grade at the street property line.

~~4.17.2 If the Director of Planning is satisfied that enforcement of section 4.17.1 will result in unnecessary hardship, and that the form of development will otherwise achieve building continuity, the Director of Planning may relax all or some of the requirements of section 4.17.1.~~

4.17.2~~3~~ Garbage container storage areas, heating and mechanical equipment, and off-street parking and loading facilities shall be enclosed, located or screened so as not to be visible from the centre line of an abutting street.

4.17.~~4~~3 Any use which is not carried on wholly within a completely enclosed building, including parking use, shall be set back 1.2 m from the street property line at an abutting street and screened, so as not to be visible from the centre line of every abutting street, by evergreen planting, wall, or fence with related landscaping.

5 Relaxation of Regulations

~~5.1 In sub-area A, as shown in Figure 1, the Director of Planning may relax the regulations regarding permitted floor space ratio for dwelling units in conjunction with other permitted uses, if the Director of Planning first considers the intent of this schedule, and all applicable Council policies and guidelines, and:~~

~~(a) the total floor space ratio does not exceed 4.0, except that the maximum floor space ratio for dwelling uses shall not exceed 3.5, and~~

~~(b) for the purpose of this clause an artist studio and its associated residential unit shall together be considered a dwelling use; and~~

~~(c) a minimum of 20% of the residential floor area included in the calculation of floor space ratio must be used for social housing, or~~

~~(d) all dwelling units must be secured market rental housing.~~

5.1 Where a need for a cultural facility has been demonstrated to the satisfaction of the Development Permit Board, the Development Permit Board may relax the maximum floor space ratio for any one building, which includes one or more of such facilities. The Development Permit Board will require that any such facility be preserved in the public domain by way of a registered agreement and operated by the City or its delegates.

In determining the increase in floor area that may be permitted, the Development Permit Board or Director of Planning shall consider:

(a) the construction cost of the facility;
(b) any costs to the developer of continuing maintenance required for the facility;
(c) the rental value of the increased floor area;
(d) the value of any authorized relaxation of other restrictions;
(e) the opinion of City Council; and
(f) all applicable policies and guidelines adopted by Council

~~5.2 In sub-area A, as shown in Figure 1, the Director of Planning may relax the regulations regarding permitted height for dwelling units in conjunction with other permitted uses, if the~~

~~Director of Planning first considers the intent of the schedule, and all applicable Council policies and guidelines, and:~~

~~(a) the maximum height does not exceed 30.5 m.; and~~
~~(b) a minimum of 20% of the residential floor area included in the calculation of floor space ratio is used for social housing, or~~
~~(c) all dwelling units must be secured market rental housing.~~

5.2 If the Director of Planning is satisfied that enforcement of section 4.17.1 will result in unnecessary hardship, and that the form of development will otherwise achieve building continuity, the Director of Planning may relax all or some of the requirements of section 4.17.1.

M-1 District Schedule

1 Intent

The intent of this Schedule is to permit industrial and other uses that are generally incompatible with residential land use but are beneficial in that they provide industrial employment opportunities or serve a useful or necessary function in the city. It is not the intent, however, to permit uses that are potentially dangerous or environmentally incompatible when situated near residential districts.

2 Outright Approval Uses

2.1 Subject to all other provisions of this By-law, including the additional regulations in section 10.20 of this By-law, and to compliance with section 2.3 and the regulations of this Schedule, the uses noted in section 2.2 shall be permitted in this 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) not applicable; [Location]
  (c) the total floor area, measured to the extreme outer limits of the building, of all accessory buildings is not greater than 10 percent of the total area of the site.

- Accessory Uses customarily ancillary to any of the uses listed in this section, but not including accessory retail use in conjunction with wholesale uses listed in section 2.2.W, provided that, unless permitted as an outright approval use pursuant to section 2.2 of this Schedule, the total floor area of all accessory uses shall not be greater than 33-⅓ percent of the gross floor area of the principal and accessory uses combined, and provided that the floor area in accessory retail use, except for accessory retail use associated with an Artist Studio, is separated by a wall from the floor area in other uses which shall be inaccessible to the general public.

- The Director of Planning may vary the maximum height, floor area and site area regulations of section 2.2.A for accessory buildings and accessory uses.

2.2.C [Cultural and Recreational]

- Artist Studio – Class A, provided that the use must not be combined with a Residential Unit, the change of use must only apply to floor area existing as of February 26, 2013, and any additions are limited to no more than 10 percent of existing floor area.
- Arts and Culture Indoor Event.

2.2.M [Manufacturing]

- Bakery Products Manufacturing.
- Batteries Manufacturing.
- Chemicals or Chemical Products Manufacturing - Class B.
- Clothing Manufacturing.

- Dairy Products Manufacturing.
- Electrical Products or Appliances Manufacturing.
- Food or Beverage Products Manufacturing - Class B.
- Ice Manufacturing.

- Information Communication Technology Manufacturing.
- Jewellery Manufacturing.
- Leather Products Manufacturing.
- Metal Products Manufacturing - Class B.
- Miscellaneous Products Manufacturing - Class B.
- Paper Products Manufacturing.
- Printing or Publishing.
- Rubber Products Manufacturing.
- Shoes or Boots Manufacturing.
- Textiles or Knit Goods Manufacturing.
- Tobacco Products Manufacturing.
- Transportation Equipment Manufacturing.

2.2.R [Retail]

- Gasoline Station - Full Serve.

2.2.S [Service]

- Animal Clinic.
- Catering Establishment.
- Laundry or Cleaning Plant.
- Motor Vehicle Repair Shop.
- Motor Vehicle Wash.
- Photofinishing or Photography Laboratory.
- Production or Rehearsal Studio.
- Repair Shop - Class A.
- School - Business.
- School - Vocational or Trade.
- Work Shop.

2.2.T [Transportation and Storage]

- Cold Storage Plant.
- Packaging Plant.
- Storage Warehouse.

2.2.U [Utility and Communication]

- Public Utility, on a site not less than 61.0 m from any R district.
- Radiocommunication Station.

2.2.W [Wholesale]

- Wholesaling - Class A.

2.3 Conditions of Use

2.3.1 No use listed in section 2.2 of this Schedule shall involve the bulk storage of vegetable oil or fat; fish; fish oil or meal; scrap; junk; furniture; lime; fertilizer; explosives; matches; industrial chemicals; paints, varnishes; rags; cotton waste; or, except for a full serve gasoline station, compressed gas, petroleum, coal tar products or derivatives.

2.3.2 No use listed in section 2.2 of this Schedule shall involve the keeping of live animals, live poultry or other fowl except:

(a) animal clinic.

3 Conditional Approval Uses

3.1 Subject to all other provisions of this By-law, including the additional regulations in section 10.20 of this By-law, and compliance with section 3.3 and the provisions and regulations of this Schedule, the Director of Planning or the Development Permit Board may approve any of the uses listed in section 3.2 of this Schedule, with or without conditions, provided that the Director of Planning or the Development Permit Board 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.A
- Accessory Buildings to any of the uses listed in this Schedule, other than as provided for in section 2.2.A of this Schedule.
- Accessory Uses to any of the uses listed in this Schedule, other than as provided for in section 2.2.A of this Schedule.

3.2.AG [Agricultural]

- Urban Farm - Class B.

3.2.C [Cultural and Recreational]

- Artist Studio - Class B, provided that the change of use applies to floor area existing as of February 26, 2013 and additions are limited to a maximum of 10 percent of the existing floor area.
- Billiard Hall.
- Bowling Alley.
- Club.
- Community Centre or Neighbourhood House.
- Fitness Centre.
- Hall.
- Park or Playground.
- Rink.
- Swimming Pool.
- Theatre.

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

3.2.DW [Dwelling]

- Dwelling Unit for a caretaker or watchman or other person similarly employed, if such dwelling unit is considered to be essential to the operation of the business or establishment.
- Residential Unit associated with and forming an integral part of an Artist Studio - Class B.

3.2.I [Institutional]

- Ambulance Station.
- Child Day Care Facility.
- Church.
- Public Authority Use.
- School - Elementary or Secondary.
- School - University or College.
- Social Service Centre.

3.2.M [Manufacturing]

- Brewing or Distilling.
- Chemicals or Chemical Products Manufacturing - Class A.
- Food or Beverage Products Manufacturing - Class A.
- Furniture or Fixtures Manufacturing.
- Machinery or Equipment Manufacturing.
- Motor Vehicle Parts Manufacturing.
- Non-metallic Mineral Products Manufacturing - Class A.
- Non-metallic Mineral Products Manufacturing - Class B.
- Paper Manufacturing.
- Plastic Products Manufacturing.
- Wood Products Manufacturing - Class B.

3.2.O [Office]

- General office, but not including the offices of accountants, lawyers and notary publics, nor the offices of real estate, advertising, insurance, travel and ticket agencies.

3.2.P [Parking]

- Parking Uses.

3.2.R [Retail]

- Farmers' Market. *Compatibility with nearby sites, parking, traffic, noise, hours of operation, size of facility, pedestrian amenity*.
- Furniture or Appliance Store.
- Gasoline Station - Split Island.
- Grocery Store with Liquor Store.
- Liquor Store.
- Public Bike Share.
- Retail Store.
- Small-scale Pharmacy.
- Vehicle Dealer.

3.2.S [Service]

- Auction Hall.
- Barber Shop or Beauty Salon.
- Beauty and Wellness Centre.
- Drive-through Service.
- Funeral Home.
- Laboratory.
- Laundromat or Dry Cleaning Establishment.
- Neighbourhood Public House.
- Photofinishing or Photography Studio.
- Print Shop.
- Repair Shop - Class B.
- Restaurant - Class 1.
- Restaurant - Drive-in.
- School - Arts or Self-Improvement.
- Sign Painting Shop.

3.2.T [Transportation and Storage]

- Aircraft Landing Place.
- Mini-storage Warehouse.
- Railway Station or Rail Yard • Storage Yard, provided it is enclosed by a suitable fence which is painted and neatly maintained at all times.
- Taxicab or Limousine Station.
- Truck Terminal or Courier Depot.
- Weighing or Inspection Station.
- Works Yard.

3.2.U [Utility and Communication]

- Public Utility, other than as provided for in section 2.2.UC of this Schedule.
- Recycling Depot.

3.2.W [Wholesale]

- Cardlock Fuel Station.
- Lumber and Building Materials Establishment.
- Wholesaling - Class B.

3.2.Z

- Any other use which is not specifically listed and defined as a use in section 2 of this By-law but which the Director of Planning considers comparable in nature to the uses listed in this Schedule, having regard to the intent of this District Schedule.
- A use which is listed in section 2 of this Schedule but does not comply with the conditions of use in sections 2.3.1 or 2.3.2, provided that the use complies with the conditions of use in sections 3.3.1 and 3.3.2.

3.3 Conditions of Use

3.3.1 No use listed in section 3.2 of this Schedule shall involve the bulk storage of vegetable oil or fat; fish oil or meal; lime; fertilizer; explosives; matches; or, except for a split island gasoline station and a cardlock fuel station, compressed gas, petroleum, coal tar products or derivatives.

3.3.2 No use listed in section 3.2 of this Schedule shall involve the keeping of live animals except:

(a) laboratory;
(b) retail store.

3.3.3 Lounge use accessory to Brewing or Distilling use shall be carried on wholly within a completely enclosed building.

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 -- Not Applicable.

4.2 Frontage -- Not Applicable.

4.3 Height

4.3.1 The maximum height of a building shall be 30.5 m.

4.3.2 The Director of Planning or the Development Permit Board, as the case may be, may permit an increase in the maximum height of a building with respect to any development.

4.4 Front Yard and Setback

4.4.1 No front yard shall be required.

4.5 Side Yards and Setback

4.5.1 No side yard shall be required, except that where the site adjoins, without the intervention of a lane, a site located in an R district, in which case the following side yard requirements apply:

(a) where the adjoining site is in an RM district, a side yard with a minimum width of 1.5 m shall be provided adjoining the RM district;
(b) in all other cases, a side yard with a minimum width of .9 m shall be provided, except in the case of a corner site in which case an exterior side yard need not be provided.

4.5.2 Where a side yard is provided, although not required, the minimum provisions of section 4.5.1 shall apply.

4.6 Rear Yard and Setback

4.6.1 A rear yard with a minimum depth of 3.1 m shall be provided, except that where the rear of the site abuts a lane, this required minimum depth shall be decreased by the lane width between the rear property line and the ultimate centre line of the lane.

4.6.2 The Director of Planning may waive the requirement to provide a rear yard where the Director of Planning is satisfied that the site is located within an area where rear access to the site and adjacent sites is not likely to be required and the site is sufficiently large to provide adequate open space.

4.7 Floor Space Ratio

4.7.1 The floor space ratio shall not exceed 5.0, subject to the following:

(a) the maximum floor space ratio shall be 1.0 for all uses other than manufacturing uses, transportation and storage uses, and Wholesaling - Class A;
(b) the floor area in retail uses, including accessory retail, shall not exceed 1 000 m²;
(c) the floor area in general office use shall not exceed 235 m² or 25 percent of the total gross floor area of all principal and accessory uses combined, whichever is greater, except that floor area in general office use exceeding 25 percent of total gross floor area shall be permitted only on lots on record in the Land title Office for Vancouver prior to November 21, 1989; and
(d) the floor area for a lounge use accessory to a Brewing or Distilling use shall not exceed 80 m².

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

(a) all floors of all buildings including accessory buildings, both above and below ground level, to be measured to the extreme outer limits of the building.

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

(a) ~~open residential~~ balconies ~~r~~and decks, 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~~ these exclusions does not exceed ~~eight~~ ~~percent~~ 12% of the ~~residential~~ floor area being provided;

(b) patios and roof decks provided that the Director of Planning first considers the effect on privacy and overlook..~~if the Director of Planning first considers~~
~~(i) the design of landscape treatments;~~
~~(ii) the effect on privacy and overlook; and~~
~~(iii) all applicable Council policies and guidelines.~~

(c) where floors are used for off-street parking and loading, the taking on or discharging of passengers, bicycle storage, heating and mechanical equipment, or uses which in the opinion of the Director of Planning are similar to the foregoing, those floors or portions thereof so used which:
   (i) are at or below the base surface, provided that the maximum exclusion for a parking space shall not exceed 7.3 m in length; or
   (ii) are above the base surface and where developed as off-street parking are located in an accessory building situated in the rear yard, provided that the maximum exclusion for a parking space shall not exceed 7.3 m in length.

(d) amenity areas for the social and recreational enjoyment of residents and employees, or providing a service to the public, including facilities for general fitness, general recreation and child day care provided that:
   (i) the total area being excluded shall not exceed the lesser of 20 percent of the permitted floor space or 100 m²; and
   (ii) in the case of a child day care centre, 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 building or in the immediate neighbourhood; and

(e) storage space associated with an artist studio - class B where the space is provided below the base surface and subject to a maximum exclusion of 20 m² for each artist studio - class B.

4.8 Site Coverage -- Not Applicable.

4.9 [Deleted -- see Parking By-law.]

4.10 Horizontal Angle of Daylight -- Not Applicable.

4.11 Vertical Angle of Daylight

4.11.1 In the cases of office buildings over 12.2 m in height, no part thereof shall project above lines extending over the site at right angles from:

(a) all points along the ultimate centre line of any street in front of the site and inclined at an average angle of 60 degrees to the horizontal;
(b) all points along the rear boundary line of the site or the ultimate centre line of the lane where one has been dedicated, and inclined at an average angle of 60 degrees to the horizontal;
(c) all points along any interior side boundary of the site at ground level and inclined at an average angle of 70 degrees to horizontal;
(d) in the case of a corner site all points along the ultimate centre line of a flanking street or lane and inclined at an average angle of 60 degrees to the horizontal.

4.11.2 For the purpose of section 4.11.1:

(a) height shall be measured from the finished grade at all points around and adjacent to the building;
(b) only the principal building shall be considered as an obstruction.

4.11.3 Any part of building shall be exempt from the vertical angle regulations of section 4.11.1 if that part:

(a) has a width, measured horizontally and parallel to the street, lane or boundary from which the angle is to be calculated of 18.0 m or less; and
(b) is located at least 24.0 m from any part of the same building which would be similarly exempt, measured in the same direction as specified in (a) of this section.

~~5 Relaxation of Regulations~~

~~**5.1** The Director of Planning may relax the maximum height, floor area and site area regulations of section 2.2.A for accessory buildings and accessory uses.~~

M-1A District Schedule

1 Intent

The intent of this Schedule is to permit industrial and other uses that are generally incompatible with residential land use but are beneficial in that they provide industrial employment opportunities or serve a useful or necessary function in the city.

It is the intent, however, to permit these uses in a manner which achieves an acceptable level of compatibility with adjacent residential districts and to not permit uses that are potentially dangerous or environmentally incompatible when situated near residential districts.

2 Outright Approval Uses

2.1 Subject to all other provisions of this By-law, including the additional regulations in section 10.20 of this By-law, and to compliance with section 2.3 and the regulations of this Schedule, the uses noted in section 2.2 shall be permitted in this District and shall be issued a permit.

2.2 Uses

None.

2.3 Conditions of Use -- Not Applicable.

3 Conditional Approval Uses

3.1 Subject to all other provisions of this By-law, including the additional regulations in section 10.20 of this By-law, and compliance with section 3.3 and the provisions and regulations of this Schedule, the Director of Planning or the Development Permit Board may approve any of the uses listed in section 3.2 of this Schedule, with or without conditions, provided that the Director of Planning or the Development Permit Board first considers:

(a) the intent of this Schedule and all applicable policies and guidelines adopted by Council;
(b) the submission of any advisory group, property owner or tenant;
(c) the provision of appropriate landscaping; and
(d) the design character and choice of building material in relation to adjoining residential districts.

3.2 Uses

3.2.A
- Accessory Buildings to any of the uses listed in this Schedule.
- Accessory Uses to any of the uses listed in this Schedule.

3.2.AG [Agricultural]

- Urban Farm - Class B.

3.2.C [Cultural and Recreational]

- Artist Studio – Class A, provided that the use must not be combined with a Residential Unit, the change of use must only apply to floor area existing as of February 26, 2013, and any additions are limited to no more than 10 percent of existing floor area.
- Artist Studio - Class B, provided that the change of use applies to floor area existing as of February 26, 2013 and additions are limited to a maximum of 10 percent of the existing floor area.
- Arts and Culture Indoor Event.
- Billiard Hall.
- Bowling Alley.
- Club.

- Community Centre or Neighbourhood House.
- Fitness Centre.
- Hall.
- Park or Playground.
- Rink.
- Swimming Pool.
- Theatre.

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

3.2.DW [Dwelling]

- Dwelling Unit for a caretaker or watchman or other person similarly employed, if such dwelling unit is considered to be essential to the operation of the business or establishment.
- Residential Unit associated with and forming an integral part of an Artist Studio - Class B.

3.2.I [Institutional]

- Ambulance Station.
- Child Day Care Facility.
- Church.
- Detoxification Centre.
- Public Authority Use.
- School - Elementary or Secondary.
- School - University or College.
- Social Service Centre.

3.2.M [Manufacturing]

- Bakery Products Manufacturing.
- Batteries Manufacturing.
- Chemicals or Chemical Products Manufacturing - Class B.
- Clothing Manufacturing.
- Dairy Products Manufacturing.
- Electrical Products or Appliances Manufacturing.
- Food or Beverage Products Manufacturing - Class B.
- Furniture or Fixtures Manufacturing.
- Ice Manufacturing.
- Information Communication Technology Manufacturing.
- Jewellery Manufacturing.
- Leather Products Manufacturing.
- Machinery or Equipment Manufacturing.
- Metal Products Manufacturing - Class B.
- Miscellaneous Products Manufacturing - Class B.
- Motor Vehicle Parts Manufacturing.
- Non-metallic Mineral Products Manufacturing - Class A.
- Non-metallic Mineral Products Manufacturing - Class B.
- Paper Products Manufacturing.
- Plastic Products Manufacturing.
- Printing or Publishing.
- Rubber Products Manufacturing.
- Shoes or Boots Manufacturing.
- Textiles or Knit Goods Manufacturing.
- Tobacco Products Manufacturing.
- Transportation Equipment Manufacturing.

- Wood Products Manufacturing - Class B.

3.2.O [Office]

- Office Uses.

3.2.P [Parking]

- Parking Uses.

3.2.R [Retail]

- Farmers' Market. *Compatibility with nearby sites, parking, traffic, noise, hours of operation, size of facility, pedestrian amenity*.
- Furniture or Appliance Store.
- Gasoline Station - Full Serve.
- Gasoline Station - Split Island.
- Grocery or Drug Store.
- Grocery Store with Liquor Store.
- Liquor Store.
- Public Bike Share.
- Retail Store.
- Small-scale Pharmacy.
- Vehicle Dealer.

3.2.S [Service]

- Animal Clinic.
- Auction Hall.
- Barber Shop or Beauty Salon.
- Beauty and Wellness Centre.
- Catering Establishment.
- Drive-through Service.
- Funeral Home.
- Laboratory.
- Laundromat or Dry Cleaning Establishment.
- Laundry or Cleaning Plant.
- Motor Vehicle Repair Shop.
- Motor Vehicle Wash.
- Neighbourhood Public House.
- Photofinishing or Photography Laboratory.
- Photofinishing or Photography Studio.
- Print Shop.
- Production or Rehearsal Studio.
- Repair Shop - Class A.
- Repair Shop - Class B.
- Restaurant - Class 1.
- Restaurant - Drive-in.
- School - Arts or Self-Improvement.
- School - Business.
- School - Vocational or Trade.
- Sign Painting Shop.
- Work Shop.

3.2.T [Transportation and Storage]

- Cold Storage Plant.
- Mini-storage Warehouse.
- Packaging Plant.
- Storage Warehouse.
- Storage Yard, provided it is enclosed by a suitable fence which is painted and neatly maintained at all times.
- Truck Terminal or Courier Depot.

3.2.U [Utility and Communication]

- Public Utility.
- Radiocommunication Station.
- Recycling Depot.

3.2.W [Wholesale]

- Cardlock Fuel Station.
- Lumber and Building Materials Establishment.
- Wholesaling - Class A.
- Wholesaling - Class B.

3.2.Z

- Any other use which is not specifically listed and defined as a use in section 2 of this By-law but which the Director of Planning considers comparable in nature to the uses listed in this Schedule, having regard to the intent of this District Schedule.

3.3 Conditions of Use

3.3.1 No use listed in section 3.2 of this Schedule shall involve the bulk storage of vegetable oil or fat; fish oil or meal; lime; fertilizer; explosives; matches; or, except for a full serve or split island gasoline station and a Cardlock fuel station, compressed gas, petroleum, coal tar products or derivatives.

3.3.2 No use listed in section 3.2 of this Schedule shall involve the keeping of live animals except:

(a) laboratory;
(b) retail store;
(c) animal clinic.

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 -- Not Applicable.

4.2 Frontage -- Not Applicable.

4.3 Height

4.3.1 The maximum height of a building shall be 18.3 m.

4.4 Front Yard

4.4.1 No front yard shall be required, except that where the adjoining site is in an R district, a front yard with a minimum depth of 3.0 m shall be provided and landscaped to the satisfaction of the Director of Planning.

4.5 Side Yards

4.5.1 No side yard shall be required, except that where the site adjoins, without the intervention of a lane, a site located in an R district, in which case the following side yard requirements apply:

(a) where the adjoining site is in an RM district, a side yard with a minimum width of 1.5 m shall be provided adjoining the RM district;

(b) in all other cases, a side yard with a minimum width of .9 m shall be provided, except in the case of a corner site in which case an exterior side yard need not be provided.

4.5.2 Where a side yard is provided, although not required, the minimum provisions of section 4.5.1 shall apply.

4.6 Rear Yard

4.6.1 A rear yard with a minimum depth of 3.1 m shall be provided and landscaped to the satisfaction of the Director of Planning except that where the rear of the site abuts a lane, this required minimum depth shall be decreased by the lane width between the rear property line and the ultimate centre line of the lane.

4.6.2 The Director of Planning may waive the requirement to provide a rear yard where the Director of Planning is satisfied that the site is located within an area where rear access to the site and adjacent sites is not likely to be required and the site is sufficiently large to provide adequate open space.

4.7 Floor Space Ratio

4.7.1 The floor space ratio shall not exceed 5.0, subject to the following:

(a) the floor area in retail uses, including accessory retail, shall not exceed 1 000 m².

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

(a) all floors of all buildings including accessory buildings, both above and below ground level, to be measured to the extreme outer limits of the building.

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

(a) ~~open residential~~ balconies and decks, 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~~ these exclusions does not exceed ~~eight~~ ~~percent~~ 12% of the ~~residential~~ floor area being provided;

(b) patios and roof decks provided that the Director of Planning first considers the effect on privacy and overlook.~~if the Director of Planning first considers:~~
~~(i) the design of landscape treatments;~~
~~(ii) the effect on privacy and overlook; and~~
~~(iii) all applicable Council policies and guidelines.~~

(c) where floors are used for off-street parking and loading, the taking on or discharging of passengers, bicycle storage, heating and mechanical equipment, or uses which in the opinion of the Director of Planning are similar to the foregoing, those floors or portions thereof so used which:
   (i) are at or below the base surface, provided that the maximum exclusion for a parking space shall not exceed 7.3 m in length; or
   (ii) are above the base surface and where developed as off-street parking are located in an accessory building situated in the rear yard, provided that the maximum exclusion for a parking space shall not exceed 7.3 m in length.

(d) amenity areas for the social and recreational enjoyment of residents and employees, or providing a service to the public, including facilities for general fitness, general recreation and child day care provided that:
   (i) the total area being excluded shall not exceed the lesser of 20 percent of the permitted floor space, or 100 m²; and
   (ii) in the case of a child day care centre, 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 building or in the immediate neighbourhood; and

(e) storage space associated with an artist studio - class B where the space is provided below the base surface and subject to a maximum exclusion of 20 m² for each artist studio - class B.

4.8 Site Coverage -- Not Applicable.

4.9 [Deleted -- see Parking By-law.]

4.10 Horizontal Angle of Daylight -- Not Applicable.

~~5 Relaxation of Regulations -- Not Applicable.~~

M-1B District Schedule

1 Intent

The intent of this Schedule is to provide an industrial district schedule that permits industrial and other related uses under conditions designed to minimize conflicts with adjacent or nearby residential uses. The Schedule is also intended to discourage uses that are not related to the industrial sector. While certain commercial and office uses are permitted as either outright or conditional uses, the type and scale of non-industrial uses is restricted.

2 Outright Approval Uses

2.1 Subject to all other provisions of this By-law, including the additional regulations in section 10.20 of this By-law, and to compliance with section 2.3 and the regulations of this Schedule, the uses noted in section 2.2 shall be permitted in this 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) not applicable; [Location]
  - (c) the total floor area, measured to the extreme outer limits of the building, of all accessory buildings is not greater than 10 percent of the total area of the site.
- Accessory Uses customarily ancillary to any of the uses listed in this section, provided that the total area of all accessory uses is not greater than 25 percent of the gross floor area of the principal and accessory uses combined, and provided that the floor area in accessory uses accessible to the general public, except for accessory uses associated with an Artist Studio is separated by a wall from the floor area in other uses.

2.2.C [Cultural and Recreational]

- Artist Studio – Class A, provided that the use must not be combined with a Residential Unit, the change of use must only apply to floor area existing as of February 26, 2013, and any additions are limited to no more than 10 percent of existing floor area.
- Arts and Culture Indoor Event.

2.2.M [Manufacturing]

- Bakery Products Manufacturing.
- Batteries Manufacturing.
- Chemicals or Chemical Products Manufacturing - Class B.
- Clothing Manufacturing.
- Dairy Products Manufacturing.
- Electrical Products or Appliances Manufacturing.
- Food or Beverage Products Manufacturing - Class B.
- Furniture or Fixtures Manufacturing.
- Ice Manufacturing.
- Information Communication Technology Manufacturing.
- Jewellery Manufacturing.

- Leather Products Manufacturing.
- Machinery or Equipment Manufacturing, on a site not less than 61.0 m from any R district.
- Metal Products Manufacturing - Class B, on a site not less than 61.0 m from any R district.
- Miscellaneous Products Manufacturing - Class B.
- Motor Vehicle Parts Manufacturing, on a site not less than 61.0 m from any R district.
- Paper Products Manufacturing.
- Printing or Publishing.
- Rubber Products Manufacturing, but including tire retreading only.
- Shoes or Boots Manufacturing.
- Textiles or Knit Goods Manufacturing, on a site not less than 61.0 m from any R district.
- Tobacco Products Manufacturing.
- Transportation Equipment Manufacturing, on a site not less than 61.0 m from any R district.
- Wood Products Manufacturing - Class B.

2.2.R [Retail]

- Gasoline Station - Full Serve.

2.2.S [Service]

- Catering Establishment.
- Laundry or Cleaning Plant.
- Motor Vehicle Repair Shop.
- Photofinishing or Photography Laboratory.
- Production or Rehearsal Studio.
- Repair Shop - Class A.
- Sign Painting Shop.
- Work Shop

2.2.T [Transportation and Storage]

- Cold Storage Plant.
- Packaging Plant.

2.2.W [Wholesale]

- Wholesaling - Class A.

2.3 Conditions of Use

2.3.1 No use listed in section 2.2 of this Schedule shall involve the bulk storage of vegetable oil or fat; animal oil or fat; fish oil or meal; fish; grain; sugar; hops; wax; scrap or waste materials; lime; fertilizers; explosives; ammunition; fireworks; flares; industrial chemicals; acids; paint; varnish; fungicides; pesticides; radioactive material; or, except for a full serve gasoline station, compressed gas, petroleum, coal tar products or derivatives.

2.3.2 No use listed in section 2.2 of this Schedule shall involve the storage of goods or materials or the placement of machinery or of refuse or garbage receptacles other than within a wholly enclosed building unless adequately screened from view from any adjacent arterial street or R district, or any R district across an adjacent street or lane, by a wall, fence or by landscaping that is acceptable to the Director of Planning.

2.3.3 No use listed in section 2.2 of this Schedule shall involve the storage of goods or materials other than within a wholly enclosed building unless the yard or portion of the yard containing the goods or materials is enclosed by a suitable fence or wall restricting public access. Such fencing is to be neatly maintained at all times.

2.3.4 No use listed in section 2.2 of this Schedule shall use required parking or loading spaces, manoeuvring aisles and the like for the storage of goods or materials or the placement of machinery or of refuse or garbage receptacles.

3 Conditional Approval Uses

3.1 Subject to all other provisions of this By-law, including the additional regulations in section 10.20 of this By-law, and compliance with section 3.3 and the provisions and regulations of this Schedule, the Director of Planning or the Development Permit Board may approve any of the uses listed in section 3.2 of this Schedule, with or without conditions, provided that the Director of Planning or the Development Permit Board 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.A
- Accessory Buildings to any of the uses listed in this Schedule, other than as provided for in section 2.2.A of this Schedule.
- Accessory Uses to any of the uses listed in this Schedule, other than as provided for in section 2.2.A of this Schedule.

3.2.AG [Agricultural]
- Urban Farm - Class B.

3.2.C [Cultural and Recreational]
- Artist Studio - Class B, provided that the change of use applies to floor area existing as of February 26, 2013 and additions are limited to a maximum of 10 percent of the existing floor area.

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

3.2.DW [Dwelling]
- Dwelling Unit for a caretaker or watchman or other person similarly employed, if such dwelling unit is considered to be essential to the operation of the business or establishment.
- Residential Unit associated with and forming an integral part of an Artist Studio - Class B.

3.2.I [Institutional]
- Ambulance Station.
- Public Authority Use.
- Social Service Centre.

3.2.M [Manufacturing]
- Machinery or Equipment Manufacturing, other than as provided for in section 2.2.M of this Schedule.

- Metal Products Manufacturing - Class B, other than as provided for in section 2.2.M of this Schedule.
- Motor Vehicle Parts Manufacturing, other than as provided for in section 2.2.M of this Schedule.
- Plastic Products Manufacturing.
- Rubber Products Manufacturing, other than as provided for in section 2.2.M of this Schedule.
- Textiles or Knit Goods Manufacturing, other than as provided for in section 2.2.M of this Schedule.
- Transportation Equipment Manufacturing, other than as provided for in section 2.2.M of this Schedule.

3.2.O [Office]

- General office, but not including the offices of accountants, lawyers and notary publics, nor the offices of real estate, advertising, insurance, travel and ticket agencies.

3.2.P [Parking]

- Parking Uses.

3.2.R [Retail]

- Farmers' Market. *Compatibility with nearby sites, parking, traffic, noise, hours of operation, size of facility, pedestrian amenity*.
- Gasoline Station - Split Island.
- Public Bike Share.

3.2.S [Service]

- Laboratory.
- Motor Vehicle Wash.
- Print Shop.
- Restaurant - Class 1 catering primarily to the needs of employees in the area, provided it does not exceed a maximum gross floor area of 100 m².
- School - Business.
- School - Vocational or Trade.

3.2.T [Transportation and Storage]

- Aircraft Landing Place.
- Mini-storage Warehouse.
- Storage Warehouse.
- Storage Yard.
- Truck Terminal or Courier Depot.
- Weighing or Inspection Station.
- Works Yard.

3.2.U [Utility and Communication]

- Public Utility.
- Radiocommunication Station.
- Recycling Depot.

3.2.W [Wholesale]

- Cardlock Fuel Station.
- Lumber and Building Materials Establishment.

3.2.Z
- Any other use which is not specifically listed and defined as a use in section 2 of this By-law but which the Director of Planning considers comparable in nature to the uses listed in this Schedule, having regard to the intent of this District Schedule.
- Any other use which is not specifically listed in this District Schedule and which was a legally conforming use prior to August 12, 1980.

3.3 Conditions of Use

3.3.1 No use listed in section 3.2 of this Schedule shall involve the bulk storage of vegetable oil or fat; animal oil or fat; fish oil or meal; fish; grain; sugar; hops; wax; scrap or waste material; lime; fertilizer; explosives; ammunition; fireworks; flares; industrial chemicals; acids; paint; varnish; fungicides; pesticides; radioactive material; or, except for a split island gasoline station and a Cardlock fuel station, compressed gas, petroleum, coal tar products or derivatives.

3.3.2 No use listed in section 3.2 of this Schedule shall involve the storage of goods or materials or the placement of machinery or of refuse or garbage receptacles other than within a wholly enclosed building unless adequately screened from view from any adjacent arterial street or R district, or any R district across an adjacent street or lane, by a wall, fence or by landscaping that is acceptable to the Director of Planning.

3.3.3 No use listed in section 3.2 of this Schedule shall involve the storage of goods or materials other than within a wholly enclosed building unless the yard or portion of the yard containing the goods or materials is enclosed by a suitable fence or wall restricting public access. Such fencing is to be neatly maintained at all times.

3.3.4 No use listed in section 3.2 of this Schedule shall use required parking or loading spaces, manoeuvring aisles and the like for the storage of goods or materials or the placement of machinery or of refuse or garbage receptacles.

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 shall not be less than 6 000 m². ~~The Director of Planning may relax the minimum site area requirement as provided for in section 5.1 of this Schedule.~~

4.1.2 The Director of Planning may permit a reduction to the minimum site area requirements of section 4.1.1 with respect to any of the uses permitted in this Schedule, provided the Director of Planning considers the intent of this Schedule and all policies and guidelines adopted by Council, and provided that in no case shall the minimum site area be less than 3,100 m2 unless comprised of one or more smaller parcels on record in the Land Title Office for Vancouver as of August 12, 1980.

4.2 Frontage -- Not Applicable.

4.3 Height

4.3.1 The maximum height of a building shall be 12.2 m.

4.3.2 The Director of Planning may permit an increase in the maximum height prescribed in section 4.3.1, provided the Director of Planning first considers:

(a) all applicable policies and guidelines adopted by Council and the relationship of the development with nearby residential areas; and
(b) the bulk, location and overall design of the building and its effect on the site, surrounding buildings, streets and views.

4.4 Front Yard and Setback

4.4.1 No front yard shall be required.

4.4.2 A setback shall be required, subject to the provisions of section 10.20 of this By-law.

4.5 Side Yards and Setback

4.5.1 No side yard shall be required, except that where a side yard is provided although not required, or where the site fronts onto a major street requiring a landscaped setback, or where the site adjoins, without the intervention of a lane, a site located in an R district, the following side yard requirements shall apply:

(a) a side yard with a minimum width of 10 percent of the site frontage shall be provided, such side yard to be not less than 1.5 m but need not exceed 6.1 m.

4.5.2 A setback shall be required, subject to the provisions of section 10.20 of this By-law.

4.6 Rear Yard and Setback

4.6.1 A rear yard with a minimum depth of 3.1 m shall be provided, except that where the rear of the site abuts a lane, this required minimum depth shall be decreased by the lane width between the rear property line and ultimate centre line of the lane. ~~The Director of Planning may relax the minimum rear yard requirement as provided for in section 5.3 of this Schedule.~~

4.6.2 A setback shall be required, subject to the provisions of section 10.20 of this By-law.

4.6.3 The Director of Planning may waive the requirement to provide a rear yard where the Director of Planning is satisfied that the site is located within an area where rear access to the site and adjacent sites is not likely to be required and the site is sufficiently large to provide adequate open space.

4.7 Floor Space Ratio

4.7.1 The floor space ratio shall not exceed 1.50, subject to the following:

(a) the floor area in retail uses, including accessory retail, shall not exceed 1 000 m²; and
~~(b) the Director of Planning may relax the maximum floor space ratio as provided for in section 5.4 of this Schedule; and~~
(~~c~~b) the floor area in general office use shall not exceed 235 m² or 25 percent of the total gross floor area of all principal and accessory uses combined, whichever is greater, except that floor area in general office use exceeding 25 percent of total gross floor area shall be permitted only on lots on record in the Land Title Office for Vancouver prior to November 21, 1989.

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

(a) all floors of all buildings including accessory buildings, both above and below ground level, to be measured to the extreme outer limits of the building.

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

(a) ~~open residential~~ balconies ~~-~~and decks, 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~~ these exclusions does not exceed ~~eight percent~~ 12% of the ~~residentiall~~ floor area being provided;

(b) patios and roof decks ~~if~~ provided that the Director of Planning first considers the effect on privacy and overlook.~~:~~
~~(i) the design of landscape treatments;~~
~~(ii) the effect on privacy and overlook; and~~
~~(iii) all applicable Council policies and guidelines~~.

(c) where floors are used for off-street parking and loading, the taking on or discharging of passengers, bicycle storage, heating and mechanical equipment, or uses which in the opinion of the Director of Planning are similar to the foregoing, those floors or portions thereof so used which:
   (i) are at or below the base surface, provided that the maximum exclusion for a parking space shall not exceed 7.3 m in length; or
   (ii) are above the base surface and where developed as off-street parking are located in an accessory building situated in the rear yard, provided that the maximum exclusion for a parking space shall not exceed 7.3 m in length.

(d) amenity areas for the social and recreational enjoyment of residents and employees, or providing a service to the public including facilities for general fitness, general recreation and child day care, provided that:
   (i) the total area being excluded shall not exceed the lesser of 20 percent of the permitted floor space or 100 m²; and
   (ii) in the case of a child day care centre, 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 building or in the immediate neighbourhood; and

(e) storage space associated with an artist studio - class B where the space is provided below the base surface and subject to a maximum exclusion of 20 m² for each artist studio - class B.

4.7.4 The Director of Planning may permit an increase in the maximum floor space ratio to any figure between 1.50 and 2.00 provided the Director of Planning first considers:

(a) all applicable policies and guidelines adopted by Council and the relationship of the development with nearby residential areas; and

(b) the height, bulk, location and overall design of the building and its effect on the site, surrounding buildings, streets and views.

4.8 Site Coverage -- Not Applicable.

4.9 [Deleted -- see Parking By-law.]

4.10 Horizontal Angle of Daylight -- Not Applicable.

4.11 Vertical Angle of Daylight -- Not Applicable.

~~5 Relaxation of Regulations~~

~~**5.1** The Director of Planning may relax the minimum site area requirements of section 4.1 with respect to any of the uses permitted in this Schedule, provided the Director of Planning considers the intent of this Schedule and all policies and guidelines adopted by Council, and provided that in no case shall the minimum site area be less than 3,100 m2 unless comprised of one or more smaller parcels on record in the Land Title Office for Vancouver as of August 12, 1980.~~

~~**5.2** The Director of Planning may permit an increase in the maximum height prescribed in section 4.3.1, provided the Director of Planning first considers:~~

~~(a) all applicable policies and guidelines adopted by Council and the relationship of the development with nearby residential areas; and~~

~~(b) the bulk, location and overall design of the building and its effect on the site, surrounding buildings, streets and views.~~

~~**5.3** The Director of Planning may waive the requirement to provide a rear yard where the Director of Planning is satisfied that the site is located within an area where rear access to the site and adjacent sites is not likely to be required and the site is sufficiently large to provide adequate open space.~~

~~**5.4** The Director of Planning may permit an increase in the maximum floor space ratio to any figure between 1.50 to 2.00 provided the Director of Planning first considers:~~

~~(a) all applicable policies and guidelines adopted by Council and the relationship of the development with nearby residential areas; and~~

~~(b) the height, bulk, location and overall design of the building and its effect on the site, surrounding buildings, streets and views.~~

M-2 District Schedule

1 Intent

The intent of this Schedule is to permit industrial and other uses that are generally incompatible or potentially dangerous or environmentally incompatible when situated in or near residential districts but that are beneficial in that they provide industrial employment opportunities or serve a useful or necessary function in the city.

2 Outright Approval Uses

2.1 Subject to all other provisions of this By-law, including the additional regulations in section 10.20 of this By-law, and to compliance with section 2.3 and the regulations of this Schedule, the uses noted in section 2.2 shall be permitted in this 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) not applicable; [Location]
  (c) the total floor area, measured to the extreme outer limits of the building, of all accessory buildings is not greater than 10 percent of the total area of the site.

- Accessory uses customarily ancillary to any of the uses listed in this section, but not including: lounges accessory to Brewing or Distilling use; and accessory retail use in conjunction with wholesale uses listed in section 2.2.W, except that, unless permitted as an outright approval use pursuant to section 2.2, the total floor area of all accessory uses including accessory retail use shall not be greater than 331/3 % of the gross floor area of the principal and accessory uses combined, and the floor area in accessory retail use, except for accessory retail use associated with an Artist Studio, shall be separated from all other uses by a wall which prevents public access to all other uses.

- The Director of Planning may vary the maximum height, floor area and site area regulations of section 2.2.A for accessory buildings and accessory uses.

2.2.C [Cultural and Recreational]

- Artist Studio – Class A, provided that the use must not be combined with a Residential Unit, the change of use must only apply to floor area existing as of February 26, 2013, and any additions are limited to no more than 10 percent of existing floor area.

- Artist Studio – Class B, provided that the building contains no dwelling use other than a caretaker dwelling, the change of use must only apply to floor area existing as of February 26, 2013, and any additions are limited to no more than 10 percent of existing floor area.

- Arts and Culture Indoor Event.

2.2.M [Manufacturing]

- Brewing or Distilling.
- Bakery Products Manufacturing.

- Batteries Manufacturing.
- Chemicals or Chemical Products Manufacturing - Class B.
- Clothing Manufacturing.
- Dairy Products Manufacturing.
- Electrical Products or Appliances Manufacturing.
- Food or Beverage Products Manufacturing - Class B.
- Furniture or Fixtures Manufacturing.
- Ice Manufacturing.
- Information Communication Technology Manufacturing.
- Jewellery Manufacturing.
- Leather Products Manufacturing.
- Machinery or Equipment Manufacturing.
- Metal Products Manufacturing - Class B.
- Miscellaneous Products Manufacturing - Class B.
- Motor Vehicle Parts Manufacturing.
- Non-metallic Mineral Products Manufacturing - Class B.
- Paper Products Manufacturing.
- Plastic Products Manufacturing.
- Printing or Publishing.
- Rubber Products Manufacturing.
- Shoes or Boots Manufacturing.
- Textiles or Knit Goods Manufacturing.
- Tobacco Products Manufacturing.
- Transportation Equipment Manufacturing.
- Wood Products Manufacturing - Class B.

2.2.R [Retail]

- Gasoline Station - Full Serve.

2.2.S [Service]

- Animal Clinic.
- Catering Establishment.
- Laundry or Cleaning Plant.
- Motor Vehicle Repair Shop.
- Production or Rehearsal Studio.
- Repair Shop - Class A.
- School - Vocational or Trade.
- Work Shop.

2.2.T [Transportation and Storage]

- Cold Storage Plant.
- Packaging Plant.
- Storage Warehouse.

2.2.U [Utility and Communication]

- Public Utility, on a site not less than 61.0 m from any R district.
- Radiocommunication Station.

2.2.W [Wholesale]

- Wholesaling - Class A.

2.3 Conditions of Use

2.3.1 No use listed in section 2.2 of this Schedule shall involve the bulk storage of vegetable oil or fat; fish oil or meal; scrap; junk; lime; fertilizer; explosives; matches; industrial chemicals; paints; varnishes; or, except for a full serve gasoline station, compressed gas, petroleum, coal tar products or derivatives.

2.3.2 No use listed in section 2.2 of this Schedule shall involve the keeping of live animals, live poultry or other fowl except:

(a) ~~a~~nimal Cclinic.

3 Conditional Approval Uses

3.1 Subject to all other provisions of this By-law, including the additional regulations in section 10.20 of this By-law, and compliance with section 3.3 and the provisions and regulations of this Schedule, the Director of Planning or the Development Permit Board may approve any of the uses listed in section 3.2 of this Schedule, with or without conditions, provided that the Director of Planning or the Development Permit Board 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.A
- Accessory Buildings to any of the uses listed in this Schedule, other than as provided for in section 2.2.A of this Schedule.
- Accessory Uses to any of the uses listed in this Schedule, other than as provided for in section 2.2.A of this Schedule.

3.2.AG [Agricultural]

- Urban Farm - Class B.

3.2.C [Cultural and Recreational]

- Artist Studio - Class B, provided that the change of use applies to floor area existing as of February 26, 2013 and additions are limited to a maximum of 10 percent of the existing floor area.
- Marina.
- Park or Playground.

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

3.2.DW [Dwelling]

- Dwelling Unit for a caretaker or watchman or other person similarly employed, if such dwelling unit is considered to be essential to the operation of the business or establishment.
- Residential Unit associated with and forming an integral part of an Artist Studio - Class B.

3.2.I [Institutional]

- Ambulance Station.
- Public Authority Use.
- Social Service Centre.

3.2.M [Manufacturing]

- Animal Products Processing.
- Chemicals or Chemical Products Manufacturing - Class A.
- Food or Beverage Products Manufacturing - Class A.
- Linoleum or Coated Fabrics Manufacturing.
- Metal Products Manufacturing - Class A.
- Miscellaneous Products Manufacturing - Class A.
- Non-metallic Mineral Products Manufacturing - Class A.
- Paper Manufacturing.
- Petroleum Products or Coal Products Manufacturing.
- Pulp Manufacturing.
- Rubber Manufacturing.
- Vegetable Oil Manufacturing.
- Wood Products Manufacturing - Class A.

3.2.O [Office]

- General office, but not including the offices of accountants, lawyers and notary publics, nor the offices of real estate, advertising, insurance, travel and ticket agencies.

3.2.P [Parking]

- Parking Uses.

3.2.R [Retail]

- Farmers' Market. *Compatibility with nearby sites, parking, traffic, noise, hours of operation, size of facility, pedestrian amenity*.
- Gasoline Station - Split Island.
- Public Bike Share.
- Retail Store, but limited to:
  - Retail Store for the renting of merchandise in which the exclusive use of at least 50% of the floor area is for the storage of inventory.
  - Limited Service Food Establishment, which means the use of premises for the primary purpose of selling, or selling and serving, prepared food to the public during all hours of operation, where the premises include not more than 16 indoor or outdoor seats for customers consuming food purchased on the premises, but where customers may also purchase food for take-out, and where live entertainment is not available.
  - convenience store, in conjunction with a Gasoline Station – Full Serve or Gasoline Station – Split Island.
  - Accessory Retail Use.
- Vehicle Dealer, in conjunction with Motor Vehicle Repair Shop.

3.2.S [Service]

- Laboratory.
- Motor Vehicle Wash.
- Photofinishing or Photography Laboratory.
- Photofinishing or Photography Studio.
- Print Shop.
- Repair Shop - Class B.
- Restaurant - Class 1.
- Sign Painting Shop.

3.2.T [Transportation and Storage]

- Aircraft Landing Place.
- Booming Ground.
- Grain Elevator.
- Marine Terminal or Berth.
- Mini-storage Warehouse.
- Railway Station or Rail Yard.
- Stockyard.
- Storage Yard, provided it is enclosed by a suitable fence which is painted and neatly maintained at all times.
- Taxicab or Limousine Station.
- Truck Terminal or Courier Depot.
- Weighing or Inspection Station.
- Works Yard.

3.2.U [Utility and Communication]

- Public Utility, other than as provided for in section 2.2.UC of this Schedule.
- Recycling Depot.
- Waste Disposal Facility.

3.2.W [Wholesale]

- Bulk Fuel Depot.
- Cardlock Fuel Station.
- Junk Yard or Junk Shop.
- Lumber and Building Materials Establishment.
- Wholesaling - Class B.

3.2.Z

- Any other use which is not specifically listed and defined as a use in section 2 of this By-law but which the Director of Planning considers comparable in nature to the uses listed in this schedule, having regard to the intent of this District Schedule.
- A use which is listed in section 2.2 of this Schedule but does not comply with the conditions of use in sections 2.3.1 or 2.3.2.

3.3 Conditions of Use

3.3.1 Lounge use accessory to Brewing or Distilling use shall be carried on wholly within a completely enclosed building.

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 -- Not Applicable.

4.2 Frontage -- Not Applicable.

4.3 Height

4.3.1 The maximum height of a building shall be 30.5 m.

4.3.2 The Director of Planning or the Development Permit Board, as the case may be, may permit an increase in the maximum height of a building with respect to any development.

4.4 Front Yard and Setback

4.4.1 No front yard shall be required.

4.5 Side Yards and Setbacks

4.5.1 No side yard shall be required, except where the site adjoins, without the intervention of a lane, a site located in an R district, in which case the following side yard requirements shall apply:

(a) where the adjoining site is an RM district, a side yard with a minimum width of 1.5 m shall be provided adjoining the RM district;
(b) in all other cases, a side yard with a minimum width of .9 m shall be provided, except in the case of a corner site in which case an exterior side yard need not be provided.

4.5.2 Where a side yard is provided, although not required, the minimum provisions of section 4.5.1 shall apply.

4.6 Rear Yard and Setback

4.6.1 A rear yard with a minimum depth of 3.1 m shall be provided, except that where the rear of the site abuts a lane, this required minimum depth shall be decreased by the lane width between the rear property line and the ultimate centre line of the lane.

4.6.2 The Director of Planning may waive the requirement to provide a rear yard where the Director of Planning is satisfied that the site is located within an area where rear access to the site and adjacent sites is not likely to be required and the site is sufficiently large to provide adequate open space.

4.7 Floor Space Ratio

4.7.1 The floor space ratio shall not exceed 5.00, subject to the following:

(a) the maximum floor space ratio shall be 1.0 for all uses other than manufacturing uses, transportation and storage uses, and Wholesaling - Class A;
(b) the floor area in retail uses, including accessory retail, shall not exceed 1 000 m²;
(c) the floor area in general office use shall not exceed 235 m² or 25 percent of the total gross floor area of all principal and accessory uses combined, whichever is greater;
(d) the floor area in convenience store in conjunction with a Gasoline Station – Full Serve or Gasoline Station – Split Island use must not exceed 200 m² per site;
(e) the floor area in Restaurant – Class 1 use must not exceed 300 m²; and
(f) the floor area for a lounge use accessory to a Brewing or Distilling use must not exceed 80 m².

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

(a) all floors of all buildings including accessory buildings, both above and below ground level, to be measured to the extreme outer limits of the building.

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

(a) ~~open residential~~ balconies and decks, 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~~ these exclusions does not exceed ~~eight~~ ~~percent~~ 12% of the ~~residential~~ floor area being provided;
(b) patios and roof decks, provided that~~if~~ the Director of Planning first considers the effect on privacy and overlook.:
~~(i) the design of landscape treatments;~~
~~(ii) the effect on privacy and overlook; and~~

~~(iii) all applicable Council policies and guidelines~~.

(c) where floors are used for off-street parking and loading, the taking on or discharging of passengers, bicycle storage, heating and mechanical equipment, or uses which in the opinion of the Director of Planning are similar to the foregoing, those floors or portions thereof so used which:

(i) are at or below the base surface, provided that the maximum exclusion for a parking space shall not exceed 7.3 m in length; or

(ii) are above the base surface and where developed as off-street parking are located in an accessory building situated in the rear yard, provided that the maximum exclusion for a parking space shall not exceed 7.3 m in length.

(d) amenity areas for the social and recreational enjoyment of residents and employees, or providing a service to the public, including facilities for general fitness, general recreation and child day care, provided that:

(i) the total area being excluded shall not exceed the lesser of 20 percent of the permitted floor space or 100 m²; and

(ii) in the case of a child day care centre, 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 building or in the immediate neighbourhood; and

(e) storage space associated with an artist studio - class B where the space is provided below the base surface and subject to a maximum exclusion of 20 m² for each artist studio - class B.

4.8 Site Coverage -- Not Applicable.

4.9 [Deleted -- see Parking By-law.]

4.10 Horizontal Angle of Daylight -- Not Applicable.

4.11 Vertical Angle of Daylight

4.11.1 In the case of office buildings over 12.2 m in height, no part thereof shall project above lines extending over the site at right angles from:

(a) all points along the ultimate centre line of any street in front of the site and inclined at an average angle of 60 degrees to the horizontal;

(b) all points along the rear boundary line of the site or the ultimate centre line of the lane where one has been dedicated, and inclined at an average angle of 60 degrees to the horizontal;

(c) all points along any interior side boundary of the site at ground level; and inclined at an average angle of 70 degrees to the horizontal;

(d) in the case of a corner site all points along the ultimate centre line of a flanking street or lane and inclined at an average angle of 60 degrees to the horizontal.

4.11.2 For the purpose of this section:

(a) height shall be measured from the finished grade at all points around and adjacent to the building;

(b) only the principal building shall be considered as an obstruction.

4.11.3 Any part of a building shall be exempt from the vertical angle regulations of this section if that part:

(a) has a width, measured horizontally and parallel to the street, lane or boundary from which the angle is to be calculated, of 18.0 m or less;

(b) is located at least 24.0 m from any part of the same building which would be similarly exempt, measured in the same direction as specified in Clause (a) of this section.

~~5 Relaxation of Regulations~~

~~**5.1** The Director of Planning may relax the maximum height, floor area and site area regulations of section 2.2.A for accessory buildings and accessory uses.~~

MC-1 and MC-2 Districts Schedule

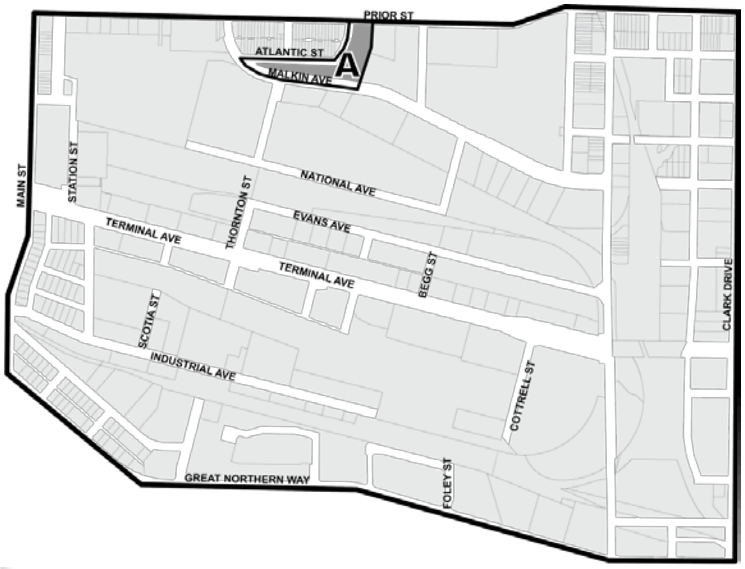
1 Intent

1.1 The intent of this Schedule is to reinforce the mixed use nature of this area, with residential, commercial and light industrial uses permitted. Emphasis is placed on building design that furthers compatibility among uses, and contributes to area character and pedestrian interest. The MC-2 District differs from the MC-1 District in limiting dwelling uses in areas adjacent to a heavy impact industrial zone.

The area of MC-1 bounded by Malkin Avenue, Atlantic Street and Prior Street allows conditional height and density to achieve new secured market rental housing to provide a transition between the residential area north of Atlantic and Prior streets and the employment-focused area of the False Creek Flats to the south.

1.2 Within the False Creek Flats, the MC-1 area north of Malkin Avenue and illustrated in Figure 1 is referred to as sub-area A, solely for the purpose of establishing permitted uses, setbacks, floor area and height.

Figure 1



2 Outright Approval Uses

2.1 Subject to all other provisions of this By-law and to compliance with section 2.3 and the regulations of this Schedule, the uses listed in section 2.2 shall be permitted in the MC-1 District and MC-2 District and shall be issued a permit.

2.2 Uses

2.2.1 The uses listed in section 2.2.1 shall be permitted in the MC-1 and MC-2 Districts.

2.2.1A

- 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 located in the rear yard and in no case are less than 3.1 m from the ultimate centre line of any rear or flanking lane;
  (c) the total floor area, measured to the extreme outer limits of the building, of all accessory buildings is not greater than 15 percent of the total area of the site;
  (d) not applicable;
  (e) not applicable;
  (f) no accessory building obstructs the horizontal daylight access prescribed in this Schedule for residential use.

- Accessory Uses customarily ancillary to any of the uses listed in this section, provided that the total area of all accessory uses is not greater than 25 percent of the gross floor area of the principal and accessory uses combined.

- The Director of Planning may vary the maximum height, location regulations and floor area in section 2.2.1A for accessory buildings and accessory uses except that, in any event, the varied height shall not exceed the maximum prescribed in section 4.3.1 and the varied floor space shall not exceed 33-⅓ percent of the gross floor area of the principal and accessory uses combined.

2.2.1C [Cultural and Recreational]

- Artist Studio – Class A, provided that the use must not be combined with a Residential Unit, the change of use must only apply to floor area existing as of February 26, 2013, and any additions are limited to no more than 10 percent of existing floor area.
- Arts and Culture Indoor Event.
- Library.
- Museum or Archives.

2.2.1M [Manufacturing]

- Bakery Products Manufacturing.
- Chemical or Chemical Products - Class B.
- Clothing Manufacturing.
- Dairy Products Manufacturing.
- Electrical Products or Appliances Manufacturing.
- Food or Beverage Products Manufacturing - Class B.
- Furniture or Fixtures Manufacturing.
- Ice Manufacturing.
- Information Communication Technology Manufacturing.
- Jewellery Manufacturing.
- Leather Products Manufacturing.
- Miscellaneous Products Manufacturing - Class B.
- Non-Metallic Minerals Products Manufacturing - Class B.
- Paper Products Manufacturing.
- Plastic Products Manufacturing.
- Printing or Publishing.
- Shoes or Boots Manufacturing.
- Tobacco Products Manufacturing.

2.2.1O [Office]

- Financial Institution.
- General Office.
- Health Care Office.

2.2.1R [Retail]

- Grocery or Drug Store except for Small-scale Pharmacy.
- Retail Store.

2.2.1S [Service]

- Animal Clinic.
- Barber Shop or Beauty Salon.
- Beauty and Wellness Centre.
- Bed and Breakfast Accommodation.
- Catering Establishment.
- Laboratory.
- Laundromat or Dry Cleaning Establishment.
- Laundry or Cleaning Plant.
- Motor Vehicle Repair Shop.
- Motor Vehicle Wash.
- Photofinishing or Photography Laboratory.
- Photofinishing or Photography Studio.
- Print Shop.
- Production or Rehearsal Studio.
- Repair Shop - Class A.
- Repair Shop - Class B.
- Restaurant - Class 1.
- School - Arts or Self-Improvement.
- School - Business.
- School - Vocational or Trade.
- Sign Painting Shop.
- Work Shop.

2.3 Conditions of Use

2.3.1 No use listed in section 2.2 of this Schedule shall involve the bulk storage of vegetable oil or fat; fish; fish oil or meal; animal oil or fat; grain; sugar; hops; scrap or waste materials; junk; lime; fertilizer; fungicides; herbicides; pesticides; explosives; matches; ammunition; fireworks; flares; wax; industrial chemicals; acids; paints; varnishes; rags; cotton waste; radioactive materials; or, except for a full serve or split island gasoline station, compressed gas, petroleum, coal tar products or derivatives.

2.3.2 No use listed in section 2.2 of this Schedule shall involve the storage, other than wholly within a completely enclosed building, of vegetable oil or fat; fish; fish oil or meal; animal oil or fat; scrap or waste material; paints; varnishes; oil shellac or turpentine; grain; sugar; hops; pesticides; fungicides; herbicides; or toxic or corrosive chemicals or acids.

2.3.3 No commercial or industrial use listed in section 2.2 of this Schedule shall involve the keeping of live animals except:

(a) animal clinic;
(b) laboratory; and
(c) retail store.

2.3.4 All uses listed in section 2.2 of this Schedule shall be carried on wholly within a completely enclosed building except for the following:

(a) parking and loading facilities;
(b) full serve and split island gasoline station, except that section 11.13.2 of this By-law continues to apply;
(c) restaurant;
(d) display of flowers, plants, fruits and vegetables;
(e) neighbourhood public house;
(f) vehicle dealer;
(g) transportation and storage uses; and
(h) lumber and building materials establishment.

2.3.5 Where goods, materials, machinery, or refuse or garbage receptacles are stored or placed outside a building, they shall be enclosed by a minimum 1.8 m high fence, wall or evergreen planting, to restrict public access and screen from public view.

2.3.6 The Director of Planning may vary the use conditions of section 2.3.4 to permit the outdoor display of retail goods, and may include such other conditions as the Director of Planning deems necessary, having regard to the type of merchandise, the area and location of the display with respect to adjoining sites, the hours of operation and the intent of this Schedule.

3 Conditional Approval Uses

3.1 Subject to all other provisions of this By-law, compliance with section 3.3 and the provisions and regulations of this Schedule, the Director of Planning or the Development Permit Board may approve any of the uses listed in section 3.2 of this Schedule, with or without conditions, provided that the Director of Planning or the Development Permit Board 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 MC-1 and MC-2 Districts.

3.2.1A
- Accessory uses to any of the uses listed in this section, subject to the same provisions as section 2.2.1A of this Schedule.

3.2.1AG [Agricultural]

- Urban Farm - Class B.

3.2.1C [Cultural and Recreational]

- Billiard Hall.
- Bowling Alley.
- Club.
- Community Centre or Neighbourhood House.
- Fitness Centre.
- Hall.
- Park or Playground.
- Rink.
- Swimming Pool.
- Theatre.
- Zoo or Botanical Garden.

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

3.2.1I [Institutional]

- Ambulance Station.
- Child Day Care Facility.
- Church.
- Detoxification Centre.
- Public Authority Use.
- School - Elementary or Secondary.
- School - University or College.
- Social Service Centre.
- Community Care Facility - Class A.
- Community Care Facility - Class B.
- Group Residence.

3.2.1M [Manufacturing]

- Food or Beverage Products Manufacturing - Class A
- Metal Products Manufacturing - Class B.
- Textiles or Knit Goods Manufacturing.
- Wood Products Manufacturing - Class B.

3.2.1O [Office]

- Health Enhancement Centre.

3.2.1P [Parking]

- Parking Area.

3.2.1R [Retail]

- Farmers' Market. Compatibility with nearby sites, parking, traffic, noise, hours of operation, size of facility, pedestrian amenity.
- Furniture and Appliance Store.
- Gasoline Station - Full Serve.
- Gasoline Station - Split Island.
- Grocery Store with Liquor Store.
- Liquor Store.
- Pawnshop.
- Public Bike Share.
- Secondhand Store.
- Small-scale Pharmacy.
- Vehicle Dealer.

3.2.1S [Service]

- Auction Hall.
- Funeral Home.
- Neighbourhood Public House.

3.2.1T [Transportation and Storage]

- Cold Storage Plant.
- Mini-storage Warehouse.
- Storage Warehouse.
- Taxicab or Limousine Station.
- Works Yard.

3.2.1U [Utility and Communication]

- Public Utility.
- Radiocommunication Station.
- Recycling Depot.

3.2.1W [Wholesale]

- Lumber and Building Materials Establishment.
- Wholesaling - Class A.
- Wholesaling - Class B.

3.2.1Z

- Any other use which is not specifically listed and defined as a use in section 2 of this By-law but which the Director of Planning considers comparable in nature to the uses listed in this Schedule, having regard to the intent of this District Schedule.

3.2.2 The uses listed in section 3.2.2 may be permitted only in the MC-1 District.

3.2.2.C [Cultural and Recreational]

- Artist Studio.
- Artist Studio – Class A, but only in sub-area A as shown in Figure 1.
- Artist Studio – Class B, but only in sub-area A as shown in Figure 1.

3.2.2DW [Dwelling]

- Dwelling Unit in conjunction with any of the uses listed in this District Schedule, except that there must be no use for residential purposes of any portion of the first storey of a building to a depth of 10.7 m from the front wall of the building and extending across its full width unless the use consists only of entrances to the residential portion of the building, and except that, before making a decision to permit a dwelling Unit, the Director of Planning must consider the design and livability of the Dwelling Unit.

- Multiple Conversion Dwelling, resulting from the conversion of a building which was in existence prior to June 18, 1956, except that a Multiple Conversion Dwelling must not contain any Housekeeping Unit or Sleeping Unit, and except that, before making a decision to permit a Multiple Conversion Dwelling, the Director of Planning must consider the quality and livability of the Multiple Conversion Dwelling, the suitability of the building for conversion in terms of age and size, and the effect of the conversion on adjacent properties and the character of the area.

- Multiple Dwelling, but not in sub-area A as shown in shown in Figure 1.

- Residential Unit associated with and forming an integral part of an Artist Studio.

- Seniors Supportive or Assisted Housing,

3.2.3 The uses listed in section 3.2.3 may be permitted only in the MC-2 District.

3.2.3 C [Cultural and Recreational]

- Artist Studio - Class B, but only if the change of use applies to floor area existing as of February 26, 2013 and additions do not exceed a maximum of 10 percent of the existing floor area.

3.2.3 DW [Dwelling]

- Dwelling Unit for a caretaker or watchman or other person similarly employed, if such Dwelling Unit is essential to the operation of the business or establishment.

- Residential Unit associated with and forming an integral part of an Artist Studio - Class B.

3.3 Conditions of Use

3.3.1 No use listed in section 3.2 of this Schedule shall involve the bulk storage of vegetable oil or fat; fish; fish oil or meal; animal oil or fat; grain; sugar; hops; scrap or waste materials; junk; lime; fertilizer; fungicides; herbicides; pesticides; explosives; matches; ammunition; fireworks; flares; wax; industrial chemicals; acids; paints; varnishes; rags; cotton waste; radioactive materials; or, except for a full serve or split island gasoline station, compressed gas, petroleum, coal tar products or derivatives.

3.3.2 No use listed in section 3.2 of this Schedule shall involve the storage, other than wholly within a completely enclosed building, of vegetable oil or fat; fish; fish oil or meal; animal oil or fat; scrap or waste material; paints; varnishes; oil shellac or turpentine; grain; sugar; hops; pesticides; fungicides; herbicides; or toxic or corrosive chemicals or acids.

3.3.3 All uses listed in this section shall be carried on wholly within a completely enclosed building, except for the following:

(a) parking and loading facilities;
(b) full serve and split island gasoline station, except that section 11.13.2 of this By-law continues to apply;
(c) display of flowers, plants, fruits and vegetables;
(d) neighbourhood public house;
(e) vehicle dealer;
(f) transportation and storage uses;
(g) lumber and building materials establishment;
(h) farmers' market;
(i) public bike share; and
(j) Urban Farm - Class B.

3.3.4 Where goods, materials, machinery, or refuse or garbage receptacles are stored or placed outside a building, they shall be:

(a) enclosed by a suitable fence or wall restricting public access; and
(b) adequately screened from view from any adjacent R district, or any R district across an adjacent street or lane, by evergreen planting, wall, or fence or related landscaping that is acceptable to the Director of Planning.

3.3.5 Where uses are carried on outside a building, pursuant to sections 3.3.3 and 3.3.4, appropriate measures shall be taken to the satisfaction of the Director of Planning to minimize any noxious or otherwise objectionable impacts that could adversely affect the surrounding area.

3.3.6 The Director of Planning may vary the use conditions of section 3.3.3 to permit the outdoor display of retail goods, and may include such other conditions as the Director of Planning deems necessary, having regard to the type of merchandise, the area and location of the display with respect to adjoining sites, the hours of operation and the intent of this Schedule.

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 -- Not Applicable.

4.2 Frontage -- Not Applicable.

4.3 Height

4.3.1 The maximum height of a building shall be 12.2 m.

4.3.2 The Director of Planning or the Development Permit Board, as the case may be, may permit an increase in the maximum height of a building to a height not exceeding 13.8 m, provided that consideration is given to:

(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.

4.4 Front Yard and Setback

4.4.1 No front yard or front setback shall be permitted except that the Director of Planning may permit:

(a) a front yard or front setback where a pedestrian or shopping courtyard or other features benefitting pedestrian character are provided;
(b) a front setback to improve the livability of dwelling uses or community care facilities or group residences above grade;
(c) for sites in MC-1 to provide a transition to dwelling units fronting on Heatley Avenue or Atlantic Street, a front setback may be required from either of those streets;

provided that in all cases the Director of Planning first considers:

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

4.4.2 A setback of 1.2 m from the front property line shall be required for any parking area.

4.5 Side Yards and Setback

4.5.1 No side yard shall be required.

4.5.2 Where a side yard is provided, it shall have a minimum width of 0.9 m.

4.5.3 In the case of a corner lot, a setback of 1.2 m from the side property line abutting the flanking street shall be required for any parking area.

4.6 Rear Yard and Setback

4.6.1 A rear yard with a minimum depth of 3.1 m shall be provided, except that where the rear of the site abuts a lane this required minimum depth shall be decreased by the lane width between the rear property line and the ultimate centre line of the lane.

4.6.2 Any portion of a building containing residential uses, and any portion of a building above the first storey and below the fourth storey, except for open roof gardens at the second storey floor level, shall be set back a minimum of 7.6 m from the rear property line across the full width of the building, except that where the rear of the site abuts a lane, this required minimum setback

shall be decreased by the lane width between the rear property line and the ultimate centre line of the lane.

4.6.3 All portions of a building at the fourth storey and above shall be set back 9.1 m from the rear property line across the full width of the site, except that where the rear of the site abuts a lane, this required minimum setback shall be decreased by the lane width between the rear property line and the ultimate centre line of the lane.

4.7 Floor Space Ratio

4.7.1 The floor space ratio shall not exceed 0.75.

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

(a) all floors of all buildings including accessory buildings, both above and below ground level, to be measured to the extreme outer limits of the building.

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

(a) ~~open~~ balconies and decks, 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~~ these exclusions does not exceed ~~twelve percent~~12% of the floor area being provided;

(b) patios and roof decks provided that the~~if the~~ Director of Planning first considers the effect on privacy and overlook:
~~(i) the design of landscape treatments;~~
~~(ii) the effect on privacy and overlook; and~~
~~(iii) all applicable Council policies and guidelines.~~

(c) where floors are used for off-street parking and loading, the taking on or discharging of passengers, bicycle storage, heating and mechanical equipment, or uses which in the opinion of the Director of Planning are similar to the foregoing, those floors or portions thereof so used, which:
(i) are at or below the base surface, provided that the maximum exclusion for a parking space shall not exceed 7.3 m in length; or
(ii) are above the base surface and where developed as off-street parking are located in an accessory building situated in the rear yard, provided that the maximum exclusion for a parking space shall not exceed 7.3 m in length;

(d) amenity areas, including child day care facilities, recreation facilities and meeting rooms accessory to a residential use, to a maximum total area of 10 percent of the total permitted floor area, provided that for child day care facilities 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; and

(e) all residential storage space above or below base surface, except that if the residential storage space above base surface exceeds 3.7 m² per dwelling unit, there will be no exclusion for any of the residential storage space above base surface for that unit.

4.7.4 The Director of Planning may permit the following to be excluded in the computation of floor space ratio:

(a) enclosed residential balconies, provided that the Director of Planning first considers all applicable policies and guidelines adopted by council and approves the design of any balcony enclosure, subject to the following:
(i) the total area of all open and enclosed balcony or ~~sun~~deck exclusions does not exceed eight percent of the residential floor area being provided.; and
(ii) no more than fifty percent of the excluded balcony floor area may be enclosed.

4.7.5 Floor Area and Density in Sub-area A, MC-1 District

4.7.5.1 Notwithstanding section 4.7.1 of this schedule, if the Director of Planning first considers the intent of this schedule and all applicable Council policies and guidelines, and the submissions of any advisory groups, neighbourhood property owners or tenants consulted by the Director of Planning, the Director of Planning may permit an increase in the permitted floor area in sub area A as shown in Figure 1 up to a maximum of 2.50 subject to the following:

(a) the following uses shall not exceed a floor space ratio of 1.50:
- (i) cultural and recreational;
- (ii) institutional;
- (iv) manufacturing, transportation and storage, utility and communication, and wholesale, combined;
- (iv) office;
- (v) parking;
- (vi) service; and
- (vii) other uses pursuant to section 3.2.Z;

4.7.5.2 Notwithstanding section 4.7.1 of this schedule, if the Director of Planning first considers the intent of this schedule and all applicable Council policies and guidelines, and the submissions of any advisory groups, neighbourhood property owners or tenants consulted by the Director of Planning, the Director of Planning may permit an increase in the permitted floor area in sub area A as shown in Figure1 as follows:

(a) Dwelling Uses provided that either:
- (i) all of the residential floor area is developed as social housing; or
- (ii) all of the dwelling units are developed as secured market rental housing;

to a maximum additional floor space ratio of 1.8 provided that a minimum 0.7 FSR of any cultural and recreational, manufacturing, transportation and storage, utility and communication, and wholesale uses is provided.

4.7.6 The Director of Planning may, provided that the Director Planning first considers the intent of this Schedule and all applicable policies and guidelines adopted by Council and the submission of any advisory group, property owner or tenant, vary the provisions of section 4.7.1 in the MC-1 District, excluding sub-area A as shown in Figure 1, and the MC-2 District, to permit an increase in the total floor space ratio up to a maximum of 2.50, subject to the following:

(a) none of the following uses shall, subject to clause (b), exceed a floor space ratio of 1.50:
- (i) cultural and recreational;
- (ii) in MC-1, dwelling and, for the purpose of this clause, an Artist Studio and its associated residential unit which shall together be considered as a dwelling use;
- (iii) institutional;
- (iv) manufacturing, transportation and storage, utility and communication, and wholesale, combined;
- (v) office;
- (vi) parking;
- (vii) service; and
- (viii) other uses pursuant to section 3.2.Z;

(b) as part of the increased total floor space ratio permitted under clause (a), the Director of Planning may increase the maximum floor space ratio for dwelling uses to up to 1.80;

(c) in MC-2, dwelling and, for the purposes of this clause, an Artist Studio - Class B and its associated residential unit which shall together be considered as a dwelling use, the maximum floor space ratio shall be 1.0; and

(d) the maximum floor area in retail use shall be 1 300 m².

4.8 Site Coverage -- Not Applicable

4.9 [Deleted -- See Parking By-law]

4.10 Horizontal Angle of Daylight

4.10.1 Each habitable room must have at least one window on an exterior wall of a building.

4.10.2 Each exterior window must be located so that a plane or planes extending from the window and formed by an angle of 50 degrees, or two angles with a sum of 70 degrees, will encounter no obstruction over a distance of 24.0 m.

4.10.3 The plane or planes referred to in section 4.10.2 must be measured horizontally from the centre of the bottom of each window.

4.10.4 The Director of Planning may ~~relax~~ vary the horizontal angle of daylight requirement, if:

(a) the Director of Planning first considers all the applicable policies and guidelines adopted by Council; and
(b) the minimum distance of unobstructed view is not less than 3.7 m.

4.10.5 An obstruction referred to in section 4.10.2 means:

(a) any part of the same building including permitted projections; or
(b) the largest building permitted under the zoning on any adjoining site.

4.10.6 A habitable room referred to in section 4.10.1 does not mean:

(a) a bathroom; or
(b) a kitchen whose floor area is the lesser of:
  (i) 10% or less of the total floor area of the dwelling unit, or
  (ii) 9.3 m^2.

4.11 to 4.14 (Reserved)

4.15 Acoustics

4.15.1 A development permit application for dwelling uses shall require evidence in the form of a report and recommendations prepared by persons trained in acoustics and current techniques of noise measurement demonstrating that the noise levels in those portions of the dwelling units listed below shall not exceed the noise levels expressed in decibels set opposite such portions of the dwelling units. For the purposes of this section the noise level is the A-weighted 24-hour equivalent (Leq) sound level and will be defined simply as the noise level in decibels.

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

~~5 Relaxation of Regulations~~

~~**5.1** The Director of Planning may relax the maximum height, location regulations and floor area in section 2.2.A for accessory buildings and accessory uses except that, in any event, the relaxed height shall not exceed the maximum prescribed in section 4.3.1 and the relaxed floor space shall not exceed 33 ⅓ percent of the gross floor area of the principal and accessory uses combined.~~

~~**5.2** The Director of Planning may relax the use conditions of sections 2.3.1 and 3.3.1 to permit the outdoor display of retail goods, and may include such other conditions as the Director of Planning deems necessary, having regard to the type of merchandise, the area and location of the display with respect to adjoining sites, the hours of operation and the intent of this Schedule.~~

~~**5.3** The Director of Planning may, provided that the Director Planning first considers the intent of this Schedule and all applicable policies and guidelines adopted by Council and the submission of any advisory group, property owner or tenant, relax the provisions of section 4.7.1 in the MC-1 District, excluding sub-area A as shown in Figure 1, and the MC-2 District, to permit an increase in the total floor space ratio up to a maximum of 2.50, subject to the following:~~

~~(a) none of the following uses shall, subject to clause (b), exceed a floor space ratio of 1.50:~~
- ~~(i) cultural and recreational;~~
- ~~(ii) In MC-1, dwelling and, for the purpose of this clause, an Artist Studio and its associated residential unit which shall together be considered as a dwelling use;~~
- ~~(iii) institutional;~~
- ~~(iv) manufacturing, transportation and storage, utility and communication, and wholesale, combined;~~
- ~~(v) office;~~
- ~~(vi) parking;~~
- ~~(vii) service; and~~
- ~~(viii) other uses pursuant to section 3.2.Z;~~

~~(b) as part of the increased total floor space ratio permitted under clause (a), the Director of Planning may relax the maximum floor space ratio for dwelling uses to up to 1.80;~~

~~(c) In MC-2, dwelling and, for the purposes of this clause, an Artist Studio – Class B and its associated residential unit which shall together be considered as a dwelling use, the maximum floor space ratio shall be 1.0; and;~~

~~(d) the maximum floor area in retail use shall be 1 300 m².~~

First Shaughnessy District Schedule

By-Law No. 5543

A By-law to Amend By-law No. 3575, being the Zoning and Development By-law.

THE COUNCIL OF THE CITY OF VANCOUVER in open meeting assembled, enacts as follows:

1 Intent

The intent of this District Schedule is to protect the distinct estate character of First Shaughnessy by conserving protected heritage property and maintaining the single-family character of First Shaughnessy while allowing increased dwelling unit density with multiple conversion dwellings, infill buildings, coach houses and secondary suites. Renovations and additions should be compatible with, subordinate to, and distinguishable from existing buildings. For all development, emphasis is on sensitive site planning, compatible building scale, flexible and varied outcomes of built form and high quality design, materials, and construction.

Development in First Shaughnessy must also comply with the following related documents:

(a) the First Shaughnessy Heritage Conservation Area Design Guidelines in the Heritage Conservation Area Official Development Plan ("First Shaughnessy Design Guidelines");
(b) the Heritage By-law; and
(c) the Heritage Procedure By-law.

2 Definitions

In this District Schedule:

"Coach House" means an ancillary dwelling unit that is located:

(a) in an accessory building that complies with section 3.2.A; and
(b) on a site with a one family dwelling, one family dwelling with secondary suite or multiple conversion dwelling; and

"conserved" and "conserving" means protecting, preserving, or enhancing the heritage character or heritage value of heritage property or a heritage conservation area, retaining the heritage character or heritage value of heritage property or a heritage conservation area and extending the physical life of protected heritage property by preservation, rehabilitation or restoration in accordance with the First Shaughnessy Design Guidelines.

3 Conditional Approval Uses

3.1 The Director of Planning may approve any of the uses listed in Section 3.2 of this Section and may impose conditions of approval if the Director of Planning first considers:

(a) the First Shaughnessy Design Guidelines in the Heritage Conservation Area Official Development Plan;
(b) the intent of this Schedule;
(c) all applicable policies and guidelines adopted by Council; and
(d) the submission of any advisory group, property owner or tenant.

3.2 Uses

3.2.A

- Accessory Building customarily ancillary to any of the uses listed in this District Schedule, if:

  (a) the accessory building does not exceed 4.5 m in height measured to the highest point of the roof, if a flat roof, or to the mean height level between the eaves and the ridge of a gable or hip roof, and no portion of the accessory building exceeds 6.1 m in height;
  (b) the accessory building is located no less than 3 m from a flanking street and 1.5 m from an interior property line;
  (c) the floor area of all accessory buildings for off-street parking on the site does not exceed 80.77 m^2; and
  (d) an accessory building on a corner site which has located at its rear, a site which fronts the street flanking the corner site, has a setback of at least 7.3 m from the flanking street.

- Accessory Uses customarily ancillary to any of the uses listed in this section, except that vehicle parking is not permitted in a principal building, unless:

  (a) the parking was in existence on September 29, 2015; or
  (b) in the case of a principal building that is protected heritage property:
    (i) there is unnecessary hardship due to the slope or configuration of the site, or it would be necessary to alter or remove features that have heritage character or heritage value worthy of conservation, in order to accommodate parking in an accessory building, and
    (ii) the parking is below finished grade; or
  (c) in the case of a principal building that is not protected heritage property:
    (i) there is unnecessary hardship due to the slope or configuration of the site, or it would be necessary to alter or remove features that have heritage character or heritage value worthy of conservation, in order to accommodate parking in an accessory building,
    (ii) the site does not have lane access, and
    (iii) the parking is below finished grade.

3.2.D

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

3.2.DW [Dwelling]

- Coach House, if:

  (a) the site area is less than 1 672 m^2;
  (b) the site contains a principal building that is protected heritage property that is conserved;
  (c) the floor area, including stairs, is no less than 37 m^2 and no more than 63.7 m^2, and computation of floor area may exclude:
    (i) floor area with a ceiling height of less than 1.2 m, and
    (ii) ~~covered~~ entries, porches and verandahs that conform with section 4.7.4(f);
  (d) the dwelling unit is located in the partial storey of an accessory building, except that up to 5.5 m^2 of floor area may be located on the main floor inside the accessory building for a vestibule, stair and storage;
  (e) there is no more than one bathroom;
  (f) the bathroom is located on the partial storey of the accessory building; and
  (g) the principal roof has a minimum slope of 12:12.

- One Family Dwelling.

- One Family Dwelling with Secondary Suite.

- Infill one-family and infill two-family dwelling if the site:

  (a) is a parcel that existed on September 29, 2015; and
  (b) contains a principal building that is protected heritage property that is conserved.

- Multiple Conversion Dwelling:

  (a) if the conversion is of a principal building that is protected heritage property that is conserved;
  (b) if the minimum site area is 1 394 m^2, except that the site area may be less than 1 394 m^2 if the floor area of the principal building, including the basement, is no less than 465 m^2 on September 29, 2015 and there are no more than two dwelling units created in the principal building; and
  (c) the average floor area for the dwelling units is no less than 167 m^2 and the floor area of each dwelling unit is no less than 93 m^2.

- Seniors Supportive or Assisted Housing.

3.2.I
- Child Day Care Facility.
- Church existing as of March 8, 2016.
- Community Care Facility.
- Group Residence.

3.2.O
- Office for a consulate, on a site that abuts West 16th Avenue, King Edward Avenue, or Granville Street.

3.2.P
- Public Authority Use.
- Public Utility.

3.2.R
- Farmers' Market.

3.2.S
- Bed and Breakfast Accommodation.
- Short Term Rental Accommodation.

4 Regulations

4.1 All uses approved under this District Schedule are subject to the regulations in this District Schedule.

4.2 Site Coverage and Building Footprint

4.2.1 Unless otherwise provided in this District Schedule, the maximum permitted site coverage is 35% of the site area.

4.2.2 Despite the provisions of section 4.2.1, the maximum permitted site coverage for a site with an infill building or buildings must be calculated in accordance with the following table:

Number of Infill Buildings	Maximum Site Coverage
1	30%
2 or more	25%

4.2.3 In this District Schedule, "footprint" means the projected area of the extreme outer limits of the principal building measured at the basement level, excluding:

(a) ~~covered~~ entries, porches and verandahs; and
(b) a portion of the building located at the first storey that has:
  (i) a total area not exceeding 37 m^2,
  (ii) a height no greater than 1 storey, and
  (iii) a depth that is the lesser of 6.0 m and 35% of the building depth.

4.2.4 The maximum building footprint must be calculated in accordance with the following formula:

$$\text{Maximum Building Footprint} = \frac{\text{Permitted Floor Area}}{2.5}$$

4.2.5 The permitted floor area of each storey must not exceed the footprint calculated in accordance with section 4.2.4, except that the building footprint must not exceed 557 m^2.

4.2.6 The Director of Planning may permit an increase in the maximum permitted building footprint in section 4.2.4 if the Director of Planning first considers:
(a) all applicable policies and guidelines adopted by Council;
(b) the submissions of any advisory group, property owner or tenant;
(c) the height, bulk, location and overall design of the building or buildings and the effect on the site, surrounding buildings, neighbouring sites, streets and views;
(d) the amount of open space; and
(e) the preservation of the heritage character and heritage value of the area; and
(f) the increase does not exceed 20% of the maximum building footprint in this Schedule.

4.3 Height

4.3.1 Height must 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, in the opinion of the Director of Planning, the resulting hypothetical surface is not compatible with the existing grades of adjoining sites or with the general topography of the area, the Director of Planning may require that height be measured from base surface.

4.3.2 A principal building must have no less than 2 storeys and no more than 2 1/2 storeys.

4.3.3 The floor elevation of the first storey of a principal building must be at least 1.4 m above finished grade, except that the Director of Planning may permit a floor elevation less than 1.4, if:

(a) the Director of Planning first considers all applicable policies and guidelines and the site context; and
(b) the proposed design of the principal building meets the First Shaughnessy Design Guidelines.

4.3.4 A principal building must be no more than 10.7 m in height.

4.3.5 Despite section 4.3.4, the Director of Planning may permit an increase in the height of a principal building to a maximum of 13.7 m, if the Director of Planning considers the effect of the additional height on neighbouring sites with respect to massing, shadowing and overlook, and all applicable Council policies and guidelines, and:

(a) the roof has no flat portions;
(b) the roof has a minimum slope of 8:12;
(c) the roof is a gable or hip roof; and
(d) the proposed design of the principal building meets the First Shaughnessy Design Guidelines.

4.3.6 An infill building must have no more than 2 storeys.

4.3.7 An infill building must be no more than 7.6 m in height.

4.4 Front Yard

4.4.1 The minimum depth of the front yard is 25% of the depth of the site.

4.4.2 Despite the provisions of section 4.4.1 of this District Schedule and of section 10.32.1(b) of this by-law:

(a) eaves, gutters, sills and chimneys and other projections that, in the opinion of the Director of Planning, are similar, may project into the minimum front yard to a maximum of 1.0 m measured horizontally;
(b) ~~covered~~entries, porches and verandahs that conform to section 4.7.4(f) of this District Schedule may project into the minimum front yard to a maximum of 1.8 m measured horizontally; and
(c) basement floor area underneath ~~covered~~entries, porches and verandahs may project into the minimum front yard to a maximum of 1.8 m measured horizontally.

4.5 Side Yard

4.5.1 The minimum width of each side yard is:

(a) 20% of the site width on a site with a frontage of 22.86 m or more; and
(b) 15% of the site width on a site with a frontage of less than 22.86 m.

4.5.2 Despite the provisions of section 10.32.1(b) of this by-law, eaves, sills and chimneys and other projections, that, in the opinion of the Director of Planning are similar, may project into the minimum side yard to a maximum of 1.0 m measured horizontally, except that there must be at least 0.7 m between the projection and the side property line.

4.5.3 An infill dwelling must be no less than 4.5 m from a side property line, except that:

(a) the Director of Planning may permit a lesser setback for an existing accessory building that is converted to residential use; and
(b) the Director of Planning may require a greater setback if, in the opinion of the Director of Planning, it is necessary to protect the privacy or liveability of a neighbouring site or building.

4.6 Rear Yard

4.6.1 A rear yard must have a minimum depth of 12.19 m, measured from the rear property line.

4.6.2 Despite the provisions of section 10.32.1(b) of this by-law, eaves, gutters, sills and chimneys and other projections that, in the opinion of the Director of Planning are similar, may project into the minimum rear yard to a maximum of 1.0 m measured horizontally.

4.6.3 An infill dwelling must be set back no less than 4.5 m from the rear property line, except that:

(a) the Director of Planning may permit a lesser setback for an existing building that is converted to residential use; and
(b) the Director of Planning may require a greater setback if, in the opinion of the Director of Planning, it is necessary to protect the privacy or liveability of a neighbouring site or building.

4.7 Floor Area and Density

4.7.1 Floor space ratio for protected heritage property must not exceed:

(a) 0.45 for protected heritage property that is conserved; and
(b) for infill buildings, a maximum of 0.30 of the infill site area as determined by the following calculation:
  (i) where the gross floor area of the basement, first and second storey of the principal building is equal to or less than 543 m², the infill site area is the total site area minus 1 208 m², and
  (ii) where the gross floor area of the basement, first and second storey of the principal building is more than 543 m², the infill site area is calculated in accordance with the following formula, where "x" equals the gross floor area of the basement, first and second storey of the principal building, measured in m²:

$$\text{site area for infill floor space ratio calculation} = \text{total site area} - \frac{x}{0.45},$$

except that:

  (iii) the maximum floor area for an infill building is the lesser of 279 m^2 and 50% of the gross floor area of the basement, first and second storey of the principal building.

4.7.2 Floor space ratio for all development other than protected heritage property must not exceed 0.25 plus 139 m^2, to a maximum permitted floor area of 910.44 m^2.

4.7.3 Computation of floor area must include:

(a) all floors having a minimum ceiling height of 1.2 m, including earthen floor, both above and below ground level, to be measured to the extreme outer limits of the building;
(b) stairways, fire escapes, elevator shafts and other features that the Director of Planning considers similar, to be measured by their cross-sectional areas and included in the measurements for each floor at which they are located; and
(c) where the distance from a floor to the floor above, or where there is no floor above, to the top of 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 does not exceed 1% of the permitted floor area.

4.7.4 Computation of floor area may exclude:

(a) ~~open residential~~ balconies, ~~sun~~decks, and other appurtenances that in the opinion of the Director of Planning, are similar to the foregoing if the total area of these exclusions does not exceed 8% of the permitted floor area;

(b) areas of undeveloped floors located above the highest storey or half-storey, or adjacent to a half-storey with a ceiling height of less than 1.2 m, and to which there is no permanent means of access other than a hatch;

(c) where floors or portions of floors, not exceeding 7.3 m in length, are located in an accessory building or infill building, and are used for off street parking or loading;

(d) basements in principal buildings where the floor elevation of the first storey is located at least 1.4 m above finished grade and the basement does not extend beyond the outermost walls of the first storey, including ~~covered~~ entries, porches and verandahs, except that this exclusion will only apply to that part of basements used for parking in principal buildings if:

(i) there is unnecessary hardship due to the slope or configuration of the site, or because it would be necessary to alter or remove features that have heritage character or heritage value worthy of conservation, in order to accommodate parking in an accessory building,

(ii) the site has no lane access, and

(iii) the exclusion does not exceed 80.77 m^2;

(e) basements or cellars in protected heritage property, except that this exclusion will only apply to that part of basements or cellars used for parking in protected heritage property if:

(i) there is unnecessary hardship due to the slope or configuration of the site, or because it would be necessary to alter or remove features that have heritage character or heritage value worthy of conservation, in order to accommodate parking in an accessory building, and

(ii) the exclusion does not exceed 80.77 m^2;

(f) ~~covered~~entries, porches or verandas and covered porches above the first storey ~~or sleeping porches that are located at or above the first storey,~~ ~~if~~ provided that:

(i) the entry, porch or verandah is open and protected by ~~-~~guards~~-~~ ~~rails the height of which~~ that ~~must~~ do not exceed the required minimum height ~~specified in the Building By-Law,~~ , and

(ii) the total area ~~of this exclusion~~being excluded does not exceed 20% of the ~~permitted~~ floor area being provided; ~~and~~

(g) unconditioned floor areas with a ceiling height or height to the underside of joists less than 2.0 m, located below the floors of entries, porches and verandahs complying with subsection 4.7.3(f), to which there is no access from the interior of the building; and

(~~g~~h) for protected heritage property that is conserved, the floor area of a Coach House to a maximum of 63.7 m^2.

4.7.5 The Director of Planning may vary the requirements of section 4.7.3(c) if, in the opinion of the Director of Planning:

(a) the resulting building massing does not overshadow or adversely affect the site or neighbouring sites;

(b) the excluded floor area enhances the design, liveability, and architectural expression of the building; and

(c) the excluded floor area enhances the heritage character and heritage value of the area; and

the total excluded area does not exceed 37 m2.

4.8 Storm Water Storage and Impermeability

4.8.1 This section applies to a permit for any development that:

(a) increases the impermeable area of a site existing as of May 11, 1982, by more than 1% of the site area; or
(b) creates a community care facility, group residence, multiple conversion dwelling, infill one family dwelling or infill two-family dwelling.

4.8.2 For the purposes of determining whether or not a development would increase the impermeable area of a site, the following definitions apply:

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

4.8.3 The Director of Planning must not issue a permit referred to in section 4.8.1, unless the property owner has first entered into a storm water storage agreement, to the satisfaction of the Director of Legal Services and the City Engineer, to:

(a) construct a storm water storage system on the site that is designed and certified by a professional engineer to meet the following criteria:
  (i) a minimum storage capacity equal to the volume of water that would be present if water 15 mm deep covered the entire site, and
  (ii) equipped with a device to restrict the maximum storm water flow from the site into the public sewer to 17.5 litres per second per hectare of site area;
(b) maintain the storm water storage system at the expense of the owner;
(c) grant a statutory right of way and equitable charge to the City; and
(d) release and indemnify the City from all liability related to the storm water storage system.

4.9 to 4.14 Reserved

4.15 Dwelling Unit Density

4.15.1 The permitted number of dwelling units for multiple conversion dwellings is in accordance with the following table, except that a dwelling unit in a Coach House is excluded from the calculation of the permitted number of dwelling units:

Number of Dwelling Units	Minimum Site Area Required in sq. ft.	Minimum Site Area Required in m^2
2	15 000	1 394
3	30 000	2 878
4	40 000	3 716
4	50 000	4 645

4.15.2 The permitted number of dwelling units for infill dwellings is in accordance with the following table:

Number of Dwelling Units	Minimum Site Area Required in sq. ft.	Minimum Site Area Required in m^2
1	18 000	1 672
2	30 000	2 878
3	40 000	3 716
4	50 000	4 645

4.15.3 Despite sections 4.15.1 and 4.15.2, the Director of Planning may increase the permitted number of dwelling units by one additional dwelling unit, if the Director of Planning first considers:

(a) all applicable policies and guidelines adopted by Council;
(b) the submissions of any advisory group, property owner or tenant;
(c) the effect of any additional on-site parking on mature trees, existing gardens and landscape design; and
(d) the effect of the additional unit on the protected heritage property.

4.16 Building Depth

4.16.1 The building depth must not exceed 40% of the depth of the site, measured in a straight line parallel to the side property line, from the required front yard to the required rear yard, except that where an existing building encroaches into the required front yard, the distance must be measured from the front exterior wall rather than the required front yard.

4.16.2 Projections into the front and rear yards that are permitted under Sections 4.4.2, 4.5.2, and 4.6.2 must not be included in the calculation of building depth.

4.16.3 The Director of Planning may permit an increase in the maximum permitted building depth requirements in section 4.16 if the Director of Planning first considers:

(a) all applicable policies and guidelines adopted by Council;
(b) the submissions of any advisory group, property owner or tenant;
(c) the height, bulk, location and overall design of the building or buildings and the effect on the site, surrounding buildings, neighbouring sites, streets and views;
(d) the amount of open space; and
(e) the preservation of the heritage character and heritage value of the area; and

the increase does not exceed 50% of the building depth requirements in this Schedule.

5 Relaxation of Regulations

5.1 The Director of Planning may relax the front, side, and rear yard requirements in sections 4.4, 4.5, and 4.6 if, in the opinion of the Director of Planning, there is unnecessary hardship due to the configuration of the site and the Director of Planning first considers:

(a) all applicable policies and guidelines adopted by Council;
(b) the submissions of any advisory group, property owner or tenant;
(c) the height, bulk, location and overall design of the building or buildings and the effect on the site, surrounding buildings, neighbouring sites, streets and views;
(d) the amount of open space; and
(e) the preservation of the heritage character and heritage value of the area; and

the relaxation does not exceed 60% of the front, side, or rear yard requirements in this Schedule.

~~5.2 The Director of Planning may relax the building depth requirements in section 4.16 if the Director of Planning first considers:~~

~~(a) all applicable policies and guidelines adopted by Council;~~
~~(b) the submissions of any advisory group, property owner or tenant;~~
~~(c) the height, bulk, location and overall design of the building or buildings and the effect on the site, surrounding buildings, neighbouring sites, streets and views;~~
~~(d) the amount of open space; and~~
~~(e) the preservation of the heritage character and heritage value of the area; and~~

~~the relaxation does not exceed 50% of the building depth requirements in this Schedule.~~

~~5.3 The Director of Planning may relax the maximum building footprint in section 4.2.4 if the Director of Planning first considers:~~

~~(a) all applicable policies and guidelines adopted by Council;~~
~~(b) the submissions of any advisory group, property owner or tenant;~~
~~(c) the height, bulk, location and overall design of the building or buildings and the effect on the site, surrounding buildings, neighbouring sites, streets and views;~~
~~(d) the amount of open space; and~~
~~(e) the preservation of the heritage character and heritage value of the area; and~~

~~the relaxation does not exceed 20% of the maximum building footprint in this Schedule.~~

~~5.4 The Director of Planning may relax the requirements of section 4.7.3(c) if, in the opinion of the Director of Planning:~~

~~(a) the resulting building massing does not overshadow or adversely affect the site or neighbouring sites;~~
~~(b) the excluded floor area enhances the design, liveability, and architectural expression of the building; and~~
~~(c) the excluded floor area enhances the heritage character and heritage value of the area; and~~

~~the total excluded area does not exceed 37 m^2.~~

5.2~~5~~ The Director of Planning may relax any regulation in this District Schedule, apart from those regulations regarding use or density, with respect to protected heritage property that is conserved, if, in the opinion of the Director of Planning, the protected heritage property is conserved and the proposed development will make a contribution to conserving heritage property, except that, before granting a relaxation under this section, the Director of Planning must consider:

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

See also First Shaughnessy Official Development Plan

CENTRAL WATERFRONT
OFFICIAL DEVELOPMENT PLAN

(Adopted by By-law No. 5261, June 19, 1979)

Section 4 Sub-area Development Guidelines

Intent

The sub-area development guidelines provide more detailed guidance with respect to the development of the two sub-areas which have been identified within the Central Waterfront.

Central Waterfront Sub-areas

[Sub-areas 1 and 2 deleted - see CH ODP] Sub-area 3 --

Burrard Street to Seymour Street Sub-area 4 -- Seymour

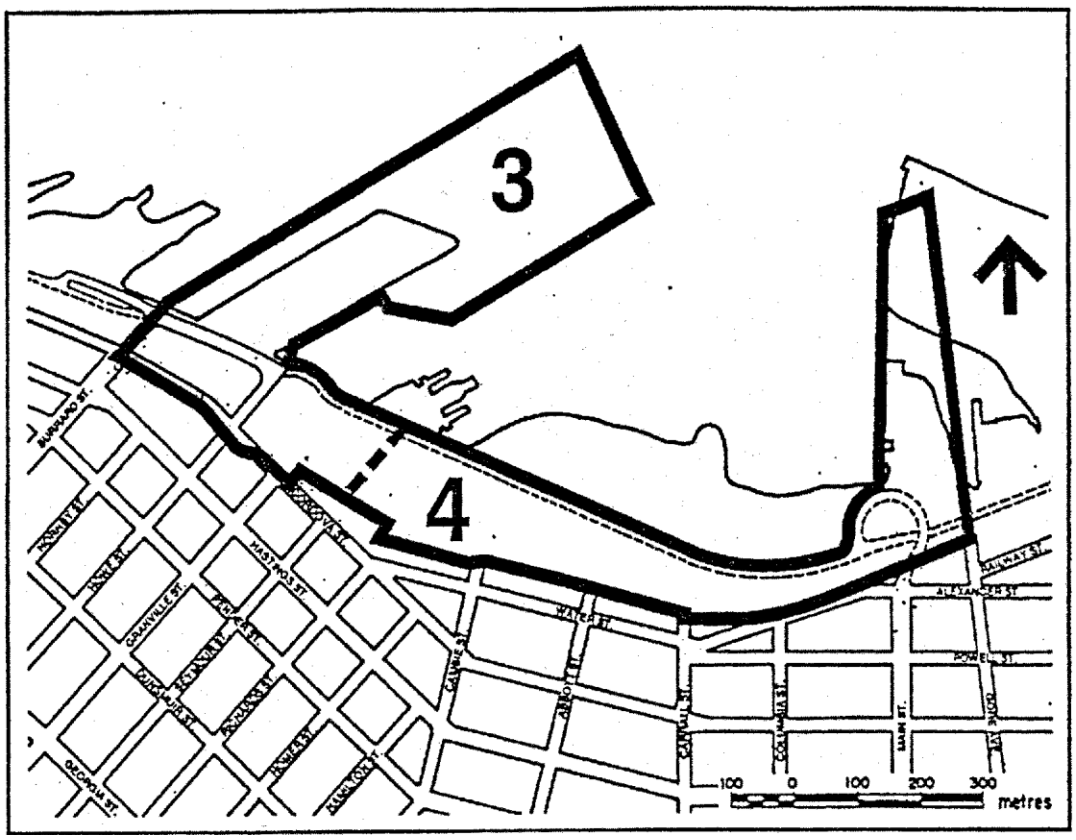
Street to Gore Avenue

Identification of these two sub-areas is based on:

1. existing land use;
2. relationship to existing character areas of Downtown and Gastown;
3. projected future land use.

Except for the westerly boundary which follows the Coal Harbour ODP zoning boundary at the foot of Burrard Street, the boundaries of the sub-areas are determined by the northerly extension of the centrelines of the respective boundary streets noted above. However, as development occurs these may require, for planning or administrative purposes, redefinition by amendment to this plan or adoption of specific Area Development Plans.

Central Waterfront Sub-areas



The operation and development of port and rail facilities within the Central Waterfront are under the separate jurisdictions of the Vancouver Port Corporation and Canadian Pacific and thus are not legally bound by "development guidelines" as contained in this section. However, both Vancouver Port Corporation and Canadian Pacific officials have expressed their commitment to co-operate in achieving the intent of these "development guidelines" which represent the consensus of the property owners and public authorities.

Interpretation and Change

The development guidelines are subject to interpretation by the Development Permit Board. They may be amended, if necessary, by amending this Official Development Plan By-law. They may also be amended when necessary through the Area Development Plan process as described in section 1 "Application and Intent" under the heading "Area Development Plan".

4.1 [Deleted - see CH ODP]

4.2 [Deleted - see CH ODP]

4.3 Sub-area 3 - Burrard/Seymour

Uses

In addition to the continuing port and rail uses, this area should retain and expand its current transportation role. Facilities such as the passenger terminal, ferry system and commuter rail should be integrated with future transit systems to create an efficient transportation interchange. Commercial uses such as retail facilities, hotels, and entertainment/cultural facilities, should be incorporated to serve the surrounding population and visitor needs and provide the much needed activity node for this part of the Central Area.

Other potential uses would include those which are similar in character or customarily accessory to the above.

Density

Maximum land development density for urban use in this sub-area should be 3.5 F.S.R. gross maximum with office-commercial density not exceeding 3.0 F.S.R. gross.

The Development Permit Board may permit an increase in the floor space ratio for hotels provided that:

(a) the increase in no case exceeds a maximum of 15% of the floor area of that portion of the building having floor-to-floor dimensions of less than 10 feet and used for guest accommodation and ancillary corridors, access and service areas;
(b) it first considers the impact of additional density on built form, neighbouring sites and buildings, livability, views, shadowing and local pedestrian and vehicular circulation; and
(c) it first considers all applicable policies and guidelines adopted by Council.

For density calculation purposes, the maximum gross land development area within this sub-area should not exceed 12 acres (excluding Canada Place). The maximum development potential for Canada Place will be further reviewed at a time when there is a definitive redevelopment proposal.

Physical Form

Slender building forms rather than bulky masses would maximize view potential of the waterfront activities from nearby Downtown buildings. Building height should not exceed 230 feet as measured from the existing grade level of the railway track (level 101). Existing street-end views at Howe and Granville Streets and the view from Granville Square toward the harbour ferry terminal should be preserved.

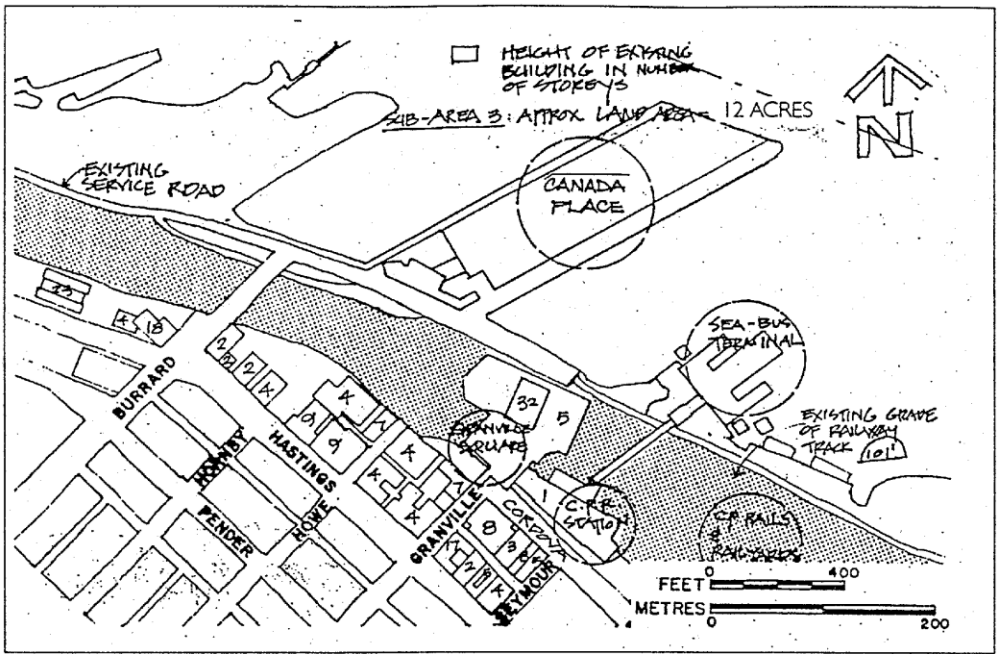
However, in order to provide further flexibility for quality development, the Development Permit Board may, under special circumstances, ~~relax~~ vary the “height” and/or “street-end view” guidelines as follows:

(a) height — the Development Permit board may permit buildings which exceed the height of 230 feet after taking particular account of the overshadowing, view obstruction and other related environmental criteria; however, in no case shall the maximum height as may be permitted exceed 300 feet;
(b) street-end view — the Development Permit Board may permit reduction of an existing street-end view if it can be demonstrated to the satisfaction of the Board that:
    (i) the view reduction is essential to the overall quality of the waterfront development; and/or
    (ii) the view reduction is not detrimental to the overall quality of the existing street-end view from Downtown and Gastown; and/or

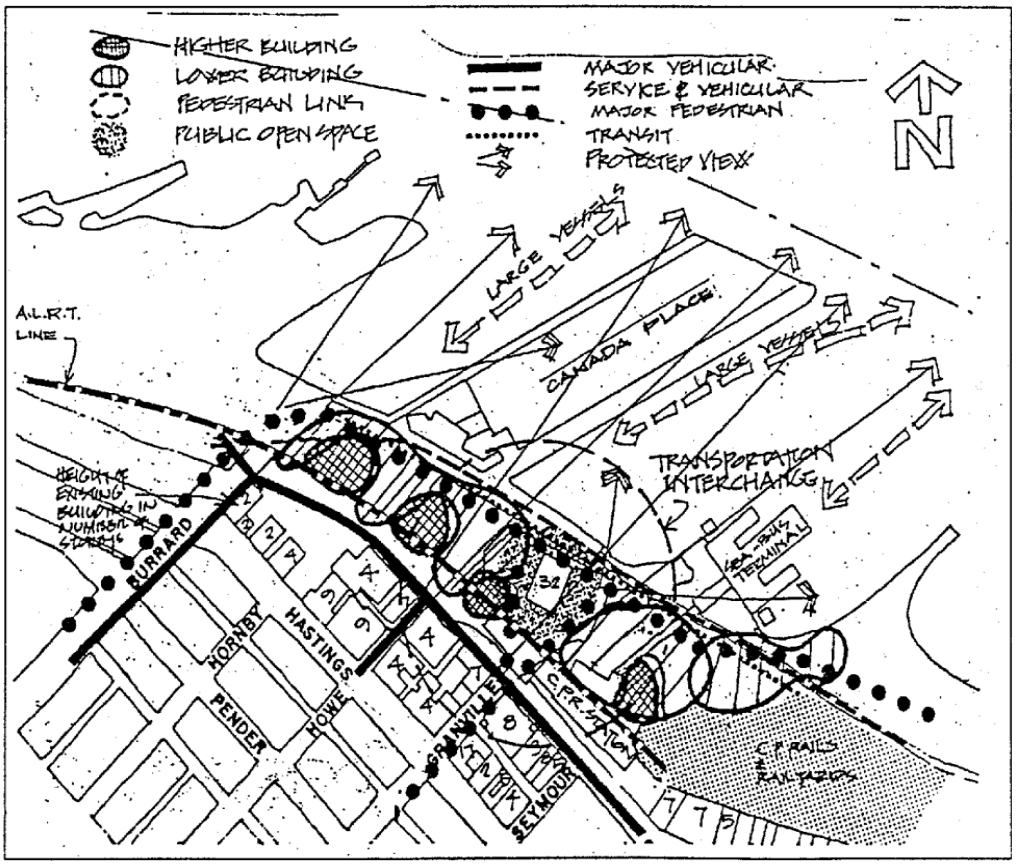
(iii) the physical design of the portion of the waterfront development which causes the view reduction is of high quality and will enhance the physical character of the immediate surroundings; and/or

(iv) an alternative access to view the waterfront activities, Burrard Inlet and the North Shore mountains is provided as a trade-off at a location in the vicinity of the particular street-end and is easily accessible to the public from Downtown and Gastown.

Existing (as of November 6, 1990)



Proposed (as of November 6, 1990)



Public Open Space

Existing public open space at Granville Square should be integrated with the proposed Burrard Street-end open space to create a highly urban open space system. Further development of the existing Granville Square Plaza to orientate more effectively to pedestrian uses in terms of scale and weather protection would increase the overall usability of that area.

Movement Pattern

Vehicular/Transit/Railway

Automobile access should primarily be from the Cordova Street extension. Seymour and Howe Streets should replace Granville as the primary traffic linkage to the Cordova Street system.

The continuous service vehicle route should be provided at the same level as the railway track.

Waterfront transit should be integrated into the transportation interchange.

The existing railway will remain to serve the commuter rail system, trans-continental passenger train operations and freight rail services.

Pedestrian access to the light rapid transit system should be provided from the transportation interchange.

Pedestrian

Primary pedestrian access should be from Granville Street through Granville Square.

Other existing adjacent north-south street ends should be linked for secondary access through new developments to the waterfront.

Parking and Loading [See also Parking By-law.]

For the purpose of this section 4.3, "grade" shall mean the curb level of public roadways adjoining the development site, excluding the Waterfront Service Road at Elevation 101, except that for that portion of Sub-area 3 situated to the north and east of the existing Granville Square development, "grade" shall mean Elevation 132.

Where parking is required or provided, it shall be regulated as follows:

(a) Parking facilities shall not obstruct existing major public views from the Downtown District toward Burrard Inlet and the North Shore Mountains, including prescribed street-end views, and shall not obstruct views to Burrard Inlet and Canada Harbour Place Plaza from grade or above-grade public rights of way and public open spaces within the Central Waterfront.

(b) No parking shall be located above grade, except that the Development Permit Board may permit the partial protrusion above grade of one level only of the parking facilities, subject to the following conditions:
   (i) that such protrusion does not interfere with any of the above-prescribed protected view areas and corridors,
   (ii) that such protrusion is adequately screened from public view through the use of landscape, architectural treatment, or both or wherever possible through the use of retail or restaurant facilities as screening devices.

(c) Parking facilities shall not prevent the provision of enclosed or weather protected pedestrian connections in the following locations:
   (i) between the ALRT SeaBus Concourse under Howe Street and Block 15 (Sinclair Centre); and
   (ii) between the ALRT SeaBus Concourse under Howe Street and Project 200 Tower 2; and
   (iii) between the ALRT SeaBus Concourse under Howe Street and the Marathon site west of Howe Street; and
   (iv) between the ALRT SeaBus Station easterly entry and the existing SeaBus ferry dock passenger loading areas.

(d) Parking facilities shall include a component of short-term public parking equivalent to a minimum of 25% of the total number of parking spaces required or provided, to be secured by a limit on the total number of long-term reserved spaces. The location of reserved spaces shall be to the satisfaction of the Development Permit Board to ensure that the short-term public parking spaces are easily accessible to the public.

(e) Parking facilities shall be provided with a stair exit facility conveniently situated for ease of access to major public open spaces within the development site.

(f) All parking areas which comply with the above regulations shall be excluded from the calculation of floor space ratio.

(g) Except for port-related uses, where loading facilities are visually exposed to either streets or public pedestrian walkways space, such exposed areas of loading shall be adequately screened from public view through the use of landscape, architectural treatment, or both.

Shoreline

Limited filling and excavation would be permitted in this sub-area in accordance with conditions set out in section 3.6 -- Shoreline.

4.4 Sub-area 4 - Seymour/Gore

Uses

Port and rail uses should continue. New urban uses should be incorporated whenever possible to create an exciting mixed environment. The Canadian Pacific railyard will remain in the foreseeable future to serve the commuter rail, trans-continental passenger and freight rail services, and no major urban development will be anticipated within this area until such rail facilities are relocated.

Other potential uses would include those which are similar in character or customarily accessory to the above.

Density

(a) Maximum land development density for urban use in this sub-area (excluding the C.P. railyard) should be 2.75 F.S.R. gross maximum with office-commercial density not exceeding 1.25 F.S.R. gross.

For density calculation purposes, the maximum density permitted within this sub-area will be based on both the existing land area (excluding the C.P. railyard) and future approved land fill.

(b) Maximum development density for urban use within the C.P. railyard prior to is relocation should be 0.75 F.S.R. gross maximum with office-commercial density not exceeding 0.35 F.S.R. gross.

For density calculation purposes, the existing land area within the C.P. railyard equals 12 acres.

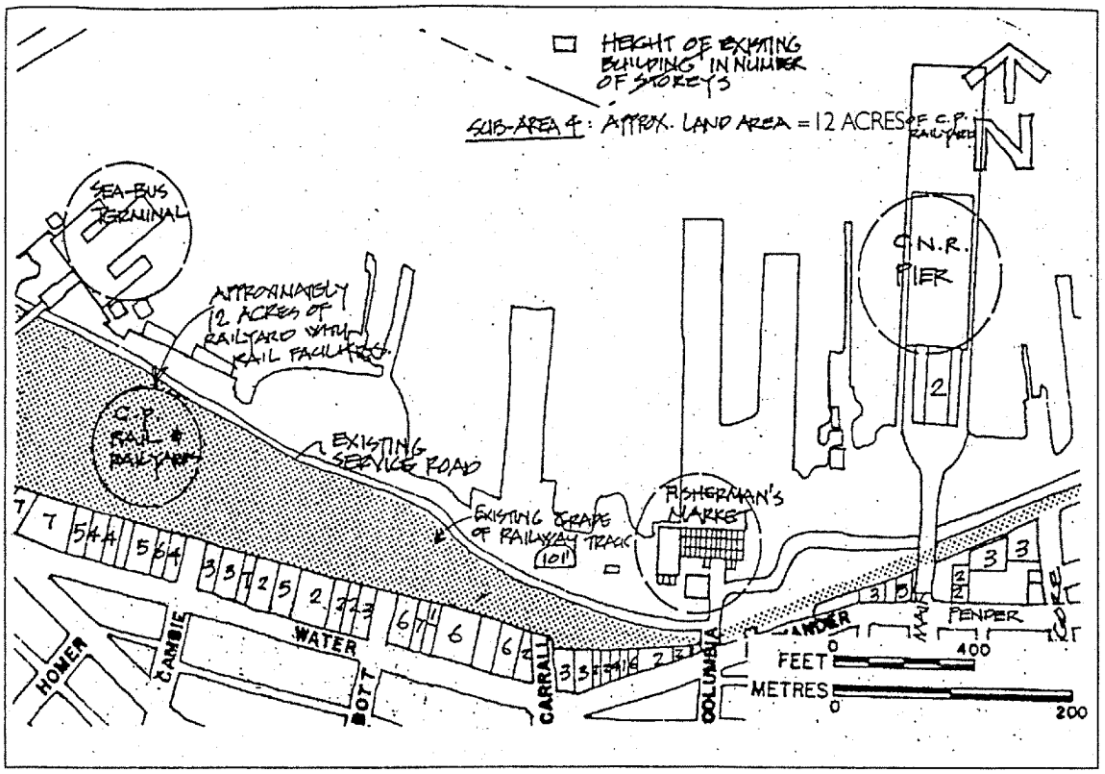
When the C.P. railyard facilities are relocated, the above densities for maximum urban development should be reviewed.

Physical Form

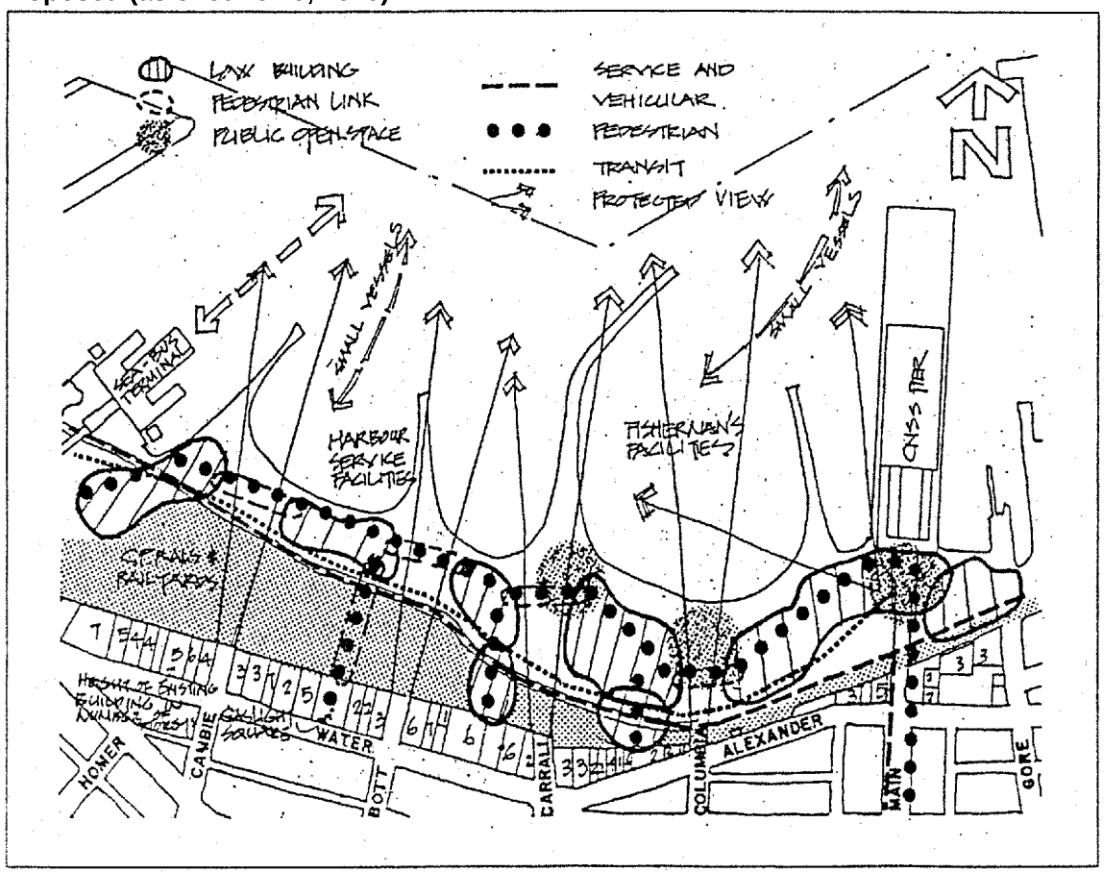
The historic character and physical scale of the adjacent Gastown buildings should be respected in the future development of the area. New development should be small-scale not more than 60 feet high as measured from the existing grade of the railway track (level 101) so as to be in scale with adjacent Gastown. The pedestrian-oriented environment as existing in Gastown should be continued through to this area.

Views of Burrard Inlet and the North Shore mountains currently existing at the street-ends of Cambie, Abbott, Carrall and Columbia Streets, should be preserved, particularly at Carrall Street which is a major pedestrian link to Downtown and Chinatown. It is recognized that most of the existing street-end views are very often reduced by the existing rail activities at the C.P. railyard since there is no escarpment in this part of the waterfront. The north end of Main Street should accommodate a viewing area with a panoramic view potential westward towards the entire Central Waterfront plus major access to the continuous vehicular route.

Existing (as of June 19, 1979)



Proposed (as of June 19, 1979)



In order to provide further flexibility for quality development, the Development Permit Board may, under special circumstances, ~~relax~~ vary the "height" and/or "street-end view" guidelines as follows:

(a) height — the Development Permit board may permit buildings which exceed the height of 60 feet after taking particular account of the overshadowing, view obstruction and other related environmental criteria;

(b) street-end view — the Development Permit Board may permit reduction of an existing street-end view if it can be demonstrated to the satisfaction of the Board that:

- (i) the view reduction is essential to the overall quality of the waterfront development; and/or
- (ii) the view reduction is not detrimental to the overall quality of the existing street-end view from Downtown and Gastown; and/or
- (iii) the physical design of the portion of the waterfront development which causes the view reduction is of high quality and will enhance the physical character of the immediate surroundings; and/or
- (iv) an alternative access to view the waterfront activities, Burrard Inlet and the North Shore mountains is provided as a trade-off at a location in the vicinity of the particular street-end and is easily accessible to the public from Downtown and Gastown.

Public Open Space

Public open space should be provided at the foot of Main Street, Columbia Street and Carrall Street. Such spaces should expand the maritime flavour of this area and optimize pedestrian contact with maritime activities. A series of small open spaces linked by pedestrian routes would create visual interest and would be more in scale with future redevelopments in this area. Segregation of pedestrian open space from certain essential port facilities will be necessary for the safety of pedestrians and the security of the operations.

Movement Pattern

Vehicular/Transit/Railway

Automobile ingress/egress should be from Main Street with secondary access from Gore Avenue if possible.

The service vehicle route should be continuous with ingress/egress at Main Street. Due to the constraint of the exising C.P. rails and railyard, the alignment of the service route in this sub-area may need to be located closer to the shoreline.

A waterfront transit stop may be located near the east end of this sub-area.

The existing railway will remain in the foreseeable future to serve the commuter rail system, trans-continental passenger train operations and freight rail services.

Pedestrian

Primary pedestrian access should be from Main, Columbia and Carrall Streets, continuing the existing pedestrian flow from Gastown and Chinatown.

Pedestrian access west of Carrall Street would depend upon the future status of the railway tracks. However, every effort should be directed toward providing pedestrian access through future developments into the waterfront. Opportunities should also be taken to link existing pedestrian nodes such as Gaslight Square to waterfront developments.

[Parking and Loading deleted -- see Parking By-law.]

COAL HARBOUR
OFFICIAL DEVELOPMENT PLAN

(Adopted by By-law No. 6754, November 6, 1990)

3.2.7 Parks and Public Open Space

It is intended that parks be distributed throughout the area as a focus of each neighbourhood. The size, location, and configuration shall meet the needs of residents and workers, provide attractions for visitors and take full advantage of the waterfront environment.

The use, design, materials, and construction specifications of each park shall be determined by the Park Board in consultation with the Director of Planning, Superintendent of Schools, and the City Engineer at the sub-area zoning stage. Land devoted to parks is to be useable for park and community purposes. Slopes between adjacent development parcels and parks that are required to meet park grades shall generally occur on the development parcels.

Neighbourhood parks should preferably be located at natural grade, but could be associated with private or public parking structures because of the new base surface proposed for the site. The land on which the park and any supporting structures are constructed shall be dedicated to the City. Parks with structures within them shall be able to accommodate all landscaping and other features normally included in a park.

At least 6.48 hectares of public open space and parks shall be provided, of which 4.19 hectares shall be dedicated for neighbourhood parks. These parks and open space provisions shall be located as illustrated on Figure 7. In addition, a continuous waterfront walk having a minimum width of 7.6 metres shall be provided as illustrated on Figure 9C. Adjacent to the walkway, buildings shall be set back a minimum of 7.6 metres from this walkway, and this area shall be appropriately landscaped and treated so as to enhance the walkway. ~~Minor relaxation~~ A minor variation may be permitted to the required setback to achieve public interest or urban design objectives.

The property owner shall provide the sites and full development of neighbourhood parks at no cost to the City.

3.2.8 Provision and Phasing of Parks and Community Facilities

Parks, the community centre, the community components of the school, and child care facilities shall be completed and conveyed to the satisfaction of the City and school sites shall be made available to the School Board generally in accordance with the phasing as illustrated in Figure 8. Specific sites for cultural, institutional, and other community facilities shall be allocated at the sub-area zoning stage. Agreements securing the provision and construction of parks and community facilities will be required prior to the enactment of sub-area zonings.

A temporary waterfront walkway accessible to the public shall be constructed and maintained by the developer along or as close to the water's edge as is considered safe for the public in regard to rail and industrial operations, with the width and location of the walkway to be to the City's satisfaction. This walkway shall extend between Burrard Street and Cardero Street, as a condition

of enactment of the first sub-area zoning. After rail removal, the section of the temporary walkway generally to the east of Jervis Street located away from the shoreline shall be relocated adjacent to the water's edge, as a condition of enactment of the next sub-area zoning.

3.2.9 Convention and Exhibition Centre

The commercial precinct between Burrard and Thurlow Streets may include a convention and exhibition centre. If the convention and exhibition centre is constructed, the full floor area of other uses permitted in the relevant sub-area of that precinct shall be reallocated to accommodate this use and related commercial uses, not including office or hotel. An additional maximum of 23 225 square metres of floor area may also be permitted to accommodate an exhibition hall as an integral part of a convention and exhibition centre. The use shall be integrated to provide a transition between the urban environment of the adjacent downtown and the adjoining amenities of the waterfront, port and water uses, Harbour Green Park and a major public institutional facility (arts complex).

3.3 Movement

A variety of means of moving through the area including streets, walkways, bicycle routes, and transit shall be provided. Bus routes shall be jointly determined by the City and B.C. Transit as ridership is generated by completed developments. Passenger ferries along the Coal Harbour waterfront shall also be considered.

Movement facilities, routes and patterns of dedicated rights-of-way and improvements shall be integrated with the adjacent city development.

A right-of-way for a public transit system linking activity centres throughout the Downtown core shall be reserved through the Coal Harbour area. The right-of-way shall allow for a variety of transit modes. A lower level street system as far as Thurlow Street shall be provided to meet port and commercial area servicing needs. A lower level driveway arrangement shall be considered to service the escarpment properties no more westerly than Bute Street. Ramp connections between these upper and lower level systems shall be integrated with the surrounding environment and be as unobtrusive as possible.

A lower level street system as far as Thurlow shall be provided to meet port and commercial area servicing needs. A lower level driveway arrangement shall be considered to service the escarpment properties no more westerly than Bute Street. Ramp connections between these upper and lower level systems shall be integrated with the surrounding environment and be as unobtrusive as possible.

These facilities shall be adequate to serve the needs of the population and be generally as illustrated on Figures 9A, 9B and 9C. Streets, walkways, and bicycle routes shall be designed, constructed, and conveyed by the owner. Agreements securing the design, construction, and conveyance of these facilities will be required prior to the enactment of the first sub-area zoning. The developer will be obligated to construct the streets and utilities in phases which will be specified for the range of sub-area rezoning phasing possibilities.

Prior to processing a sub-area zoning and application for the Coal Harbour development site, a comprehensive traffic and transit study shall be completed to determine the impact of the Coal Harbour development on new and existing streets and transit systems, and the traffic situation in this area shall be regularly monitored with a report back to Council at least prior to each sub-area zoning stage.

3.4 Parking and Loading

Parking and loading shall be adequate to serve all uses. Visitor parking shall be provided and clearly identified. Parking and loading requirements will be determined with each sub-area zoning.

3.5 Views

The development of Coal Harbour shall preserve views and maximize potential views of the city's natural setting and unique features contributing to its special identity, as follows:

Public Street End Views:

All northerly corridor views along existing Downtown north-south streets to the water and mountains shall be maintained. Minor intrusions into the Burrard and Thurlow Street-end view corridors shall be permitted for floating marine vessel berths, and for minor building and landscape elements providing public amenity.

A minimum 5 degree view angle from each side of the extension of existing downtown streets shall be taken from the following positions, which vary according to the street location along the waterfront:

- Burrard Street: from the south side of Cordova Street extension at the intersection with an extension of the Burrard street property line of the property north of the Cordova Street extension;
- Burrard, Thurlow and Bute Streets; from the south side of the Cordova Street extension;
- Jervis Street – for buildings above 10.7 m in height; from the north side of the Hastings Street extension at the corner cut-off junction points; for buildings up to 10.7 m in height, from the south side of the Cordova Street extension;
- Broughton and Nicola Streets; from the south side of the Hastings Street extension;
- Cardero Street; from a point midway between the north side of Georgia Street and the north side of the waterfront loop road alignment east of Cardero Street.

The new base surface and street grades should be contoured to maximize preservation of views downward to the water from north-south streets.

Public Open Space Views:

New opportunities should be provided in new development to view waterfront activities, Stanley Park and/or the North Shore mountains wherever possible. In particular, views from existing public places such as Portal Park should be protected. Some panoramic views should be maintained to at least 45 degrees.

The development should preserve major view corridors towards Stanley Park. The development should preserve reasonable northerly and Stanley Park views from all existing buildings and publicly accessible plazas.

Landmark Views:

New development should respect views to important landmarks, such as the Marine Building and Canada Place 'sails'.

Private Views:

The new private views created for the on-site development should also allow for preservation of some private views from existing and likely future development south of the site.

The minimum extent of public views to be protected and created is illustrated on Figure 10A. Other public open space and landmark views that will be confirmed at the sub-area zoning stage are illustrated on Figure 10B. Additional public and private views may be required as a result of sub-area zoning analysis to meet the above intents.

3.6 Building Height

No building shall exceed 100 metres in height, except as noted below, and except roof projections may be permitted above this height, provided that they do not contain habitable space and are designed as capping elements complementary to the design of the building. Heights shall be varied and sculpted to respond to public open spaces and to enhance the sense of the water basin. Generally, buildings shall step back from the shoreline, with the higher buildings located at the easterly end of the area, and lower buildings at the westerly edge. In the Harbour Green residential precinct (area 2) the maximum building height may be ~~relaxed by up to 10 percent~~ increased by up to 10 percent and in the Burrard Landing mixed-use hotel/commercial precinct (area 3) the maximum building height may be ~~relaxed up to 137 m~~ increased up to 137 m if, in both cases, improvements to the criteria noted below can be demonstrated.

Building heights shall be measured from new adjacent street grades, if specified in the CD-1 By-law, or the new base surface, such surface configured to ensure gradual transitions from the downtown grade to the waterfront edge.

The heights for lower level commercial office buildings between Thurlow and Burrard Streets should relate to the heights and cornice lines of adjacent older buildings, and shall in no case exceed a maximum height of 30 metres or 6 storeys, whichever is less.

Building heights for specific locations will be determined in each sub-area zoning, having regard to the Illustrative Plans described in Section 6 and:

(a) public and private views, including views created by the development form;
(b) shadowing of public and private open spaces and streets;
(c) privacy;
(d) effects on the scale and character of open spaces; and
(e) form relationships to nearby buildings.

DOWNTOWN
OFFICIAL DEVELOPMENT PLAN

(Adopted by By-law No. 4912, November 4, 1975)

Table of Contents

Page

Application and Intent 3

Interpretation 4

Definitions 5

Section 1 – Land Use 7

Section 2 – Retail Use Continuity 12

Section 3 – Density 14

Section 4 – Height of Buildings 19

Section 5 – Horizontal Angle of Daylight 24

Section 6 – Parking [See also Parking By-law.] 25

Section 7 – Social, Cultural and Recreational Amenities and Facilities 26

Section 8 – Public Realm Design 27

List of Maps and Figures

Page

Downtown District 3

Map 1 Areas 10

Map 1A Live-Work Areas 11

Map 2 Retail Uses 14

Map 3 Height of Buildings 20

Figure 1 Granville Street - Proposed Building Envelope 21

Map 4 Height of Buildings in View Cones (Downtown South) 23

Map 5 Parking 25

Map 6 Public Realm Areas 27

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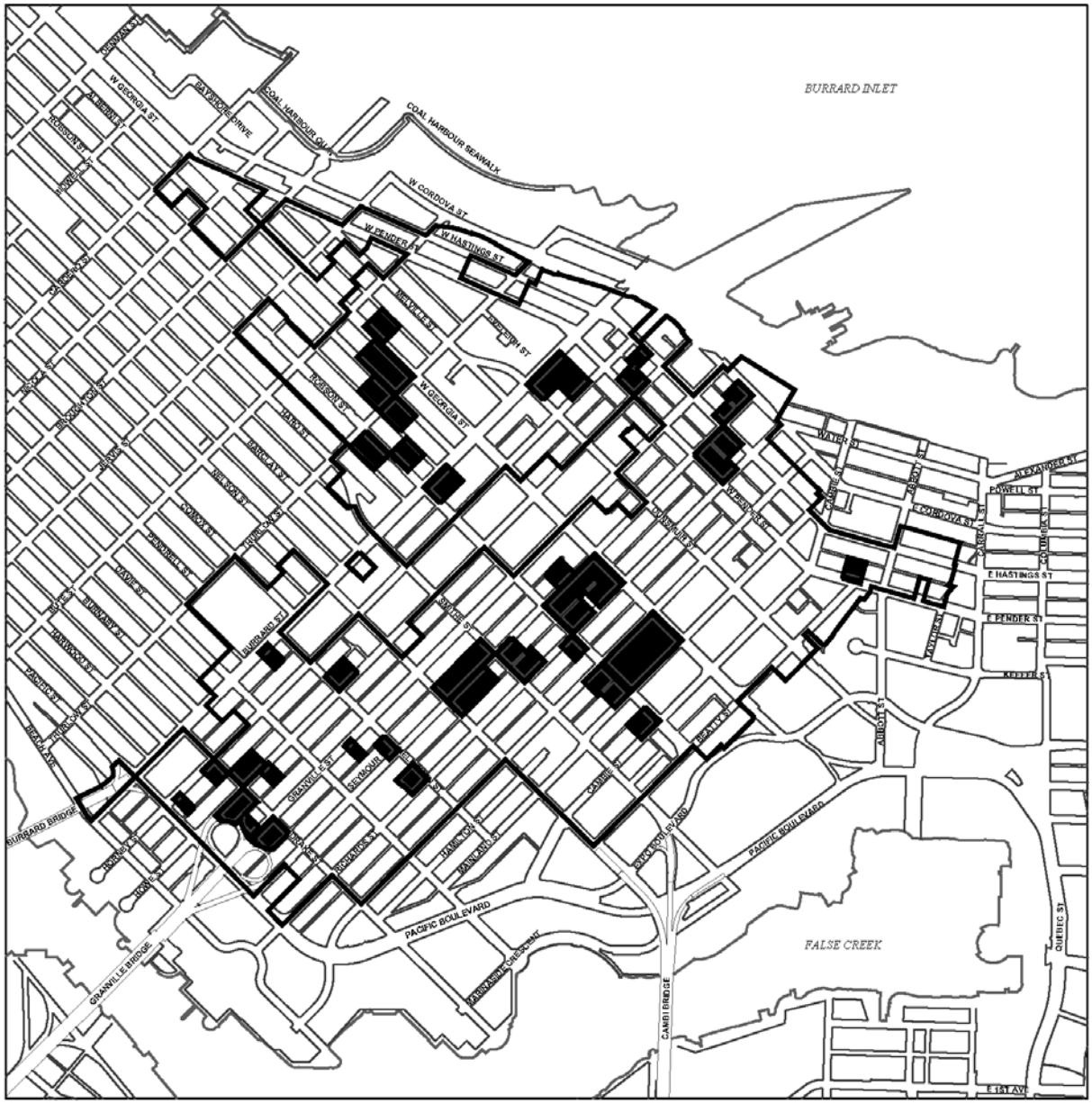
Downtown Official Development Plan

Application and Intent

A By-law to regulate the development of that part of the City of Vancouver for which the Zoning District is described as "Downtown District (DD)".

Downtown District



Downtown District Zoning Boundary

Area not zoned DD

NORTH

The Downtown District is the regional centre of commercial development.

It contains the greatest concentration of the working and shopping public within the region.

The well-being of this concentration of people requires more than the customary regulatory mechanisms in order that the buildings, the open spaces, the streets, the transportation systems and other components of the urban scene can be arranged appropriately for the benefit of the general public.

The intent, in the adoption of this Official Development Plan and the accompanying guidelines, is as follows:

(1) to improve the general environment of the Downtown District as an attractive place in which to live, work, shop and visit;
(2) to ensure that all buildings and developments in the Downtown District meet the highest standards of design and amenity for the benefit of all users of the Downtown;
(3) to provide for flexibility and creativity in the preparation of development proposals;
(4) to encourage more people to live within the Downtown District;
(5) to support the objectives of the Greater Vancouver Regional District as referred to in "The Livable Region 1976/1986" as issued March 1975, to decentralize some office employment to other parts of Greater Vancouver by discouraging office developments considered inappropriate in the Downtown District;
(6) to improve transportation downtown by encouraging greater transit usage, discouraging automobile usage for journeys to work, and by maintaining automobile access for non-work trips including shopping, business and entertainment;
(7) to create a distinctive public realm and a unique and pleasing streetscape in the Downtown District.

The Official Development Plan By-law provides the general framework for the preparation of development plans for all individual buildings or complexes of buildings.

Development permit applications will be made in accordance with the procedures in the Zoning and Development By-law No. 3575.

Consideration of any development permit application will be based upon the regulations and requirements of the Official Development Plan and all applicable policies and guidelines adopted by Council.

A significant degree of flexibility is given to architects and others in the preparation of development proposals. A significant degree of discretion is also given to the Development Permit Board in the interpretation of regulations, policies and guidelines.

Guidelines approved by Council form an integral part of the development control procedure for the Downtown District.

In approving any development permit application within the District, the Development Permit Board shall be satisfied that the spirit and intent of such guidelines has been fulfilled.

Interpretation

A distinction is drawn in this By-law between regulations and interpretive requirements as follows:

1. Regulations are set out for land use; maximum and minimum standards for building density in terms of floor space ratio; maximum standards for parking and minimum requirements for loading.
2. Interpretive requirements are set out with respect to the permitted height of buildings, social and recreational amenities and facilities.

In the design and/or approval of individual developments variations are permitted in the interpretive requirements.

The Development Permit Board, in the exercise of its jurisdiction, may relax the provisions of this Plan in any case where literal enforcement would result in unnecessary hardship. In granting any relaxation, the Board shall have regard to the intent and policies of this Plan, and such other applicable policies and guidelines adopted by Council.

The Director of Planning or the Development Permit Board, as the case may be, may relax any of the provisions of this Plan where literal enforcement would result in unnecessary hardship in carrying out any restoration or renovation of buildings or sites on the Vancouver Heritage Register adopted by Council and in effect at the time of application for relaxation under this section. Any development permit issued shall specify the heritage aspects of the building or site that merit the relaxation authorized by this section. Before granting any relaxation, the Director of Planning or the Development Permit Board shall:

(a) consider any advice from the Vancouver Heritage Commission or any other body established by Council for this purpose defining the aspects of the building or site that give it heritage merit and advising on the proposed conservation work;
(b) notify such adjacent property owners and tenants as deemed necessary, consider the responses received, and if there is significant objection, refer the matter to Council for advice; and
(c) consider the provisions of this Plan and all applicable policies and guidelines adopted by Council.

Definitions

The definitions contained in Section 2 of the Zoning and Development By-law shall apply to this ODP, except as varied or supplemented by the following:

"**Floor space ratio**" shall mean the figure obtained when the area of all floors of all buildings on the site (measured to the extreme outer limits of the building) is divided by the area of the site.

"**Hotel**" shall mean premises providing temporary accommodation by way of furnished sleeping, housekeeping or dwelling units.

"**Interior site**" shall mean a site which is flanked by other sites or a site and a lane.

"**Light industrial**" shall mean any service, manufacturing, wholesaling, warehouse, or other light industrial use, as may be approved by the Development Permit Board and be compatible with the office, retail or other commercial uses as well as the Residential use of the Downtown District.

"**Office commercial**" shall mean any office, including banks and financial institutions.

"**Other commercial**" shall mean any other commercial use not being "retail" or "office".

"**Retail commercial**" means Retail Use, retail type service activity, or restaurant (excluding a drive-in).

"**Secured market rental housing**" means a development or part of a development, used only as market rental housing, which has a covenant or housing agreement registered against title restricting its use to market rental housing, for the longer of 60 years or the life of the building, or for such other term as may be agreed upon by the City and the owner.

"**Social Housing**" means rental housing:

(a) in which at least 30% of the dwelling units are occupied by households with incomes below housing income limits, as set out in the current "Housing Income Limits" table published by the British Columbia Housing Management Commission, or equivalent publication, which may include households such as those that receive Income Assistance or rent supplements or basic Old Age Security pension and Guaranteed Income Supplement or disability assistance or War Veterans Allowance;

(b) which is owned by a non-profit corporation, by a non-profit co-operative association, or by or on behalf of the City, the Province of British Columbia, or Canada; and

(c) in respect of which the registered owner or ground lessee of the freehold or leasehold title to the land on which the housing is situate has granted to the city a section 219 covenant, housing agreement, or other security for the housing commitments required by the city registered against the freehold or leasehold title, with such priority of registration as the city may require, provided that such housing commitments must meet subsection (a) and, if financially viable, may exceed subsection (a) in order to address local needs;

except that in the HA-2 district; in the area of the FC-1 district located north of National Avenue; in the area of the M-1, I-2, RT-3 and RM-3A districts located north of Venables Street, Malkin Avenue and Prior Street, south of Hastings Street, east of Gore Avenue and west of Clark Drive; in the Downtown-Eastside Oppenheimer district; and in the area of the Downtown district denoted as C2 on Map 1 of the Downtown Official Development Plan; social housing means rental housing:

(d) in which at least one third of the dwelling units are occupied by persons eligible for either Income Assistance or a combination of basic Old Age Security pension and Guaranteed Income Supplement and are rented at rates no higher than the shelter component of Income Assistance;

(e) which is owned by a non-profit corporation, by a non-profit co-operative association, or by or on behalf of the City, the Province of British Columbia, or Canada; and

(f) in respect of which the registered owner or ground lessee of the freehold or leasehold title to the land on which the housing is situate has granted to the City a section 219 covenant, housing agreement, or other security for the housing commitments required by the City, registered against the freehold or leasehold title, with such priority of registration as the City may require.

"**Retail continuity**" shall mean the provision and permanent maintenance of continuous pedestrian oriented retail store type display windows or other equal and suitable display as may be approved by the Development Permit Board. Entrances to buildings, including offices, hotels, banks, financial institutions, shall not exceed a total of 25 feet of frontage unless they otherwise provide approved retail continuity.

Section 1 – Land Use

In order to increase the variety, amenity and safety of Downtown, well-designed residential uses will be both permitted and encouraged throughout the Downtown, except for the Central Business District. In the core of the Central Business District residential use will not be permitted. In other areas of the Central Business District a mix of uses within single developments or in neighbouring sites is permitted and encouraged.

1. In the areas denoted by the letters 'A', 'B', 'C1', 'E' and 'F' on Map 1 the following uses may be permitted, subject to such conditions and regulations as may be prescribed by the Development Permit Board:

   (a) Hotel;
   (b) Light Industrial;
   (c) Office Commercial;
   (d) Other Commercial, including a Body-Rub Parlour;
   (e) Parking Area and Parking Garage, subject to the provisions of section 6;
   (f) Parks and Open Space;
   (g) Public and Institutional;
   (h) Retail Commercial;
   (i) Social, Recreational and Cultural, including Casino - Class 1 and Bingo Hall.

2. In the area denoted by the letter 'E' on Map 1, dwelling uses existing as of March 26, 2015 may be permitted.

3. In the areas denoted by the letters 'C2', 'C3', 'C4', 'G', 'H', 'J' and 'O' on Map 1 the following uses may be permitted, subject to such conditions and regulations as may be prescribed by the Development Permit Board:

   (a) Hotel;
   (b) Light Industrial;
   (c) Office Commercial;
   (d) Other Commercial, including a Body-Rub Parlour;
   (e) Parking Area and Parking Garage, subject to the provisions of section 6;
   (f) Parks and Open Space;
   (g) Public and Institutional;
   (h) Dwelling Uses;
   (i) Retail Commercial;
   (j) Social, Recreational and Cultural, including Casino - Class 1 and Bingo Hall.

4. The areas denoted by the letters 'C2' and 'C3' may include live-work use if:

   (a) the use complies with section 11 of the Zoning and Development By-law;
   (b) the use is on a site identified on Map 1A; and
   (c) on Seymour Street, Nelson Street, and Smithe Street:
      (i) the premises have direct access to grade, and
      (ii) the principal entrance to the non-residential component is not more than 1.5 m above grade.

5. Any development permit issued for live-work use must stipulate as permitted uses:

   (a) dwelling unit;
   (b) beauty and wellness centre, general office, health care office, barber shop or beauty salon, photofinishing or photography studio, or artist studio – class A; and
   (c) dwelling unit combined with any use set out in subsection (b).

6. In the areas denoted by the letters ‘K1’, ‘K2’, ‘K3’, ‘L1’, ‘L2’, ‘M’ and ‘N’ on Map 1 the uses listed below, which shall have the meaning assigned to them by section 2 of the Zoning and Development By-law, may be permitted, subject to such conditions and regulations as may be prescribed by the Development Permit Board.

7. In the area denoted by the letter ‘C2’ on Map 1, the following uses may be permitted:

   (a) Micro dwelling, subject to section 11 of the Zoning and Development By-law.

8. The areas denoted by the letters ‘L1’, ‘M’, and ‘N’ may include live-work use if:

   (a) the use complies with section 11 of the Zoning and Development By-laws;
   (b) the use is on a site identified on Map 1A; and
   (c) on Hornby Street, Howe Street, Seymour Street, Nelson Street, and Smithe Street:
      (i) the premises have direct access to grade, and
      (ii) the principal entrance to the non-residential component is not more than 1.5 m above grade.

9. Any development permit issued for live-work use must stipulate as permitted uses:

   (a) live-work use;
   (b) dwelling unit; and
   (c) beauty and wellness centre, general office, health care office, barber shop or beauty salon, photofinishing and photography studio, and artist studio – class A.

10. In the areas denoted by the letters ‘K1’, ‘K2’ and ‘K3’ on Map 1 the following uses may be permitted:

   (a) Institutional Uses;
   (b) Office Uses;
   (c) Parking Garage, subject to the provisions of section 6;
   (d) Retail Uses, except that Vehicle Dealer is limited to the rental of motor vehicles;
   (e) Service Uses, except Auction Hall, Catering Establishment, Drive-through Service, Funeral Home, Laboratory, Laundry or Cleaning Plant, Motor Vehicle Repair Shop, Motor Vehicle Wash, Photofinishing or Photography Laboratory, Repair Shop - Class A, Restaurant - Drive-in, Sign Painting Shop.

11. In the area denoted by the letter ‘K1’ the following additional uses may be permitted:

   (a) Cultural and Recreational Uses, including Casino - Class 1 and Bingo Hall;
   (b) Rooming House existing as of October 7, 1997.

12. In the area denoted by the letter ‘K2’ the following additional uses may be permitted:

   (a) Cultural and Recreational Uses, including Casino - Class 1 and Bingo Hall, except that Arcades shall not be located on a floor having an elevation within 2.0 m of street grade;
   (b) Dwelling Uses.

13. In the area denoted by the letter ‘K3’ the following additional uses may be permitted:

   (a) Cultural and Recreational Uses but excluding Arcade, Casino - Class 1 or Bingo Hall;
   (b) Dwelling Uses.

14. In the areas denoted by the letters ‘L1’ and ‘N’ on Map 1 the following uses may be permitted:

(a) Cultural and Recreational Uses but excluding Arcade, Casino - Class 1 or Bingo Hall;
(b) Dwelling Uses;
(c) Institutional Uses;
(d) Office Uses;
(e) Parking Uses, subject to the provisions of section 6;
(f) Retail Uses, limited to Adult Retail Store, Grocery or Drug Store, Retail Store;
(g) Service Uses, limited to Barber Shop or Beauty Salon, Beauty and Wellness Centre, Bed and Breakfast Accommodation, Hotel, Laundromat or Dry Cleaning Establishment, Photofinishing or Photography Studio, Repair Shop - Class B, Restaurant - Class 1.

15. In the area denoted by the letter ‘L2’ on Map 1 the following uses may be permitted:

(a) Cultural and Recreational Uses but excluding Arcade, Casino - Class 1, Casino - Class 2, and Bingo Hall;
(b) Dwelling Uses;
(c) Institutional Uses;
(d) Office Uses;
(e) Parking Uses, subject to the provisions of section 6;
(f) Retail Uses, limited to Grocery or Drug Store, Retail Store;
(g) Service Uses, limited to Barber Shop or Beauty Salon, Beauty and Wellness Centre, Bed and Breakfast Accommodation, Laundromat or Dry Cleaning Establishment, Photofinishing or Photography Studio, Repair Shop - Class B, Restaurant - Class 1.

16. In the area denoted by the letter ‘L2’ on Map 1 the following additional uses may be permitted in any building existing on December 11, 2001 but will not be permitted in any alteration or extension to such building or in any new building:

(a) Retail Uses, limited to Furniture or Appliance Store, Secondhand Store, Vehicle Dealer;
(b) Service Uses, limited to Animal Clinic, Auction Hall, Catering Establishment, Print Shop, Production or Rehearsal Studio, School-Arts or Self-Improvement, School-Business, School-Vocational or Trade, Sign Painting Shop, Work Shop;
(c) Manufacturing Uses, limited to Clothing Manufacturing, Electrical Products or Appliances Manufacturing, Furniture or Fixtures Manufacturing, Jewellery Manufacturing, Leather Products Manufacturing, Printing or Publishing, Shoes or Boots Manufacturing, Textiles or Knit Goods Manufacturing;
(d) Transportation and Storage Uses, limited to Packaging Plant, Storage Warehouse;
(e) Utility and Communication Uses, limited to Radiocommunication Station; and
(f) Wholesale Uses, limited to Wholesaling - Class A, Wholesaling - Class B.

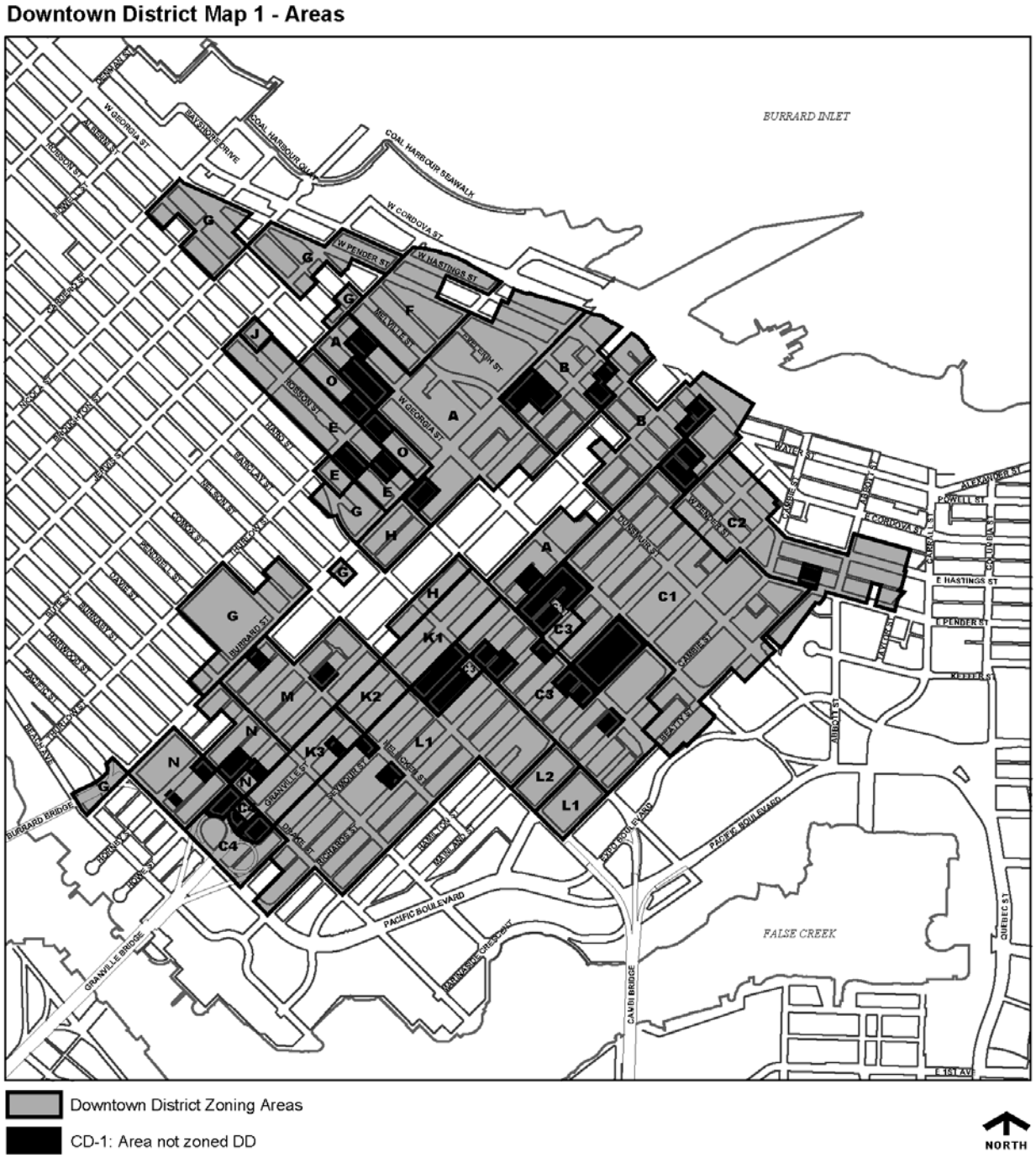
17. In the area denoted by the letter ‘M’ on Map 1 the following uses may be permitted:

(a) Cultural and Recreational Uses but excluding Arcade, Casino - Class 1 or Bingo Hall;
(b) Dwelling Uses;
(c) Institutional Uses;
(d) Office Uses;
(e) Parking Uses, subject to the provisions of section 6;
(f) Retail Uses, except Furniture or Appliance Store, Vehicle Dealer;
(g) Service Uses, except Auction Hall, Catering Establishment, Cabaret, Drive-through Service, Funeral Home, Laboratory, Laundry or Cleaning Plant, Motor Vehicle Repair Shop, Photofinishing or Photography Laboratory, Repair Shop - Class A, Restaurant - Class 2, Sign Painting Shop.

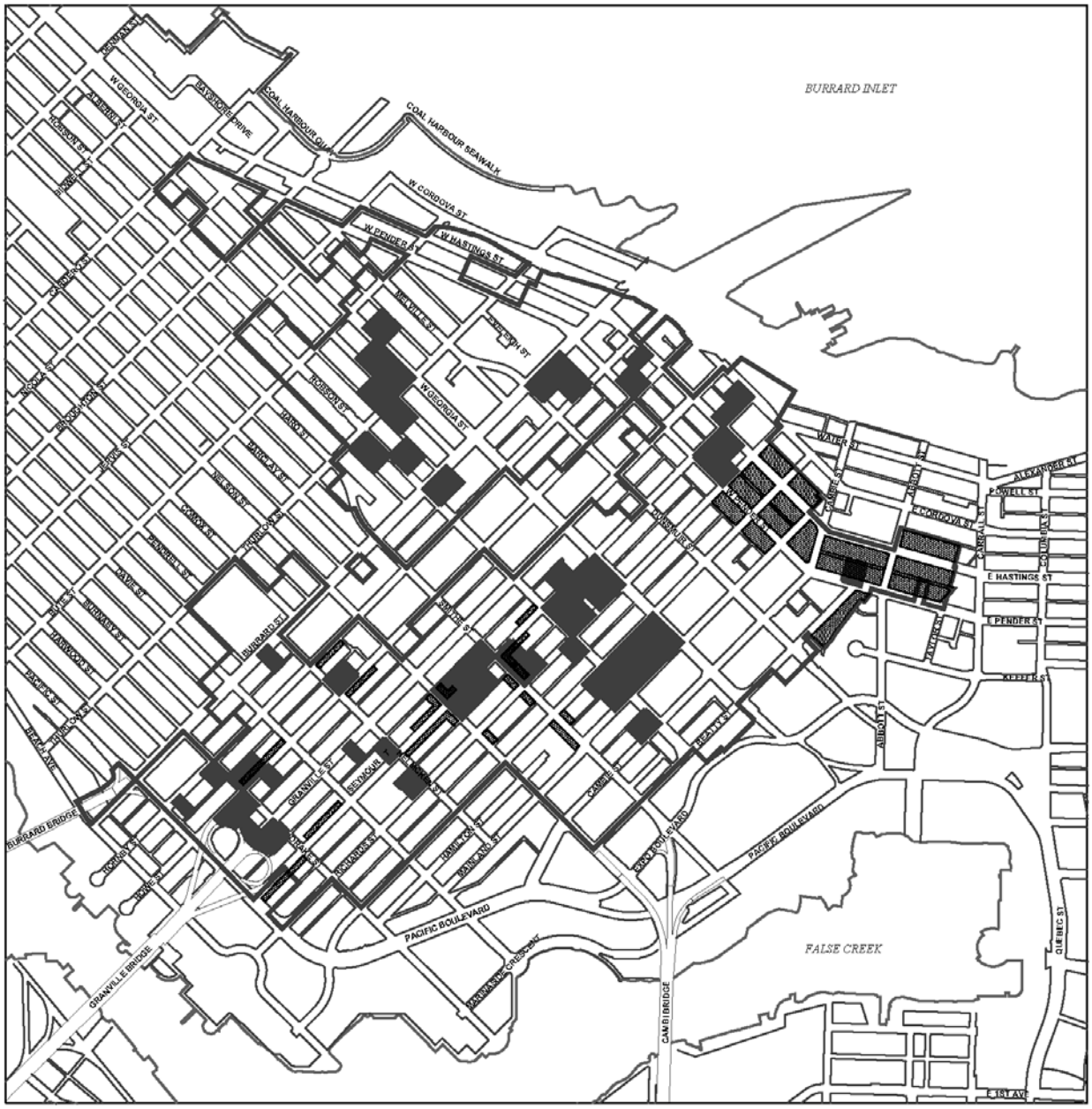
18. Cannabis Store use is subject to the provisions of section 11 of the Zoning and Development By-law.

19. In all areas where Dwelling Uses are permitted, Temporary Modular Housing is permitted subject to the provisions of section 11 of the Zoning and Development By-law. Temporary Modular Housing is not subject to any of the use or design provisions of this ODP.

Downtown District Map 1 - Areas



Downtown District Map 1A - Live Work Areas



Section 2 – Retail Use Continuity

The intent of this section is to provide for retail, retail-commercial and service uses along existing and potential pedestrian routes for the interest and enjoyment of pedestrians and to identify where continuous retail and service uses are prohibited.

1. Retail, retail-commercial or service uses shall be required on the ground floor of street frontages, as designated by and in accordance with Map 2, subject to such conditions, regulations and design guidelines that apply or that may be determined by the Development Permit Board or the Director of Planning.

   In cases where Map 2 designates a street frontage as requiring 'some ground floor retail, retail-commercial and service uses', the following shall apply:

   (a) retail, retail-commercial and service uses shall only be required where a development site has a frontage of 75 feet or more;
   (b) in cases of sites identified in (a) above, a minimum of 25 percent of each of the development site's frontages on streets shall contain retail, retail-commercial or service uses; and
   (c) the Development Permit Board or the Director of Planning may waive the retail or service use requirement identified in (a) and (b) above, in cases where pedestrian interest is maintained through building design or use, and the Development Permit Board or the Director of Planning is satisfied that the building could be easily converted to retail use.

2. Notwithstanding sub-section 1, retail, retail-commercial and service uses are permitted on the ground floor of all street frontages where such uses are not otherwise prohibited by Map 2, but shall be subject to such conditions, regulations and design guidelines that apply or that may be determined by the Development Permit Board or the Director of Planning.

3. In cases where retail, retail-commercial or service uses are provided on the ground floor at the fronting street, there shall be direct pedestrian access from the street to each retail, retail-commercial or service use.

4. Notwithstanding sub-sections 1 and 3, in cases where the proposed use is located in a building or site on the Vancouver Heritage Register, the Development Permit Board or the Director of Planning may waive the requirement for continuous ground floor retail, retail-commercial and service uses and the requirement for direct pedestrian access, both subject to such conditions, regulations and design guidelines that apply or that they may determine.

5. Notwithstanding sub-section 1, the Development Permit Board or the Director of Planning may permit social, recreational, cultural, public and institutional uses where they are satisfied that there is a need for such uses, subject to such conditions, regulations and design guidelines that apply or that they may determine.

6. To increase activity on the street, retail and service uses in the areas denoted by the letters 'K1', 'K2', 'K3', 'L1', 'L2', 'M', and 'N' on Map 1 shall be oriented to the street frontage. Buildings with retail oriented to interior circulation, such as malls, are not appropriate except that the Development Permit Board or the Director of Planning may, in unusual circumstances, ~~relax~~ vary this sub-section 6.

7. Retail, retail-commercial and service uses shall be prohibited on the ground floor of street frontages, as designated by and in accordance with Map 2.

8. Despite anything to the contrary in this Downtown Official Development Plan, the Development Permit Board or Director of Planning may permit social service centre, general office, or health care office uses on the ground floors of buildings having street frontages on Hastings Street east of Cambie Street subject to such conditions, regulations, and design guidelines that apply or that the Development Permit Board or Director of Planning may determine.

Downtown District Map 2 - Retail Uses

Downtown District Zoning Boundary

Area not zoned DD

Continuous ground floor retail, retail-commercial and service uses required.

Some ground floor retail, retail-commercial and service uses required.

Ground floor retail, retail-commercial and service uses prohibited, except:
(a) in corner sites where up to 2,500 sq. ft. of retail, retail-commercial, and service uses are permitted;
(b) along Mainland Street frontage between Nelson and Smithe Streets, and along Nelson and Smithe street frontages between Mainland and Cambie Streets, for the life of the building existing as of December 11, 2001; and
(c) when permitted as accessory uses customarily ancillary to a hotel in the area denoted by the letter 'N' on Map 1.

Section 3 – Density

Vancouver's Downtown is and will remain the highest-density commercial area within the City and within the Greater Vancouver Region. However, in order to achieve objectives which include:

- participation with and encouragement of the Greater Vancouver Regional District's policies for Regional Town Centres;
- encouragement of residential use within the Downtown;
- encouragement of a mixture of uses in single developments; and
- high standards of design throughout the Downtown;

the permitted maximum density is varied throughout this District.

1. Subject to conformity with the guidelines and subject to subsections 2, 3 and 4, the maximum permitted density (floor space ratio) shall in no case exceed the amount shown for each of the density areas within the district as illustrated on Map 1 and described below:

   A in the area denoted by the letter 'A', the total density for all permitted uses must not exceed a floor space ratio of 11.00;

   B in the area denoted by the letter 'B', the total density for all permitted uses must not exceed a floor space ratio of 9.00;

   C1 in the area denoted by the letter 'C1', the total density for all permitted uses must not exceed a floor space ratio of 7.00;

   C2 in the area denoted by the letter 'C2', the total density for all permitted uses must not exceed a floor space ratio of 5.00;

   C3 in the area denoted by the letter 'C3', the total density for all permitted uses must not exceed a floor space ratio of 5.00, and, for new construction, an addition to an existing building that increases the residential floor area, or a change of use in an existing building that increases the residential floor area, the total density for non-residential uses must not be less than a floor space ratio of 2.00;

   C4 in the area denoted by the letter 'C4', the total density for all permitted uses must not exceed a floor space ratio of 5.00;

   E in the area denoted by the letter 'E', the maximum density for any non-residential use shall be floor space ratio 3.00;

   F in the area denoted by the letter 'F', the total density for all permitted uses must not exceed a floor space ratio of 9.00;

   G in the area denoted by the letter 'G', the total density for all permitted uses shall be floor space ratio 6.00, except that office uses shall not exceed floor space ratio of 5.00;

   H in the area denoted by the letter 'H', the total density for all permitted uses must not exceed a floor space ratio of 6.00 except that:

   - residential uses must not exceed a floor space ratio of 3.00,

   and, for new construction, an addition to an existing building that increases the residential floor area, or a change of use in an existing building that increases the residential floor area, the total density for non-residential uses must not be less than a floor space ratio of 2.00;

   J in the area denoted by the letter 'J', the maximum density shall be floor space ratio 3.00.

   K in the areas denoted by the letters 'K1', 'K2' and 'K3', the maximum density for all permitted uses shall be floor space ratio 3.50, subject to the provision of retail and service uses at grade as specified in section 2;

L in the areas denoted by the letter 'L1', 'L2', the maximum density for all uses shall be floor space ratio 3.00, except that:

- the maximum density for all uses for a site with social housing shall be floor space ratio 5.00 provided that social housing comprises more than two-thirds of the floor space ratio;
- the maximum density for all uses on a corner site with a minimum frontage of 175 feet and a minimum site area of 21,000 square feet shall be floor space ratio 5.00;
- the maximum density for all uses on an interior site with a minimum frontage of 200 feet and a minimum site area of 24,000 square feet shall be floor space ratio 5.00; and

all subject to the following limitations:

- office uses, institutional uses, cultural and recreational uses, and hotel use in the area denoted by the letter 'L1', shall not in total exceed floor space ratio 1.00; except on the 400 and 500 block Pacific Boulevard where office uses shall not exceed floor space ratio 2.00 and where institutional uses and cultural and recreational uses shall not in total exceed floor space ratio 1.00 provided that office uses, institutional uses, and cultural and recreational uses shall not in total exceed floor space ratio 2.00;

retail and service uses, except hotel, are more particularly limited as follows:

- on Davie Street, the 400 block Pacific Boulevard, and the 500 block Pacific Boulevard, to a maximum of 10,000 square feet per site; and
- in all other locations to corner sites and to a maximum of 2,500 square feet per site;

L2 in the area denoted by the letter 'L2' and despite the preceding subsection, the maximum density for all permitted uses may be increased to 2.74 for a building existing as of December 13, 2001 except that Retail Uses are limited to 4 645 m².

M in the area denoted by the letter 'M', the maximum density for all uses shall be floor space ratio 3.00, except that:

- the maximum density for all uses for a site with social housing shall be floor space ratio 5.00 provided that social housing comprises more than two-thirds of the floor space ratio;
- the maximum density for all uses on a corner site with a minimum frontage of 175 feet and a minimum site area of 21,000 square feet shall be floor space ratio 5.00;
- the maximum density for all uses on an interior site with a minimum frontage of 200 feet and a minimum site area of 24,000 square feet shall be floor space ratio 5.00; and

all subject to the following limitations:

retail and service uses, except hotels, are limited as follows:

- on Davie Street to a maximum of 10,000 square feet per site;
- on Burrard Street to a maximum of 20,000 square feet per site; and
- in all other locations to corner sites and to a maximum of 2,500 square feet per site;

N in the area denoted by the letter 'N', the maximum density for all uses shall be floor space ratio 5.00, except that:

- for a hotel use existing on or before September 18, 2018, the floor space ratio shall not exceed the greater of the floor space ratio existing on September 18, 2018, plus any difference in area excluded in the computation of floor space ratio of the existing use, or a maximum floor space ratio of 5.00;
- office uses, institutional uses, and cultural and recreational uses shall not in total exceed floor space ratio 1.00;
- retail and service uses, except hotel, are more particularly limited as follows:
- on Davie Street to a maximum of 10,000 square feet per site;
- on Burrard Street to a maximum of 20,000 square feet per site; and

in all other locations to corner sites and to a maximum of 2,500 square feet per site;

O in the area denoted by the letter 'O', the total density for all permitted uses shall be floor space ratio 7.00 except that office use shall not exceed floor space ratio 6.00.

2. The Development Permit Board may permit an increase in the floor space ratio for hotels in:

- the areas denoted by the letters ‘A’, ‘B’, ‘C1’, ‘C3’, ‘C4’, ‘F’ and ‘O’ on Map 1 except for the area bordered by Pacific, Seymour, Drake and Howe Streets; and
- the 1200, 1300, 1400 and 1500 blocks of Georgia Street in the area denoted by the letter ‘G’ on Map 1;

provided that:

(a) the increase in no case exceeds a maximum of 15% of the floor area of that portion of the building having floor-to-floor dimensions of less than 10 feet and used for guest accommodation and ancillary corridors, service and access areas;
(b) it first considers the impact of additional density on built form, neighbouring sites and buildings, livability, views, shadowing and local pedestrian and vehicular circulation; and
(c) it first considers all applicable policies and guidelines adopted by Council.

3. Except in the areas denoted by the letters ‘A’, ‘B’, ‘C1’, ‘F’, ‘K1’, ‘K2’, ‘K3’, ‘L1’, ‘L2’, ‘M’ and ‘N’ on Map 1, residential floor area may be substituted for non-residential floor area.

4. Despite subsections 1 and 3, the density of residential use must not exceed a floor space ratio of 3.00, except:

(a) in the areas denoted by the letters ‘G’, ‘K1’, ‘K2’, ‘K3’, ‘L1’, ‘L2’, ‘M’, ‘N’, and ‘O’ on Map 1; and
(b) in the area denoted by the letter ‘C2’ on Map 1, if social housing comprises a minimum of two-thirds of the floor space ratio or if secured market rental housing comprises all of the residential units, on a site with a maximum frontage of 23 m, the Development Permit Board may permit an increase in density to a maximum floor space ratio of 6.00 if the Development Permit Board first considers:
    (i) the intent of this official development plan;
    (ii) the height, bulk and location of the building and its effect on the site, surrounding buildings and streets, existing views and general amenity of the area;
    (iii) the liveability of the proposed residential units;
    (iv) the retail continuity requirements in Section 2; and
    (v) all applicable Council policies and guidelines.

5. Despite subsections 1 and 4, the density of live-work use, or residential use and live-work use combined, must not exceed a floor space ratio of 3.0 in the area denoted by the letter ‘C2’ or ‘C4’ on Map 1.

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

(a) ~~open residential~~ balconies and~~or~~ ~~sun~~decks and any other appurtenances which, in the opinion of the Director of Planning, are similar to the foregoing and contribute to the amenity or environment of the Downtown District, provided that the total area of all exclusions does not exceed ~~eight percent~~ 8 % of the ~~provided residential~~ floor area being provided;
(b) patios and~~or~~ roof decks~~gardens~~ provided that ~~any sunroofs or walls are approved by~~ the Director of Planning first considers the effect on privacy and overlook;
(c) where floors are used for off-street parking and loading, the taking on or discharging of passengers, bicycle storage, heating and mechanical equipment, or uses which, in the opinion of the Director of Planning, are similar to the foregoing, those floors or portions thereof so used, which are at or below the base surface, provided that the maximum exclusion for a parking space shall not exceed 24 feet in length;
(d) all residential storage space above or below base surface, except that if the residential storage space above base surface exceeds 3.7 m² per dwelling unit, there will be no exclusion for any of the residential storage space above base surface for that unit;

(e) for exterior walls in laneway houses and in one and two-family dwellings of three storeys or less with or without secondary suites, an area equal to the area occupied by the insulation thickness that exceeds the performance of the prescriptive thermal resistance (RSI value) requirement for exterior walls in the Building By-law, as verified by a Building Envelope Professional, to a maximum exclusion of 330 mm;

(f) for exterior walls in residential buildings that are three storeys or less and classified as Group C buildings under the Building By-law, other than those buildings referred to in subsection (e):

(i) an area equal to the area occupied by the insulation thickness that exceeds the performance of the prescriptive thermal resistance (RSI value) requirement for exterior walls in the Building By-law, as verified by a Building Envelope Professional, to a maximum exclusion of 179 mm, and

(ii) an area equal to the area occupied by a rain screen system in a wall that exceeds 203 mm, as verified by a Building Envelope Professional, to a maximum exclusion of 152 mm;

(g) for exterior walls in all buildings other than those referred to in subsections (e) and (f):

(i) an area equal to the area occupied by the insulation thickness that exceeds the performance of the prescriptive maximum effective thermal transmittance (U factor) requirement for exterior walls in the Building By-law, as verified by a Building Envelope Professional, to a maximum exclusion of 179 mm, and

(ii) an area equal to the area occupied by a rain screen system in a wall that exceeds 203 mm, as verified by a Building Envelope Professional, to a maximum exclusion of 152 mm; and

(h) in buildings with commercial, retail or service use at grade, the area occupied by interior commercial kitchen exhaust shafts, to a maximum exclusion of 3.7 m² for each floor above the commercial, retail or service use.

7. The following may be excluded in the computation of floor space ratio:

(a) enclosed residential balconies, provided that the Director of Planning first considers all applicable policies and guidelines adopted by Council and approves the design of any balcony enclosure subject to the following:

(i) the total area of all open and enclosed balcony or ~~sun~~deck exclusions does not exceed eight percent of the residential floor area being provided; and

(ii) no more than fifty percent of the excluded balcony floor area may be enclosed;

(b) interior public space, including atria and other similar spaces, provided that:

(i) the excluded area shall not exceed the lesser of 10 percent of the permitted floor area or 6,000 square feet;

(ii) the excluded area shall be secured by covenant and right of way in favour of the City of Vancouver which set out public access and use; and

(iii) the Director of Planning first considers all applicable policies and guidelines adopted by Council.

8. For the purpose of floor space ratio calculation, each square foot of floor area for above-grade parking shall be counted as 0.70 square feet.

9. The Director of Planning or the Development Permit Board may permit an increase in floor space ratio for a development which includes the restoration of an existing building, site, landmark or feature, if the existing building, site, landmark or feature is listed in the Vancouver Heritage Register, if Council first approves a heritage designation by-law, and if the Director of Planning or the Development Permit Board first considers:

(a) all applicable Council policies and guidelines;
(b) the cost and extent of the heritage restoration;
(c) the value of the increased floor area; and
(d) the impact of the development upon neighbourhood livability and environmental quality.

10. The Development Permit Board may, for any development within the areas denoted by the letters 'K1', 'K2' and 'K3' which, as of July 30, 1991, includes a building containing housekeeping or sleeping units and listed on the Vancouver Heritage Register, ~~permit an increase in floor space ratio, subject to prior approval by City Council, provided that the increase in floor space ratio~~ relax the permitted floor space ratio, subject to prior approval by City Council, provided that the relaxation to permitted floor space ratio:

    (a) is not used in the areas denoted by the letters 'K1', 'K2' and 'K3'; and
    (b) is used to provide at least an equivalent number of replacement residential units within the areas denoted by the letters 'L1', 'L2', 'M' or 'N'. Such replacement residential units shall be preserved in the public domain by way of a registered agreement and operated by the City or its delegates.

    ~~In determining the increase in~~ In determining the relaxation to permitted floor space ratio that may be authorized, the Development Permit Board, with advice from the Director of Housing and Properties, shall consider:

    (a) the cost to the Developer of providing the replacement residential units;
    (b) the value of the increased floor area; and
    (c) the value of any authorized relaxation of other regulations.

11. Floor space excluded pursuant to subsection 5 or as provided for in the definition of "floor space ratio" shall not be put to any use other than that which justified the exclusion.

12. Live-work floor space is eligible for floor space exclusions under subsections 6, 7, and 11 of this Section 3.

13. Despite subsection 1 of this Section 3, for any development that includes social housing, other than in the areas marked "K1", "K2", and "K3" on Map 1, the Development Permit Board may ~~increase the permitted floor area~~relax the permitted floor area, except that:

    (a) the Development Permit Board shall consider:
        (i) the advice of city staff and city officials responsible for housing and real estate,
        (ii) the cost to the developer of providing the social housing,
        (iii) the value of the increased floor area,
        (iv) the value of any relaxation of other regulations,
        (v) the impact on neighbourhood livability and environmental quality, and
        (vi) all applicable Council policies and guidelines;
    (b) any increase in floor space ratio must be subject to a Housing Agreement that secures the social housing; and
    (c) Council approval is required prior to issuance of the development permit.

14. Notwithstanding subsections 1, 3 and 4, the Development Permit Board may permit an increase in floor space ratio for any use where the increase results from a transfer of heritage floor space to a maximum of 10 percent over the total permitted floor space ratio, except that this increase shall not apply to hotels where the floor space has already been increased pursuant to subsection 2 or a development where there has been an increase in floor space ratio by means of amenity shares pursuant to subsection 15.

    For the purpose of this subsection, heritage floor space means floor space on a site where the site or a building or a structure is designated by the Heritage By-law and, according to the development limitation mechanism regulating land for that site, is available to be transferred to another site and is located within areas shown as transfer of density areas for heritage preservation illustrated in the Transfer of Density Policy and Procedure adopted by Council and in effect at the time of application for relaxation under this section.

15. Despite subsections 1, 4, and 5, if the Development Permit Board first considers the intent of this district schedule, all applicable Council policies and guidelines and the submissions of any advisory groups, property owners or tenants, and there is no heritage floor space available for transfer, the Development Permit Board may permit an additional increase in permitted floor area of one m^2 for each amenity share provided to the city at no cost to the city, to a maximum increase of 10% above the maximum permitted floor space ratio.

In this by-law, amenity means conservation of protected heritage property and the cost of an amenity share is the amount specified per m^2 in the Heritage Amenity Share Cost Schedule set out in Table 3.1 below.

Table 3.1
Heritage Amenity Share Cost Schedule

Zoning District	Amenity Share Cost
Downtown Official Development Plan (DODP)	$925 per m^2

Section 4 – Height of Buildings

1. The purpose of this Section 4 is to ensure that the height of new development is compatible with the height of existing development.

2. The height of a building in a numbered area shown on Map 3 must not exceed the basic maximum height in Column 2 of Table 1 opposite the corresponding numbered area in Column 1 unless:

   (a) subsection 4 of this Section 4 applies; or
   (b) the Development Permit Board allows an increase in height under Column 3 of Table 1 opposite the corresponding numbered area or under subsection (4).

3. The criteria referred to in Column 3 of Table 1 are the size and location of the site; the relationship of the development with nearby residential areas; the intent of this Plan; Council's policies and guidelines; the bulk, location, and overall design of the building; the building's effect on the site, surrounding buildings, streets, and existing views; the amount of open space; the effects of overall design on the general amenity of the area; the provision of pedestrian amenities and public realm requirements; the preservation of the character and general amenity desired for the area; overshadowing and view obstruction; environmental criteria set out in Council's design guidelines; and the submission of any advisory group, property owner, or tenant.

Table 1

Area	Basic maximum height	Increased maximum height
1	22.9 m	If social housing comprises a minimum of two-thirds of the floor space ratio on a site, or if secured market rental housing comprises all of the residential units, the Development Permit Board, after considering all applicable Council policies and guidelines, may increase the height to a maximum of 32.0 m.
2	21.3 m	After considering the criteria, the Development Permit Board may increase the basic maximum height to no more than 137.2 m.
3	The distance between the ground plane and the horizontal planes shown on Figure 1	After considering Council's policies and guidelines, the Development Permit Board may increase the basic maximum height to no more than 27.4 m.
4	45.7 m	After considering the criteria, the Development Permit Board may increase the basic maximum height to no more than 137.2 m.
5	91.4 m	After considering the criteria, the Development Permit Board may increase the basic maximum height to no more than 137.2 m.
6	91.4 m except that, on a corner site that has a frontage less than 53.3 m or an interior site that has a frontage less than 61 m, the height must not exceed 21.3 m	To accommodate extra density for social housing and after considering the criteria, the Development Permit Board may increase the basic maximum height of 21.3 m to no more than 36.6 m.
7	91.4 m	
8	137.2 m	

Map 3

Downtown District Map 3 - Building Height Limits

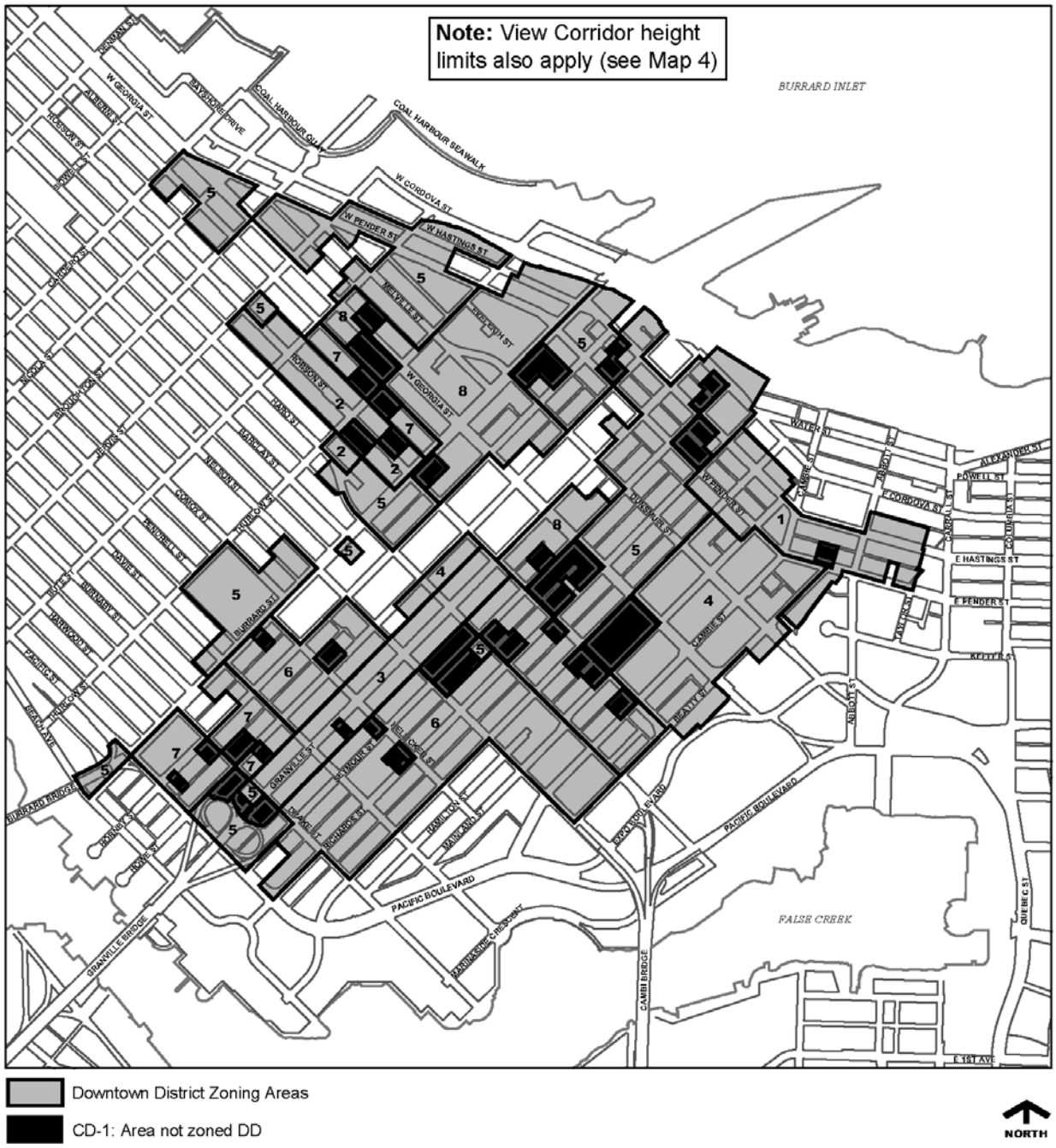
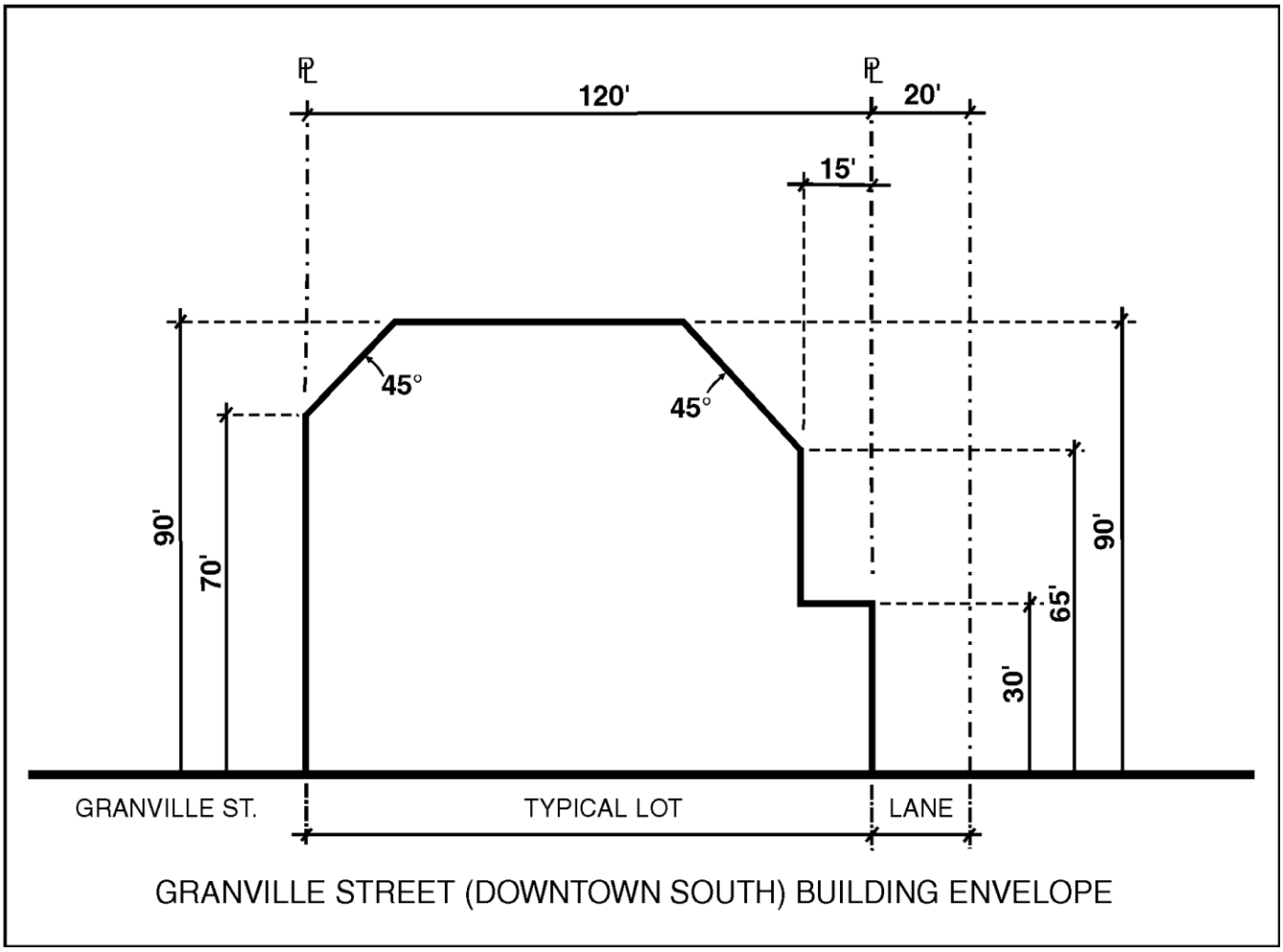
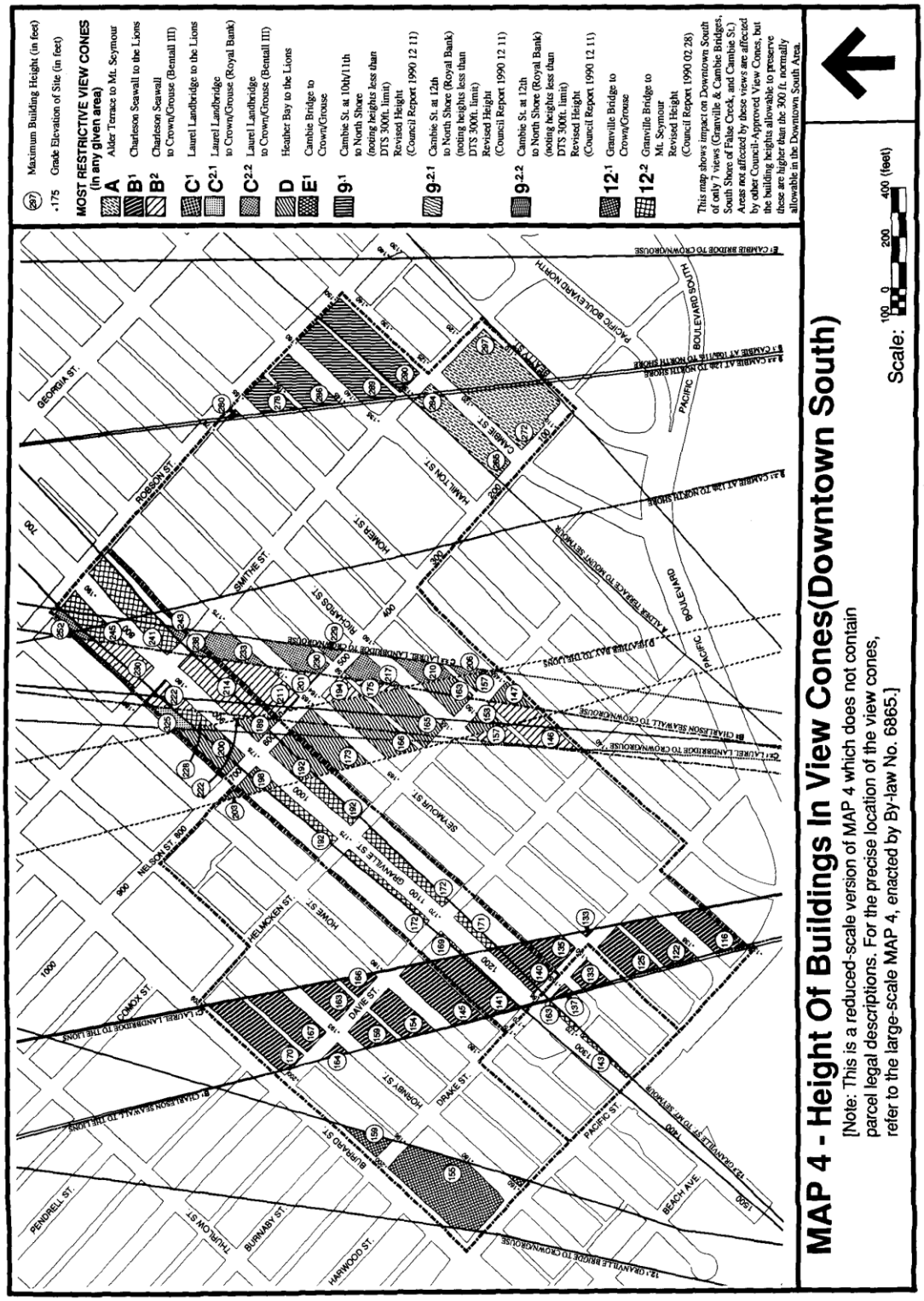


Figure 1.


PL
PL
120'
20'
15'
45°
45°
90'
70'
90'
65'
30'
GRANVILLE ST.
TYPICAL LOT
LANE
GRANVILLE STREET (DOWNTOWN SOUTH) BUILDING ENVELOPE

4. The height of a building in a view cone area shown on Map 4 must not exceed the applicable basic maximum height shown on Map 4 unless, after considering Council's policies and guidelines, the Development Permit Board increases any basic maximum height set out in Map 4 by no more than 10%.

Map 4



Section 5 – Horizontal Angle of Daylight

1. Each habitable room must have at least one window on an exterior wall of a building.

2. Each exterior window must be located so that a plane or planes extending from the window and formed by an angle of 50 degrees, or two angles with a sum of 70 degrees, will encounter no obstruction over a distance of 24.0 m.

3. The plane or planes referred to in Section 2 must be measured horizontally from the centre of the bottom of each window.

4. The Director of Planning or Development Permit Board may ~~relax~~ vary the horizontal angle of daylight requirement, if:

   (a) the Director of Planning or Development Permit Board first considers all the applicable policies and guidelines adopted by Council; and
   (b) the minimum distance of unobstructed view is not less than 3.7 m.

5. An obstruction referred to in Section 2 means:

   (a) any part of the same building including permitted projections; or
   (b) the largest building permitted under the zoning on any adjoining site.

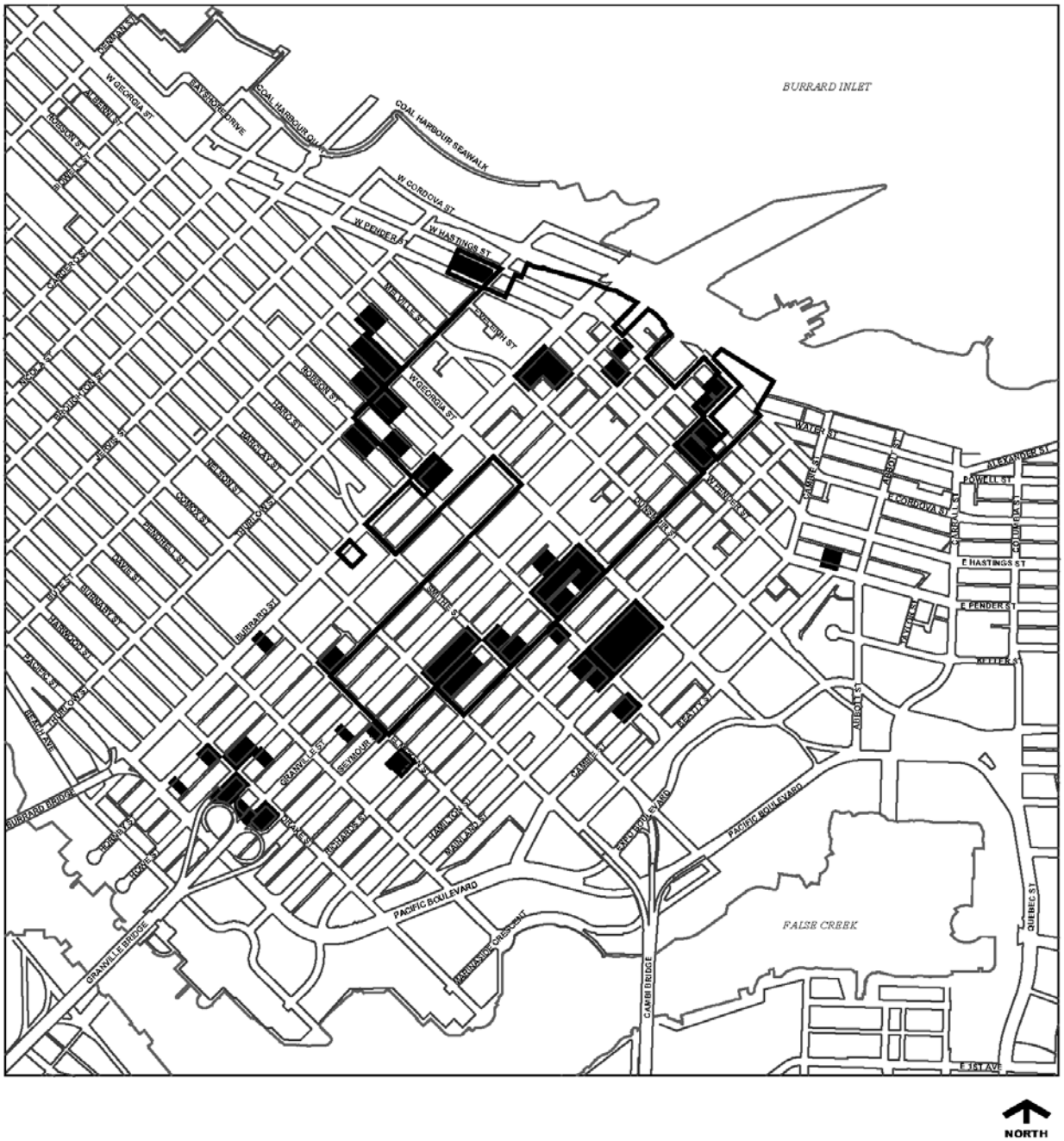
6. A habitable room referred to in section 1 does not mean:

   (a) a bathroom; or
   (b) a kitchen whose floor area is the lesser of:
      (i) 10% or less of the total floor area of the dwelling unit, or
      (ii) 9.3 m^2.

Section 6 – Parking [See also Parking By-law.]

Parking garages which are not accessory to another use on the site may be permitted within the areas indicated by the heavy black outline on Map 5 but are not permitted outside the areas indicated.

Downtown District Map 5 - Parking



Area not zoned DD

Section 7 – Social, Cultural and Recreational Amenities and Facilities

It is the purpose of this section to provide in the Downtown area social and recreational amenities primarily for the enjoyment of downtown residents and employees.

(1) facilities which provide opportunities for physical fitness;
(2) facilities for general recreation;
(3) facilities which provide a service to the public; and
(4) facilities for arts and culture.

Facilities or areas which contribute to physical amenity, such as parks, plazas, arcades or ornamental elements in the landscape, are not included in this section. These items and others of a similar nature will be provided where appropriate, as part of the design of the buildings.

I. Exclusion from Floor Space Ratio

The following ancillary facilities are excluded from the floor area measurement provided that the area of such excluded facilities contained in this section does not exceed 20 percent of allowable floor space ratio or 10,000 square feet, whichever is the lesser.

List of Excluded Uses:

(i) saunas;
(ii) tennis courts;
(iii) swimming pools;
(iv) squash courts;
(v) gymnasiums and workout rooms;
(vi) games rooms and hobby rooms;
(vii) day care centres;
(viii) libraries (public);
(ix) other uses of a public service, social or recreational nature, which, in the opinion of the Development Permit Board, are similar to the above.

II. Bonuses for Provision of Social, Cultural and Recreational Facilities

Where a need for any public, social, cultural or recreational facility has been demonstrated to the satisfaction of the Development Permit Board, the Board may ~~authorize~~ relax, for any building which includes one or more of such facilities, ~~an increase in~~ the permitted floor space ratio or density of a building, subject to prior approval by City Council.

In determining the ~~increase in~~ relaxation to permitted ~~-~~floor area or density that may be authorized, the Development Permit Board shall consider:

(a) the construction cost of the facility;
(b) any costs to the developer of continuing maintenance required for the facility;
(c) the rental value of the increased floor area; and
(d) the value of any authorized relaxation of other restrictions.

If appropriate, such facilities shall be preserved in the public domain by way of a registered agreement and operated by the City or its delegates.

Section 8 – Public Realm Design

The purpose of this section is to help create distinctive areas and neighbourhoods in the Downtown through the enhancement of the public realm with special treatment of the streetscape.

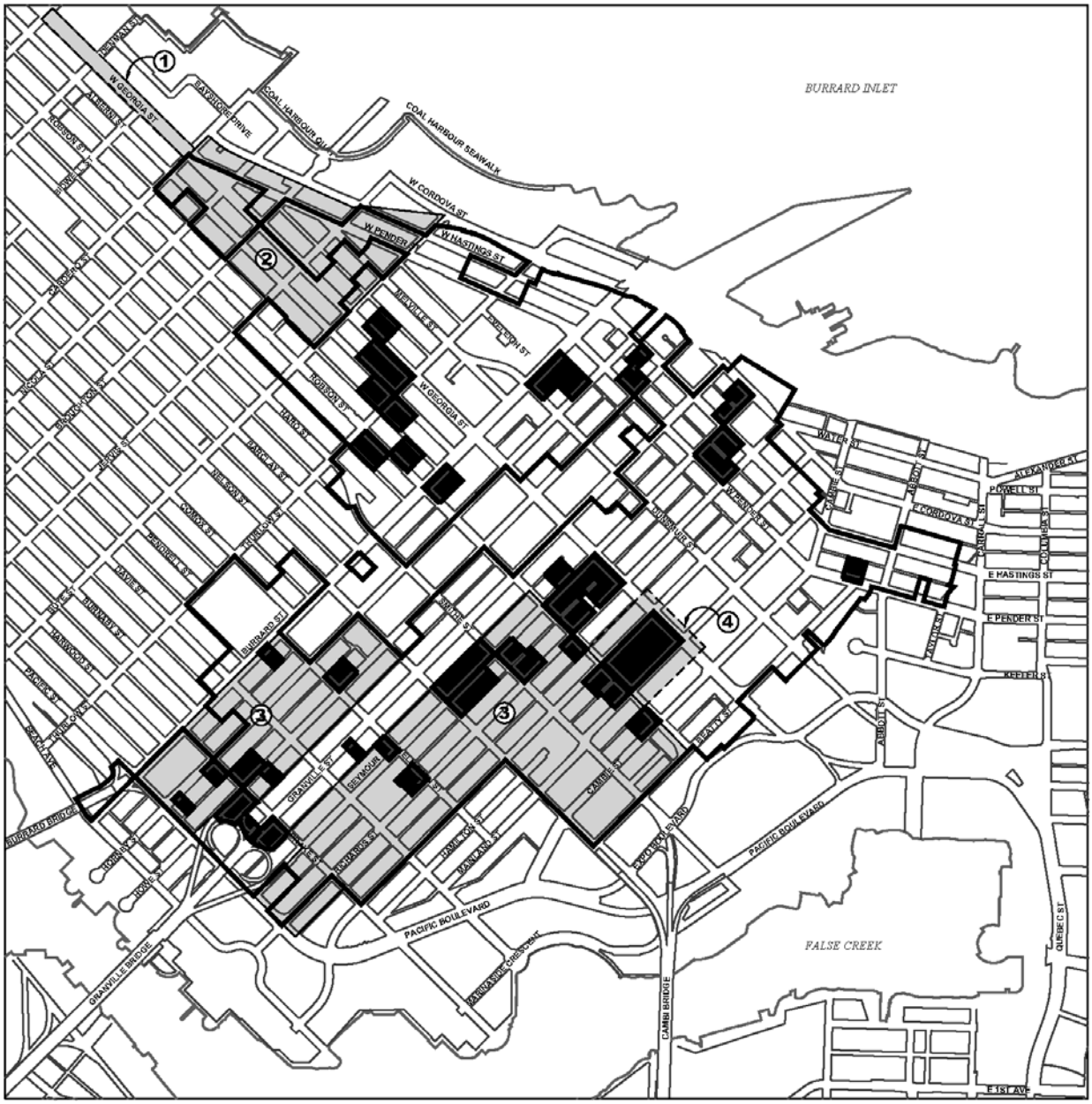
The City has developed plans and guidelines for the design of the public realm for those areas highlighted on Map 6.

In addition to park designs and the normally required street designs, special public realm designs shall be provided in the denoted areas.

Buildings, semi-public open spaces and setback areas should be designed and detailed to complement the design of the public realm. Streetscape designs as outlined in Council-adopted guidelines, manuals, and policies, will form an integral part of development permit applications.

Aspects to consider include, but are not limited to: setback requirements, paving, lighting, planting, driveway crossings, pedestrian entrances and walks, seating, display windows, weather protection, garbage storage, and loading facilities.

Downtown District Map 6 - Public Realm Areas



Downtown District Zoning Boundary

Area not zoned DD

Council - Approved Public Realm Areas:

1. Georgia Street - West End
2. Triangle West
3. Downtown South
4. Library Precinct

NORTH

Section 4 Sub-area 1 Main/Hastings

4.1 Intent

The development of the Main/Hastings sub-area, outlined on Map 1, should further establish its importance as a gateway to the Downtown, and help to clarify the functions of the adjacent Historic Areas of Gastown and Chinatown and the Oppenheimer and Strathcona residential neighbourhoods.

Therefore, this area is intended to be a high-density, mixed commercial and residential area, appropriate for a mix of office, retail, local social services, and other similar uses.

Residential uses are also permitted. Pedestrian-oriented uses, primarily retail and restaurant, are encouraged at ground level with an emphasis on continuity of facade and narrow frontages for individual uses on Main Street from Hastings to Cordova and along Hastings Street from Carrall to approximately Dunlevy.

The retention and upgrading of existing multi-unit residential buildings is encouraged. The development of new residential units on upper floors of buildings is encouraged through a floor space bonus system. Special design measures, however, should be undertaken to mitigate the air and noise pollution problems.

4.2 Uses

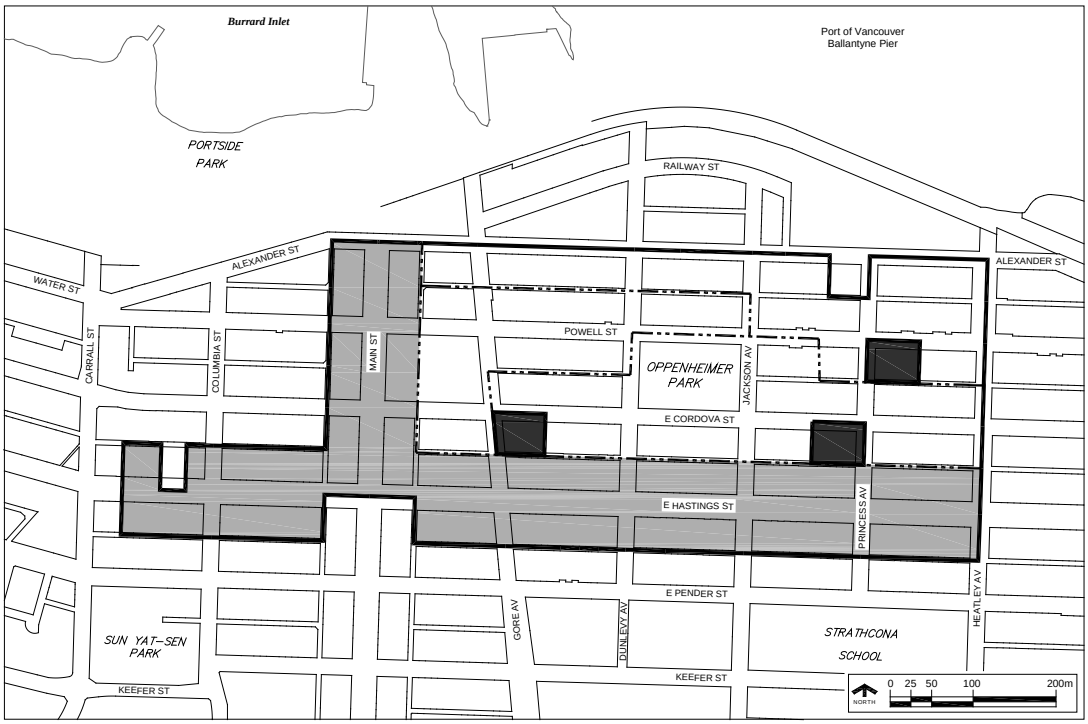
4.2.1 The following uses, and others accessory thereto, may be permitted, subject to the CONDITIONS OF USE and to such conditions or regulations as may be prescribed by the Development Permit Board:

(a) Office commercial, except that:
  (i) on the ground floor, any office commercial use shall be limited to a financial, law, insurance, travel agency, medical-dental or real estate office; and
  (ii) on floors above the ground floor, construction for office commercial use shall only be permitted if a minimum of 50 percent of the floor area created after April 20, 1982 is developed for residential purposes.
(b) Retail commercial, including class 1 restaurants but not including a liquor store.
(c) Other commercial, including, but not necessarily limited to, a business or vocational school, a drama or dance academy, a billiard hall, bowling alley, steam bath, photography studio, theatre, artist studio, or sign or showcard painting, but not including a hotel, restaurant - class 2, cabaret or neighbourhood public house.
(d) Residential, with an emphasis on self-contained units.
(e) Micro dwelling, subject to section 11 of the Zoning and Development By-law.
(f) Community Care Facility – Class B and Group Residence.
(g) Light industrial, including, but not necessarily limited to the following, provided that all manufacturing and storage takes place within a wholly enclosed building, and provided that the Development Permit Board is satisfied that the use is compatible with the mixed use character of the area:
  Lithography; printing; publishing; warehousing; wholesaling; food or beverage product manufacturing (but not involving the milling of grain, rice, malt; the refining of sugar; the refining of vegetable oil or fat; the brewing or distilling of alcoholic beverages; the processing of fats, bones, hides, skins, offal, or animal products of a like nature; the use of fish; or the use of live animals or live poultry); manufacturing of miscellaneous light products, including brooms or brushes; jewelry or silverware; musical instruments; novelties, decorations or ornaments; scientific or professional equipment; signs or displays; stationery supplies or office supplies; toys; window shades or blinds.
(h) Live-Work Use, subject to section 11 of the Zoning and Development By-law.
(i) Building or uses required to serve the educational, cultural, health, social, recreational or local economic development needs of the local community and not otherwise permitted.
(j) Cannabis Store, subject to section 11of the Zoning and Development By-law.
(k) Any other use which is not specifically listed herein, but which the Development Permit Board considers comparable in nature, having regard to the intent, goals and policies of this Plan.

4.2.2 Temporary Modular Housing may be permitted, subject to the provisions of section 11 of the Zoning and Development By-law. Temporary Modular Housing is not subject to any of the use or design provisions of this Official Development Plan, including the CONDITIONS OF USE.

Downtown Eastside/Oppenheimer District Map 1

Sub-Area 1 Main/Hastings



area not zoned DEOD

4.3 Conditions of Use

The following conditions of use, in addition to such other conditions as the Development Permit Board may decide, shall apply:

(a) a person must not convert all or part of a hotel or other residential use, existing as of April 20, 1982, to an office, other commercial, or live-work use; and

(b) any development permit issued for live-work use must stipulate as permitted uses:
   - (i) dwelling unit;
   - (ii) beauty and wellness centre, general office, health care office, barber shop or beauty salon, photofinishing or photography studio, or artist studio – class A; and
   - (iii) dwelling unit combined with any use set out in clause (ii).

4.4 Retail Continuity

Where indicated on Map 2, only retail and similar uses, and lawyers' offices, shall be permitted on the ground floor along the street frontage so identified; and retail and similar uses shall be encouraged on the other street frontages so identified.

4.4A Exception to retail continuity

Despite anything to the contrary in this Downtown Eastside/Oppenheimer Official Development Plan, the Development Permit Board or Director of Planning may permit social service centre, general office, or health care office uses on the ground floors of buildings having street frontages on Hastings Street subject to development permits limited in time as required by the Development Permit Board or Director of Planning.

4.5 Density

4.5.1 Subject to the provisions of subsection 4.5.2, the maximum density for any development shall be a floor space ratio of 1.0, except that the Development Permit Board may permit an increase in the maximum density:

(a) to a maximum floor space ratio of 5.0, if at least 60% of the residential units comprising not less than 40% of the gross floor area above a floor space ratio of 1.0 are developed as social housing and the remaining 40% of the residential units comprising not more than 60% of the gross floor area above a floor space ratio of 1.0 are developed as secured market rental housing; or

(b) to a maximum floor space ratio of 7.0 on corner sites, if:

(i) a maximum of 2.5 floor space ratio above a floor space ratio of 1.0 is developed as uses listed in 4.2.1 (i), Community Care Facility – Class B and Group Residence, Health Care Office and Health Enhancement Centre and accessory uses,

(ii) no less than 50% of the total gross floor area is developed as residential; where at least 60% of the residential units comprising not less than 40% of the gross residential floor area are developed as social housing and the remaining 40% of the residential units comprising not more than 60% of the gross residential floor area are developed as secured market rental housing,

(iii) the corner site has a frontage no greater than 30.5 m, and

(iv) the Development Permit Board first considers:

(a) the intent of this Official Development By-law and all applicable Council policies and guidelines; and

(b) height, bulk, location and overall design of the building and its effect on the site and on surrounding buildings and streets and existing views, with an emphasis on preserving and strengthening prevailing context and mitigating the impact on the liveability of adjacent residential areas and the impact on public areas such as parks and plazas.

4.5.2 Despite the provisions of subsection 4.5.1, the Director of Planning or the Development Permit Board may permit an increase in the maximum floor space ratio to 1.5 for retail, service, manufacturing, or wholesale uses, and uses listed in 4.2.1 (i) and accessory uses, if:

(a) the uses are existing as of April 29, 2014;

(b) the uses are located on a site existing as of April 29, 2014; and

(c) there is no conversion of existing residential floor area.

4.5.3 Despite the provisions of subsection 4.5.1, the Director of Planning or the Development Permit Board may relax the site frontage maximum of 30.5 m, if:

(a) all residential units are social housing;

(b) enforcement will result in unnecessary hardship;

(c) the Director of Planning or the Development Permit Board first considers all the applicable policies and guidelines adopted by Council; and

(d) the Director of Planning or the Development Permit Board considers the submission of any advisory group, property owner or tenant.

4.5.4 The following shall be excluded in the computation of floor area:

(a) ~~open residential~~ balconies and~~or~~ ~~sun~~decks and any other appurtenances which, in the opinion of the ~~Development Permit Board~~Director of Planning, are similar to the foregoing and contribute to the amenity or environment of the Downtown Eastside/Oppenheimer District, provided that the total area of all exclusions does not exceed ~~eight percent~~ 8% of the ~~provided residential~~ floor area being provided;

(b) where floors are used for off-street parking and loading, the taking on or discharging of passengers, bicycle storage, heating and mechanical equipment, or uses which, in the opinion of the Director of Planning, are similar to the foregoing, those floors or portions thereof so used, which are at or below the base surface, provided that the maximum exclusion for a parking space shall not exceed 24 feet in length;

(c) patios ~~or~~ and roof decks~~gardens~~ provided that ~~any sunroofs or walls are approved by~~the Director of Planning first considers the effect on privacy and overlook;

(d) all residential storage space above or below base surface, except that if the residential storage space above base surface exceeds 3.7 m² per dwelling unit, there will be no exclusion for any of the residential storage space above base surface for that unit;

(e) for exterior walls in laneway houses and in one and two-family dwellings of three storeys or less with or without secondary suites, an area equal to the area occupied by the insulation thickness that exceeds the performance of the prescriptive thermal resistance (RSI value) requirement for exterior walls in the Building By-law, as verified by a Building Envelope Professional, to a maximum exclusion of 330 mm;

(f) for exterior walls in residential buildings that are three storeys or less and classified as Group C buildings under the Building By-law, other than those buildings referred to in subsection (e):

(i) an area equal to the area occupied by the insulation thickness that exceeds the performance of the prescriptive thermal resistance (RSI value) requirement for exterior walls in the Building By-law, as verified by a Building Envelope Professional, to a maximum exclusion of 179 mm, and

(ii) an area equal to the area occupied by a rain screen system in a wall that exceeds 203 mm, as verified by a Building Envelope Professional, to a maximum exclusion of 152 mm;

(g) for exterior walls in all buildings other than those referred to in subsections (e) and (f):

(i) an area equal to the area occupied by the insulation thickness that exceeds the performance of the prescriptive maximum effective thermal transmittance (U factor) requirement for exterior walls in the Building By-law, as verified by a Building Envelope Professional, to a maximum exclusion of 179 mm, and

(ii) an area equal to the area occupied by a rain screen system in a wall that exceeds 203 mm, as verified by a Building Envelope Professional, to a maximum exclusion of 152 mm; and

(h) in buildings with commercial, retail or service use at grade, the area occupied by interior commercial kitchen exhaust shafts, to a maximum exclusion of 3.7 m² for each floor above the commercial, retail or service use.

4.5.5 The following may be excluded in the computation of floor area:

(a) enclosed residential balconies, provided that the Director of Planning first considers all applicable policies and guidelines adopted by Council and approves the design of any balcony enclosure subject to the following:

(i) the total area of all open and enclosed balcony or ~~sun~~deck exclusions does not exceed eight percent of the residential floor area being provided; and

(ii) no more than fifty percent of the excluded balcony floor area may be enclosed.

4.5.6 Floor area excluded pursuant to sections 4.5.4 and 4.5.5 pursuant to section 2.1 shall not be put to any use other than that which justified the exclusion.

4.6 Physical Form

4.6.1 Height

The minimum height of a building within the area denoted by the letter "A" on Map 3 shall be 11 meters (approximately 36 feet; approximately 3 storeys). The maximum height of a building within the total Main/Hastings sub-area shall be 30 meters (approximately 98 feet; approximately eight storeys).

The Development Permit Board may permit an increase in the maximum height of a building to a maximum of 36.6 m for a development on a corner site in Sub-area 1 Main/Hastings, if:

(a) the corner site has a frontage no greater than 30.5 m; and
(b) the Development Permit Board first considers:
  (i) the intent of this Official Development By-law and all applicable Council policies and guidelines, and
  (ii) height, bulk, location and overall design of the building and its effect on the site and on surrounding buildings and streets and existing views, with an emphasis on preserving and strengthening prevailing context and mitigating the impact on the liveability of adjacent residential areas and the impact on public areas such as parks and plazas.

4.6.2 Frontage -- Not Applicable.

4.6.3 Front Yard -- Not Applicable.

4.6.4 Side Yard

No side yard shall be required, except that where a site abuts an existing residential building with any window lighting a habitable room, any facing wall of a new building shall be set back an adequate distance to ensure light and ventilation to the existing habitable rooms, in accordance with all applicable policies and guidelines adopted by Council.

4.7 [Deleted -- see Parking By-law.]

4.8 Social, Cultural and Recreational Facilities

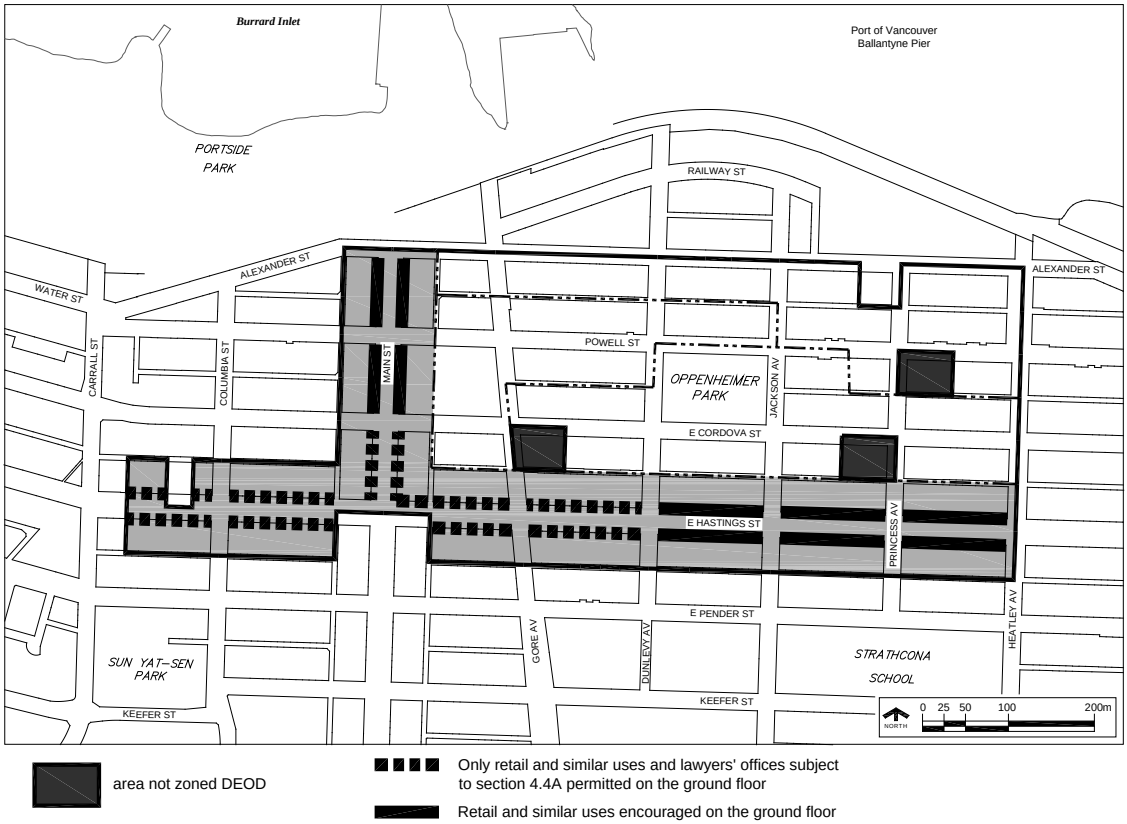
4.8.1 It is the purpose of this section to provide in the Downtown Eastside/Oppenheimer area the following social, cultural and recreational amenities for the enjoyment of Downtown Eastside/Oppenheimer residents and employees:

(a) facilities which provide opportunities for physical fitness;
(b) facilities for general recreation;
(c) facilities which provide a service to the public; and
(d) facilities for arts and culture.

Facilities or areas which contribute to physical amenity, such as parks, plazas, arcades or ornamental elements in the landscape, are not included in this section. Provision of these items and others of a similar nature may be required by the Development Permit Board where appropriate, as part of the design of the building.

Downtown Eastside/Oppenheimer District Map 2

Sub-Area 1 Main/Hastings: Retail Continuity



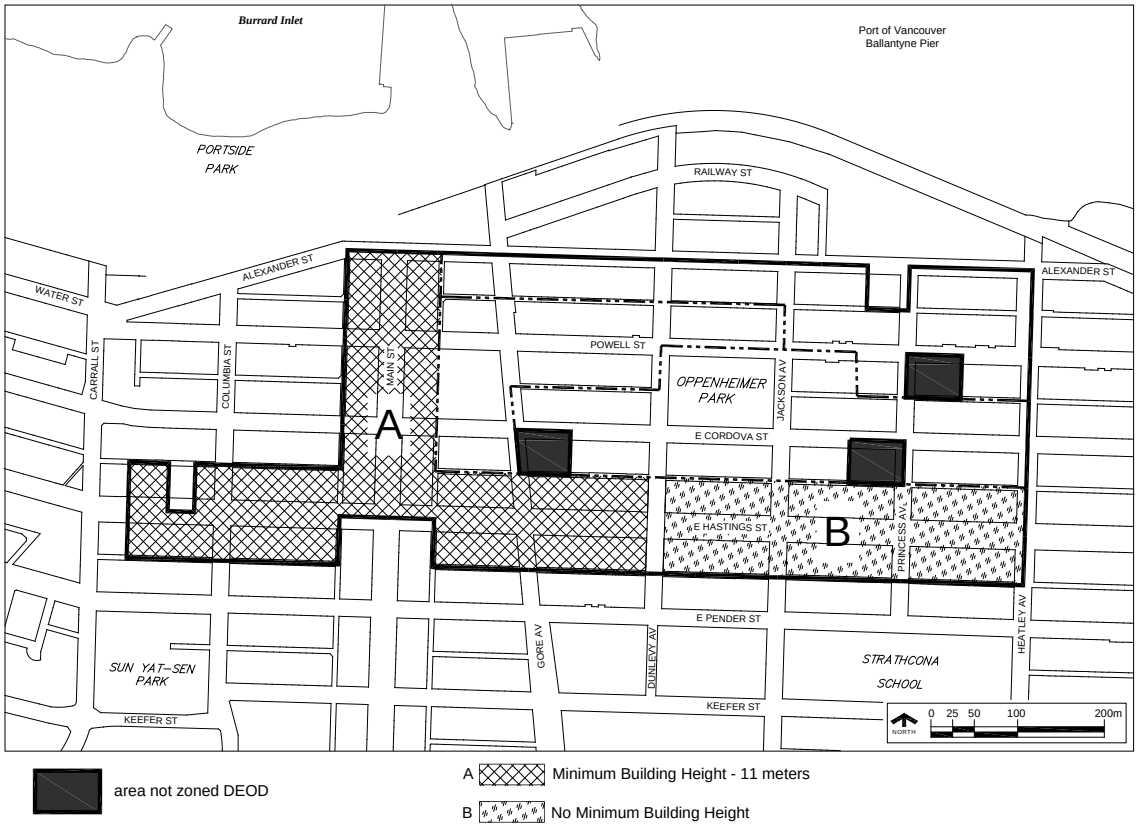
4.8.2 Amenities Excluded from Floor Space Ratio

The following amenities and facilities are excluded from the FSR limitation provided that their area does not exceed 20 percent of the allowable FSR or 929 square meters (approximately 10,000 square feet) whichever is the lesser:

(a) saunas;
(b) tennis courts;
(c) swimming pools;
(d) squash or racquet courts;
(e) gymnasiums and workout rooms;
(f) games rooms and hobby rooms;
(g) day care centres;
(h) other similar or related indoor uses of a social or recreational nature which in the opinion of the Development Permit Board are a type which contribute to social amenity.

Downtown Eastside/Oppenheimer District Map 3

Sub-Area 1 Main/Hastings: Minimum Building Heights



4.8.3 Bonuses for Provision of Social, Cultural and Recreational Amenities

Where a need for any public, social, cultural or recreational facility has been demonstrated to the satisfaction of the Development Permit Board, the Board may ~~authorize, for any building which includes one or more of such facilities, an increase in~~ relax, for any building which includes one or more such facilities, the permitted floor space ratio or density of a building, subject to prior approval by City Council.

~~In determining the increase in~~ In determining the relaxation to permitted floor area or density that may be authorized, the Development Permit Board shall consider:

(a) the construction cost of the facility;
(b) any costs to the developer of continuing maintenance required for the facility;
(c) the rental value of the increased floor area; and
(d) the value of any authorized relaxations of other restrictions.

If appropriate, such facilities shall be preserved in the public domain by way of a registered agreement and operated by the City or its delegates.

Section 5 Sub-area 2 Cordova Street

5.1 Intent

The Cordova Street sub-area, outlined on Map 4, is intended to be a medium density residential area, suitable for residential development for a variety of household types. Rehabilitation of existing residential buildings is encouraged. To upgrade the standard of accommodation available, new units should be self-contained and rehabilitated sleeping and housekeeping units should be converted to self-contained dwelling units where possible.

5.2 Uses

5.2.1 The following uses, and others accessory thereto, may be permitted, subject to the CONDITIONS OF USE and to such conditions or regulations as may be prescribed by the Development Permit Board:

(a) Residential, with an emphasis on self-contained units.
(b) Micro dwelling, subject to section 11 of the Zoning and Development By-law.
(c) Community Care Facility – Class B and Group Residence.
(d) Buildings or uses required to serve the educational, cultural, health, social or recreational or local economic development needs of the local community and not otherwise permitted.
(e) Artist studio.
(f) Any other use which is not specifically listed herein, but which the Development Permit Board considers comparable in nature, having regard to the intent, goals and policies of this Plan.

5.2.2 Temporary Modular Housing may be permitted, subject to the provisions of section 11 of the Zoning and Development By-law. Temporary Modular Housing is not subject to any of the use or design provisions of this Official Development Plan, including the CONDITIONS OF USE.

5.3 Conditions of Use -- Not Applicable.

5.4 Retail Continuity -- Not Applicable.

5.5 Density

5.5.1 Subject to the provisions of subsection 5.5.2, the maximum density for any development shall be a floor space ratio of 1.0, except that the Development Permit Board may permit an increase in the maximum density:

(a) to a maximum floor space ratio of 2.5, if at least 60% of the residential units comprising not less than 40% of the gross floor area above a floor space ratio of 1.0 are developed as social housing and the remaining 40% of the residential units comprising not more than 60% of the gross floor area above a floor space ratio of 1.0 are developed as secured market rental housing; or
(b) to a maximum floor space ratio of 4.5 if:
  (i) the site has a frontage no greater than 45.7 m,
  (ii) the development includes residential and all residential units are social housing, and
  (iii) the Development Permit Board first considers:
    (a) the intent of this Official Development By-law and all applicable Council policies and guidelines; and
    (b) height, bulk, location and overall design of the building and its effect on the site and on surrounding buildings and streets and existing views, with an emphasis on preserving and strengthening prevailing context and mitigating the impact on the liveability of adjacent residential areas and the impact on public areas such as parks and plazas;

5.5.2 Despite the provisions of subsection 5.5.1, the Director of Planning or the Development Permit Board may permit an increase in the maximum floor space ratio to 1.5 for retail, service, manufacturing, or wholesale uses, uses listed in 5.2.1 (i) and accessory uses, if:

(a) the uses are existing as of April 29, 2014;
(b) the uses are located on a site existing as of April 29, 2014; and
(c) there is no conversion of existing residential floor area.

5.5.3 The following shall be excluded in the computation of floor area:

(a) ~~open residential~~ balconies ~~or~~ and ~~sun~~decks and any other appurtenances which, in the opinion of the Development Permit Board, are similar to the foregoing and contribute to the amenity or environment of the Downtown Eastside/Oppenheimer District, provided that the total area of all exclusions does not exceed ~~eight percent~~8% of the ~~provided residential~~ floor area being provided;
(b) where floors are used for off-street parking and loading, the taking on or discharging of passengers, bicycle storage, heating and mechanical equipment, or uses which, in the opinion of the Director of Planning, are similar to the foregoing, those floors or portions thereof so used, which are at or below the base surface, provided that the maximum exclusion for a parking space shall not exceed 24 feet in length;
(c) patios ~~or~~ and roof decks~~garden~~s provided that ~~any sunroofs or walls are approved by~~the Director of Planning first considers the effect on privacy and overlook;
(d) all residential storage space above or below base surface, except that if the residential storage space above base surface exceeds 3.7 m² per dwelling unit, there will be no exclusion for any of the residential storage space above base surface for that unit;
(e) for exterior walls in laneway houses and in one and two-family dwellings of three storeys or less with or without secondary suites, an area equal to the area occupied by the insulation thickness that exceeds the performance of the prescriptive thermal resistance (RSI value) requirement for exterior walls in the Building By-law, as verified by a Building Envelope Professional, to a maximum exclusion of 330 mm;
(f) for exterior walls in residential buildings that are three storeys or less and classified as Group C buildings under the Building By-law, other than those buildings referred to in subsection (e):
    (i) an area equal to the area occupied by the insulation thickness that exceeds the performance of the prescriptive thermal resistance (RSI value) requirement for exterior walls in the Building By-law, as verified by a Building Envelope Professional, to a maximum exclusion of 179 mm, and
    (ii) an area equal to the area occupied by a rain screen system in a wall that exceeds 203 mm, as verified by a Building Envelope Professional, to a maximum exclusion of 152 mm;
(g) for exterior walls in all buildings other than those referred to in subsections (e) and (f):
    (i) an area equal to the area occupied by the insulation thickness that exceeds the performance of the prescriptive maximum effective thermal transmittance (U factor) requirement for exterior walls in the Building By-law, as verified by a Building Envelope Professional, to a maximum exclusion of 179 mm, and
    (ii) an area equal to the area occupied by a rain screen system in a wall that exceeds 203 mm, as verified by a Building Envelope Professional, to a maximum exclusion of 152 mm; and
(h) in buildings with commercial, retail or service use at grade, the area occupied by interior commercial kitchen exhaust shafts, to a maximum exclusion of 3.7 m² for each floor above the commercial, retail or service use.

5.5.4 The following may be excluded in the computation of floor area:

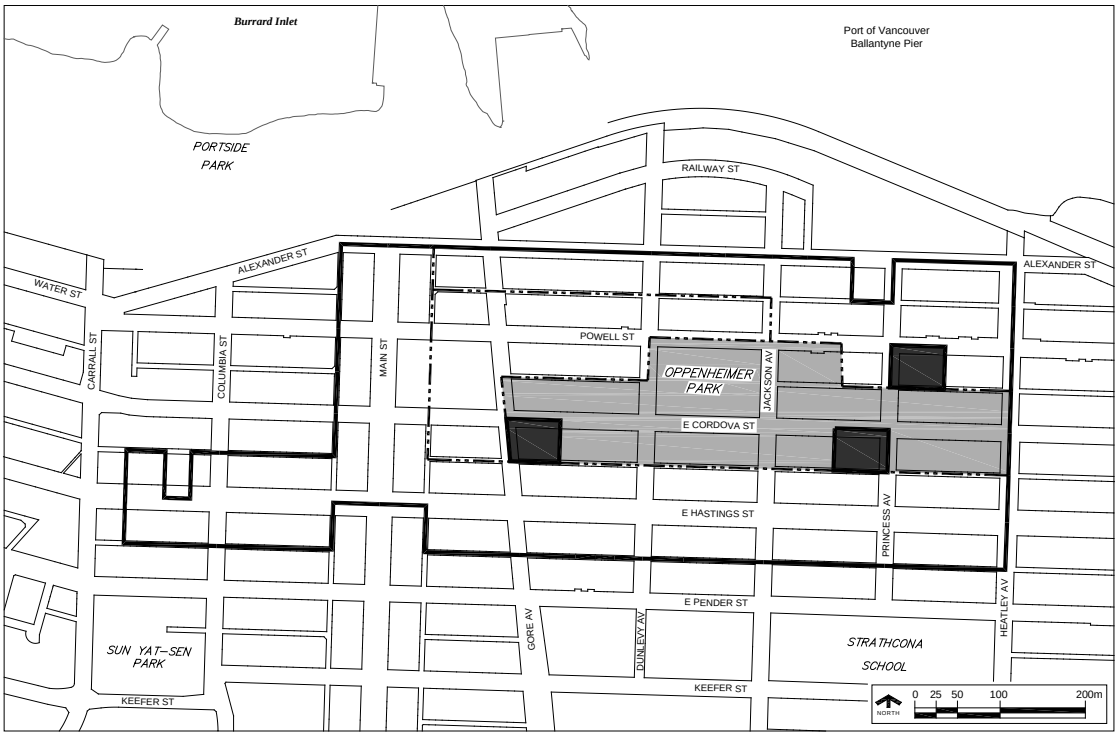
(a) enclosed residential balconies, provided that the Director of Planning first considers all applicable policies and guidelines adopted by Council and approves the design of any balcony enclosure subject to the following:

(i) the total area of all open and enclosed balcony or ~~sun~~deck exclusions does not exceed eight percent of the residential floor area being provided; and
(ii) no more than fifty percent of the excluded balcony floor area may be enclosed.

5.5.5 Floor area excluded pursuant to sections 5.5.3 and 5.5.4 shall not be put to any use other than that which justified the exclusion.

Downtown Eastside/Oppenheimer District Map 4

Sub-Area 2 Cordova Street



area not zoned DEOD

5.6 Physical Form

5.6.1 Height

The maximum height shall be 15 meters (approximately 49 feet; approximately four storeys).

The Development Permit Board may permit an increase in the maximum height of a building to a maximum of 22.8 m if:

(a) site has a frontage no greater than 45.7 m;
(b) all residential units are social housing; and
(c) the Development Permit Board first considers:
  (i) the intent of this Official Development By-law and all applicable Council policies and guidelines, and

(ii) height, bulk, location and overall design of the building and its effect on the site and on surrounding buildings and streets and existing views, with an emphasis on preserving and strengthening prevailing context and mitigating the impact on the liveability of adjacent residential areas and the impact on public areas such as parks and plazas.

5.6.2 Frontage -- Not Applicable.

5.6.3 Front Yard

A minimum front yard of 3 meters (approximately 10 feet) shall be provided. However, the Development Permit Board may ~~relax or increase~~vary this requirement for all or a portion of the frontage provided it takes into account the depths of the adjacent front yards.

5.6.4 Side Yard

No side yard shall be required, except that where a site abuts an existing residential building with any window lighting a habitable room, any facing wall of a new building shall be set back an adequate distance to ensure light and ventilation to the existing habitable rooms, in accordance with all applicable policies and guidelines adopted by Council.

5.7 [Deleted -- see Parking By-law.]

5.8 Social, Cultural and Recreational Facilities

5.8.1 It is the purpose of this section to provide in the Downtown Eastside/Oppenheimer area the following social, cultural and recreational amenities for the enjoyment of DowntownEastside/Oppenheimer residents and employees:

(a) facilities which provide opportunities for physical fitness;
(b) facilities for general recreation;
(c) facilities which provide a service to the public; and
(d) facilities for arts and culture.

Facilities or areas which contribute to physical amenity, such as parks, plazas, arcades or ornamental elements in the landscape, are not included in this section. Provision of these items and others of a similar nature may be required by the Development Permit Board where appropriate, as part of the design of the building.

5.8.2 Amenities Excluded from Floor Space Ratio

The following amenities and facilities are excluded from the FSR limitation provided that their area does not exceed 20 percent of the allowable FSR or 929 square meters (approximately 10,000 square feet) whichever is the lesser:

(a) saunas;
(b) tennis courts;
(c) swimming pools;
(d) squash or racquet courts;
(e) gymnasiums and workout rooms;
(f) games rooms and hobby rooms;
(g) day care centers;
(h) other similar or related indoor uses of a social or recreational nature which in the opinion of the Development Permit Board are of a type which contribute to social amenity.

5.8.3 Bonuses for Provision of Social, Cultural and Recreational Amenities

Where a need for any public, social, cultural or recreational facility has been demonstrated to the satisfaction of the Development Permit Board, the Board may ~~authorize, for any building which includes one or more of such facilities, an increase in~~ relax, for any building which includes one or more of such facilities, the permitted floor space ratio or density of a building, subject to prior approval by City Council.

~~In determining the increase in~~ In determining the relaxation to permitted floor area or density that may be authorized, the Development Permit Board shall consider:

(a) the construction cost of the facility;
(b) any costs to the developer of continuing maintenance required for the facility;
(c) the rental value of the increased floor area; and
(d) the value of any authorized relaxations of other restrictions.

If appropriate, such facilities shall be preserved in the public domain by way of a registered agreement and operated by the City or its delegates.

5.8.4 Despite the provisions of subsections 5.5.1 and 5.6.1, the Director of Planning or the Development Permit Board may relax the site frontage maximum of 45.7 m, if:

(a) all residential units are social housing;
(b) enforcement will result in unnecessary hardship;
(c) the Director of Planning or the Development Permit Board first considers all the applicable policies and guidelines adopted by Council; and
(d) the Director of Planning or the Development Permit Board considers the submission of any advisory group, property owner or tenant.

Section 6 Sub-area 3 Powell Street/Japantown

6.1 Intent

The Powell Street/Japantown sub-area, outlined on Map 5, is intended to be a medium density mixed commercial-residential area, appropriate for retail, restaurant and other similar pedestrian-oriented uses at street level, and residential, commercial and office uses on upper floors. This sub-area should continue to provide shopping facilities which serve the day-to-day needs of local residents and workers of the Downtown Eastside Oppenheimer area.

The 300 and 400 blocks of Powell are also intended to be the heart of historic Japantown. Developments which recognize the area's unique ethnic history and which enhance its historical, architectural and cultural character are encouraged.

6.2 Uses

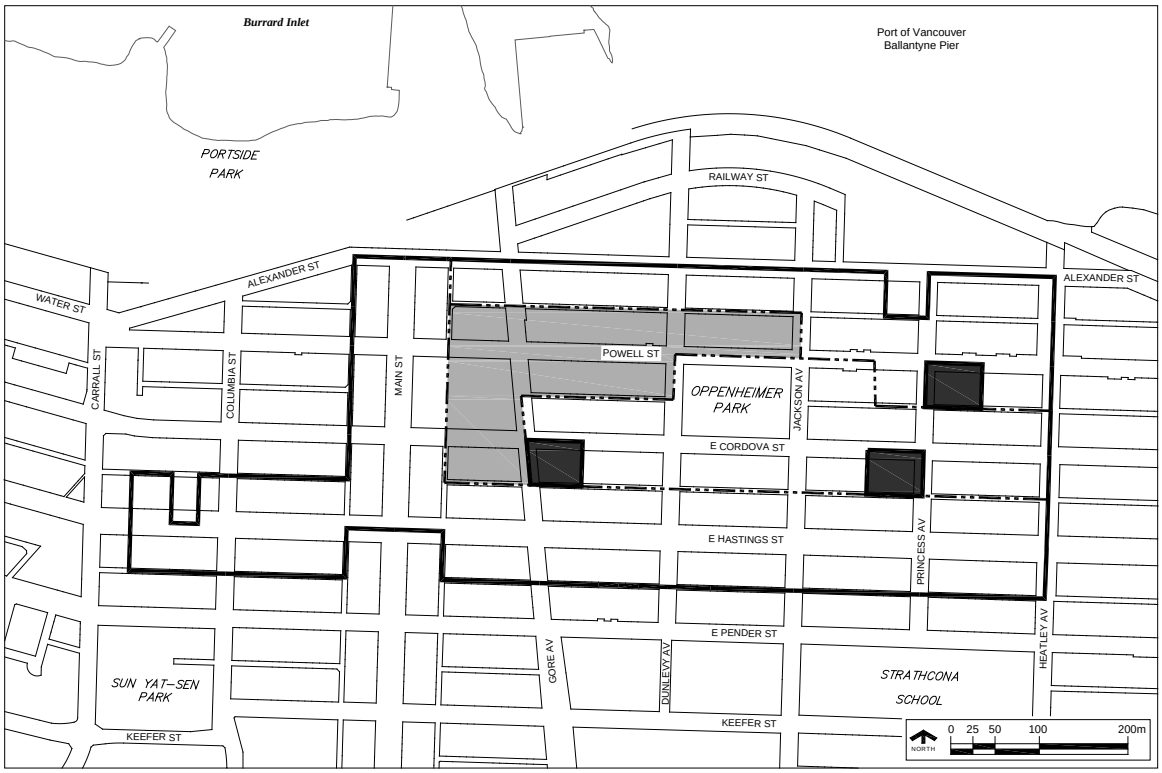
6.2.1 The following uses, and others accessory thereto, may be permitted, subject to the CONDITIONS OF USE and to such conditions or regulations as may be prescribed by the Development Permit Board:

(a) Office commercial, except that no office shall be permitted on the ground floor except for a financial, insurance, travel agency, medical-dental, real estate or local area office.
(b) Retail commercial, including class 1 restaurants but not including a liquor store.
(c) Other commercial, including but not necessarily limited to a photography studio, bakery with retail sales on the premises, barber or beauty shop, beauty and wellness centre, or artists studio, but not including a hotel, restaurant - class 2, cabaret or neighbourhood public house.

(d) Residential, with an emphasis on self-contained units.
(e) Micro dwelling, subject to section 11 of the Zoning and Development By-law.
(f) Community Care Facility – Class B and Group Residence.
(g) Buildings or uses required to serve the educational, cultural, health, social or recreational or local economic development needs of the local community and not otherwise permitted.
(h) Any other use, including accessory wholesaling or manufacturing of dry goods or food and beverage products, which involves retail sales on the premises and which creates pedestrian interest along the street, providing that all manufacturing and storage takes place within a wholly enclosed building.
(i) Any other use which is not specifically listed herein, but which the Development Permit Board considers comparable in nature, having regard to the intent, goals and policies of this Plan.

Downtown Eastside/Oppenheimer District Map 5

Sub-Area 3 Powell Street/Japantown



area not zoned DEOD

6.2.2 Temporary Modular Housing may be permitted, subject to the provisions of section 11 of the Zoning and Development By-law. Temporary Modular Housing is not subject to any of the use or design provisions of this Official Development Plan, including the CONDITIONS OF USE.

6.3 Conditions of Use -- Not Applicable.

6.4 Retail Continuity

Where indicated on Map 6, only retail and similar uses shall be permitted on the ground floor along the street frontages so identified; and shall be encouraged on the other street frontages so identified.

6.5 Density

6.5.1 Subject to the provisions of subsection 6.5.2, the maximum floor space ratio for any development shall be 1.0, except that the Development Permit Board may permit an increase in the maximum density:

(a) to a maximum floor space ratio of 2.5, if at least 60% of the residential units comprising not less than 40% of the gross floor area above a floor space ratio of 1.0 are developed as social housing and the remaining 40% of the residential units comprising not more than 60% of the gross floor area above a floor space ratio of 1.0 are developed as secured market rental housing; or

(b) to a maximum floor space ratio of 4.5 if:

(i) the site has a frontage no greater than 45.7 m,

(ii) the development includes residential and all residential units are social housing, and

(iii) the Development Permit Board first considers:

(a) the intent of this Official Development By-law and all applicable Council policies and guidelines; and

(b) height, bulk, location and overall design of the building and its effect on the site and on surrounding buildings and streets and existing views, with an emphasis on preserving and strengthening prevailing context and mitigating the impact on the liveability of adjacent residential areas and the impact on public areas such as parks and plazas;

6.5.2 Despite the provisions of subsection 6.5.1, the Director of Planning or the Development Permit Board may permit an increase in the maximum floor space ratio to 1.5 for retail, service, manufacturing, or wholesale uses, uses listed in 6.2.2 (g) and accessory uses, if:

(a) the uses are existing as of April 29, 2014;

(b) the uses are located on a site existing as of April 29, 2014; and

(c) there is no conversion of existing residential floor area.

6.5.3 The following shall be excluded in the computation of floor area:

(a) ~~open residential~~ balconies ~~or~~ and ~~sun~~decks and any other appurtenances which, in the opinion of the Development Permit Board, are similar to the foregoing and contribute to the amenity or environment of the Downtown Eastside/Oppenheimer District, provided that the total area of all exclusions does not exceed ~~eight percent~~8% of the ~~provided residential~~ floor area being provided;

(b) where floors are used for off-street parking and loading, the taking on or discharging of passengers, bicycle storage, heating and mechanical equipment, or uses which, in the opinion of the Director of Planning, are similar to the foregoing, those floors or portions thereof so used, which are at or below the base surface, provided that the maximum exclusion for a parking space shall not exceed 24 feet in length;

(c) patios ~~or~~ and roof deck~~garden~~s provided that ~~any sunroofs or walls are approved by~~the Director of Planning first considers the effect on privacy and overlook;

(d) all residential storage space above or below base surface, except that if the residential storage space above base surface exceeds 3.7 m² per dwelling unit, there will be no exclusion for any of the residential storage space above base surface for that unit;

(e) for exterior walls in laneway houses and in one and two-family dwellings of three storeys or less with or without secondary suites, an area equal to the area occupied by the insulation thickness that exceeds the performance of the prescriptive thermal resistance (RSI value) requirement for exterior walls in the Building By-law, as verified by a Building Envelope Professional, to a maximum exclusion of 330 mm;

(f) for exterior walls in residential buildings that are three storeys or less and classified as Group C buildings under the Building By-law, other than those buildings referred to in subsection (e):
  (i) an area equal to the area occupied by the insulation thickness that exceeds the performance of the prescriptive thermal resistance (RSI value) requirement for exterior walls in the Building By-law, as verified by a Building Envelope Professional, to a maximum exclusion of 179 mm, and
  (ii) an area equal to the area occupied by a rain screen system in a wall that exceeds 203 mm, as verified by a Building Envelope Professional, to a maximum exclusion of 152 mm;

(g) for exterior walls in all buildings other than those referred to in subsections (e) and (f):
  (i) an area equal to the area occupied by the insulation thickness that exceeds the performance of the prescriptive maximum effective thermal transmittance (U factor) requirement for exterior walls in the Building By-law, as verified by a Building Envelope Professional, to a maximum exclusion of 179 mm, and
  (ii) an area equal to the area occupied by a rain screen system in a wall that exceeds 203 mm, as verified by a Building Envelope Professional, to a maximum exclusion of 152 mm; and

(h) in buildings with commercial, retail or service use at grade, the area occupied by interior commercial kitchen exhaust shafts, to a maximum exclusion of 3.7 m² for each floor above the commercial, retail or service use.

6.5.4 The following may be excluded in the computation of floor area:

(a) enclosed residential balconies, provided that the Director of Planning first considers all applicable policies and guidelines adopted by Council and approves the design of any balcony enclosure subject to the following:
  (i) the total area of all open and enclosed balcony or ~~sun~~deck exclusions does not exceed eight percent of the residential floor area being provided; and
  (ii) no more than fifty percent of the excluded balcony floor area may be enclosed.

6.5.5 Floor area excluded pursuant to sections 6.5.3 and 6.5.4 shall not be put to any use other than that which justified the exclusion.

6.6 Physical Form

6.6.1 Height

The minimum height of a building within this sub-area shall be 7 meters (approximately 23 feet; approximately two storeys). The maximum height shall be 15 meters (approximately 49 feet; approximately four storeys).

The Development Permit Board may permit an increase in the maximum height of a building to a maximum of 22.8 m if

(a) the site has a frontage no greater than 45.7 m;
(b) all residential units are social housing, and
(c) the Development Permit Board first considers:
  (i) the intent of this Official Development By-law and all applicable Council policies and guidelines; and
  (ii) height, bulk, location and overall design of the building and its effect on the site and on surrounding buildings and streets and existing views, with an emphasis on preserving and strengthening prevailing context and mitigating the impact on the liveability of adjacent residential areas and the impact on public areas such as parks and plazas;

6.6.2 Frontage

The maximum length of frontage for any use in those areas where only retail and similar uses are permitted as shown on Map 6, shall be 15.5 meters (approximately 50 feet) except that the Development Permit Board may permit relaxations when a pedestrian area such as a courtyard or resting area is provided, or where pedestrian interest is otherwise maintained.

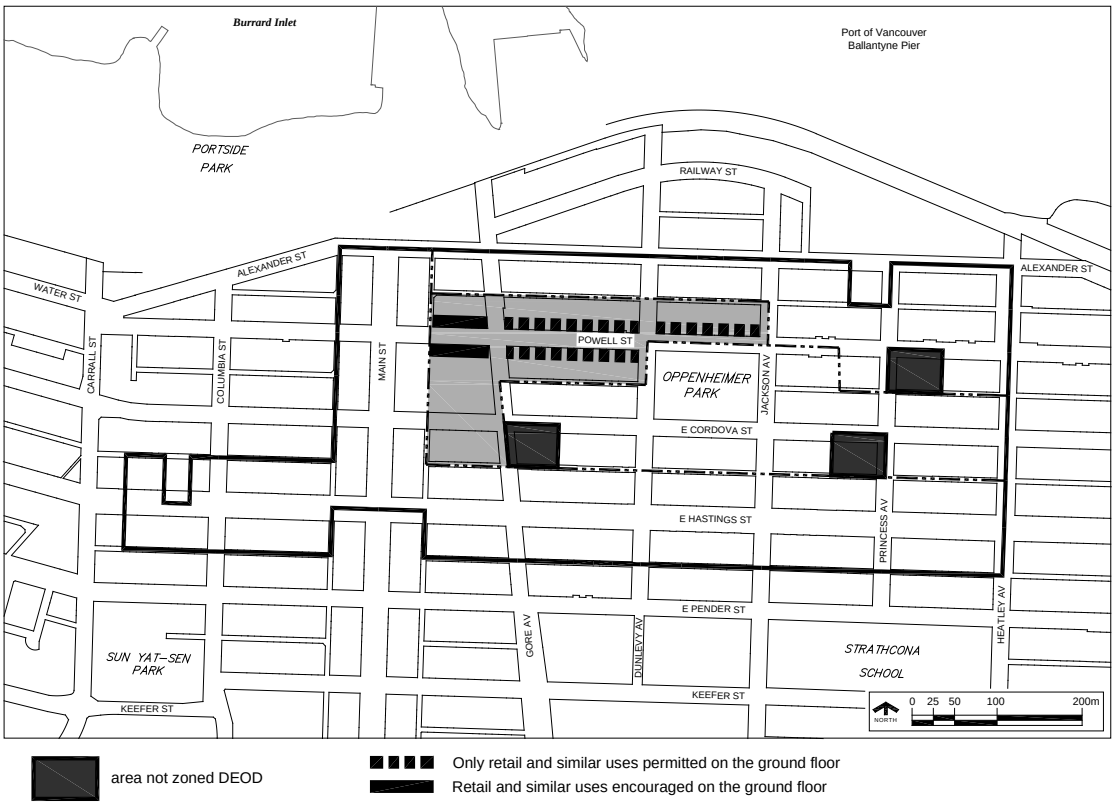
6.6.3 Front Yard -- Not Applicable.

6.6.4 Side Yard

No side yard shall be required, except that where a site abuts an existing residential building with any window lighting a habitable room, any facing wall of a new building shall be set back an adequate distance to ensure light and ventilation to the existing habitable rooms, in accordance with all applicable policies and guidelines adopted by Council.

Downtown Eastside/Oppenheimer District Map 6

Sub-Area 3 Powell Street/Japantown: Retail Continuity



6.7 [Deleted -- see Parking By-law.]

6.8 Social, Cultural and Recreational Facilities

6.8.1 It is the purpose of this section to provide in the Downtown Eastside/Oppenheimer area the following social, cultural and recreational amenities for the enjoyment of Downtown Eastside/Oppenheimer residents and employees:

(a) facilities which provide opportunities for physical fitness;
(b) facilities for general recreation;
(c) facilities which provide a service to the public; and
(d) facilities for arts and culture.

Facilities or areas which contribute to physical amenity, such as parks, plazas, arcades or ornamental elements in the landscape, are not included in this section. Provision of these items and others of a similar nature may be required by the Development Permit Board where appropriate, as part of the design of the building.

6.8.2 Amenities Excluded from Floor Space Ratio

The following amenities and facilities are excluded from the FSR limitation provided that their area does not exceed 20 percent of the allowable FSR or 929 square meters (approximately 10,000 square feet) whichever is the lesser:

(a) saunas;
(b) tennis courts;
(c) swimming pools;
(d) squash or racquet courts;
(e) gymnasiums and workout rooms;
(f) games rooms and hobby rooms;
(g) day care centers;
(h) other similar or related indoor uses of a social or recreational nature which in the opinion of the Development Permit Board are of a type which contribute to social amenity.

6.8.3 Bonuses for Provision of Social, Cultural and Recreational Amenities

Where a need for any public, social, cultural or recreational facility has been demonstrated to the satisfaction of the Development Permit Board, the Board may ~~authorize, for any building which includes one or more of such facilities, an increase in~~ relax, for any building which includes one or more of such facilities the permitted floor space ratio or density of a building, subject to prior approval by City Council.

In determining the relaxation to permitted ~~In determining the increase in~~ floor area or density that may be authorized, the Development Permit Board shall consider:

(a) the construction cost of the facility;
(b) any costs to the developer of continuing maintenance required for the facility;
(c) the rental value of the increased floor area; and
(d) the value of any authorized relaxations of other restrictions.

If appropriate, such facilities shall be preserved in the public domain by way of a registered agreement and operated by the City or its delegates.

6.8.4 Despite the provisions of subsection 6.5.1 and 6.6.1, the Director of Planning or the Development Permit Board may relax the site frontage maximum of 45.7 m, if:

(a) all residential units are social housing;
(b) enforcement will result in unnecessary hardship;
(c) the Director of Planning or the Development Permit Board first considers all the applicable policies and guidelines adopted by Council; and
(d) the Director of Planning or the Development Permit Board considers the submission of any advisory group, property owner or tenant.

Section 7 Sub-area 4 Alexander/Powell

7.1 Intent

The Alexander/Powell sub-area outlined on Map 7 is intended to be a medium density, mixed industrial-residential area, appropriate for small scale light industrial uses and residential uses. New industry, and expansion of existing industry, should be compatible with nearby and adjacent residential uses.

7.2 Uses

7.2.1 The following uses, and others accessory thereto, may be permitted, subject to the CONDITIONS OF USE and to such conditions or regulations as may be prescribed by the Development Permit Board:

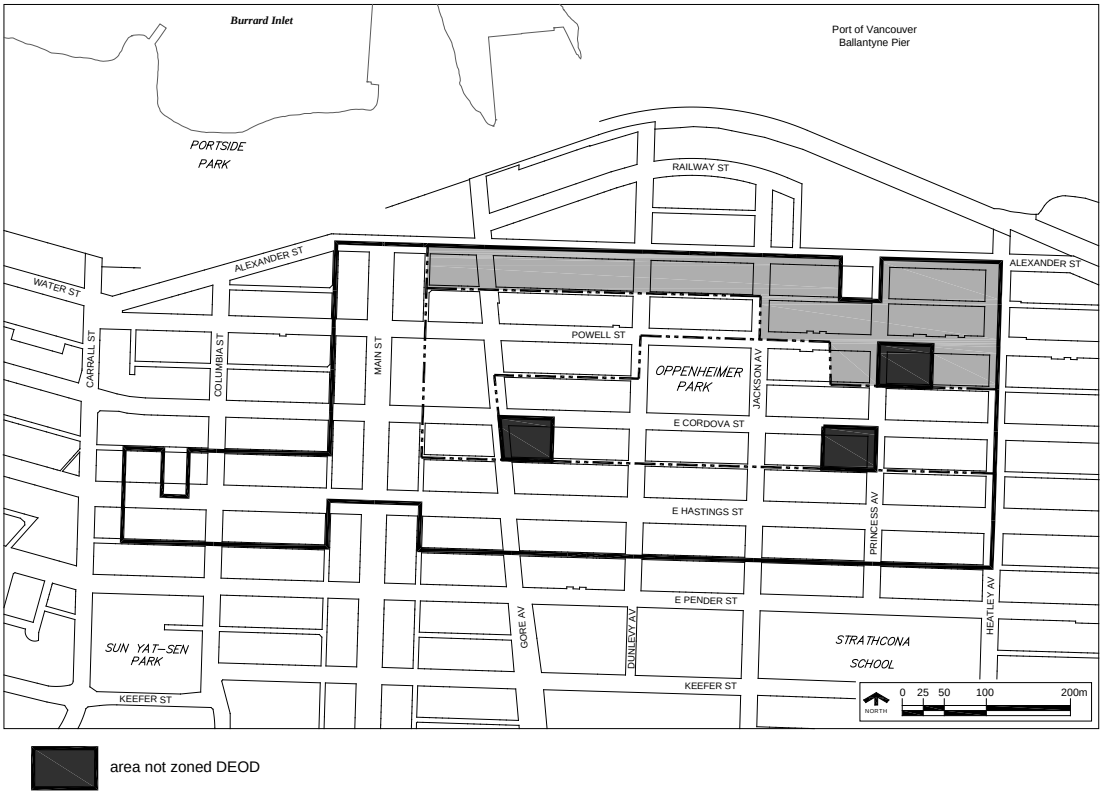
(a) Light industrial uses, as follows, provided that the Development Permit Board is satisfied that the use is compatible with the mixed use character of the area in terms of risk of fire, explosion or contamination; air pollution; traffic and truck generation; noise pollution; and form, scale and appearance of the development:

Brooms or brushes; manufacturing of.
Catering Establishment.
Chemical products; manufacturing of, but including the manufacturing of pharmaceuticals only.
Cleaning or Janitorial Service.
Clothing or garments; manufacturing of.
Cold Storage Plant.
Cosmetics and toilet preparations; manufacturing of.
Electrical products; manufacturing of.
Film Exchange.
Food or beverage products; manufacturing of, but not involving the milling of grain, rice or malt; the refining of sugar; the refining of vegetable oil or fat; the brewing or distilling of alcoholic beverages; the processing of fats, bones, hides, skins, offal, or animal products of a like nature; the use of fish; or the use of live animals or live poultry.
Jewelry or silverware; manufacturing of.
Laboratory, but not including a medical or dental laboratory.
Laundering, cleaning or dyeing of textiles, knit goods, clothing or garments.
Lithographing or printing.
Luggage, handbags or small leather goods; manufacturing of.
Motion Picture or Television Studio.
Musical instruments; manufacturing of.
Novelties, decorations or ornaments; manufacturing of.
Paper products -- secondary; manufacturing of, but not including the manufacturing of tar paper or other asphalt siding or roofing material.
Photo-finishing.
Publishing.
Recording Studio.
Scientific or professional equipment; manufacturing of.
Shoes or boots; manufacturing of.
Sign or showcard painting.
Signs or displays; manufacturing of.
Sporting goods or recreational equipment; manufacturing of.
Stationery supplies or office supplies; manufacturing of.

Storage yard; but only if used in conjunction with other uses in this sub-area and if neatly maintained and adequately screened.
Tobacco products; manufacturing of.
Toys; manufacturing of.
Typesetting, platemaking, engraving or trade binding as allied to the printing industry.
Warehousing.
Wholesaling.
Window shades and blinds; manufacturing of.

Downtown Eastside/Oppenheimer District Map 7

Sub-Area 4 Alexander/Powell



(b) Office, if designed as accessory to other industrial uses permitted in this sub-area and it does not exceed 25 percent of gross floor area of buildings on the site, provided that the use has a direct relationship to the immediate industrial area and will not generally attract the public to its premises.
(c) Residential, with an emphasis on self-contained units.
(d) Micro dwelling, subject to section 11 of the Zoning and Development By-law.
(e) Community Care Facility – Class B and Group Residence.
(f) Parking garages to serve residential, retail, office or other commercial uses may be permitted by the Development Permit Board where special circumstances prevail; the Development Permit Board may require that such parking provide, in whole or in part, for non-commuter oriented usage.
(g) Commercial uses, but restricted to (i) Laundromat, servicing local residents; (ii) Artist studio; and (iii) Restaurant, already in existence prior to April 20, 1982.

(h) Buildings or uses required to serve the educational, cultural, health, social or recreational or local economic development needs of the local community and not otherwise permitted.
(i) Any other use which is not specifically listed herein, but which the Development Permit Board considers comparable in nature, having regard to the intent, goals and policies of this Plan.
(j) A use not otherwise permitted which lawfully existed as of April 20, 1982, provided that it meets the CONDITIONS OF USE for this sub-area, and provided that the Development Permit Board is satisfied that any alteration or expansion results in a significant and noticeable increase in its compatibility with nearby and adjacent residential uses.

7.2.2 Temporary Modular Housing may be permitted, subject to the provisions of section 11 of the Zoning and Development By-law. Temporary Modular Housing is not subject to any of the use or design provisions of this Official Development Plan, including the CONDITIONS OF USE.

7.3 Conditions of Use

The following conditions of use in addition to such other conditions as the Development Permit Board may decide, shall apply to industrial uses in this sub-area:

(a) A use listed in this sub-area shall not involve the bulk storage of vegetable oil or fat; animal oil or fat; fish oil or meal; fish; grain; sugar; hops; wax; scrap or waste materials; lime; fertilizers; compressed gas; explosives; ammunition; fireworks; flares; industrial chemicals; acids; paint; varnish; petroleum; coal or tar products or derivatives; fungicides; pesticides or radioactive material.
(b) A use listed in this sub-area shall not involve the operation or placement of operating machinery other than within a wholly enclosed building.
(c) A use listed in this sub-area shall not involve the storage of goods or materials other than within a wholly enclosed building, unless restricted from public access and adequately screened from view from any adjacent street, lane or property by a wall, fence or landscaping that is acceptable to the Development Permit Board.
(d) A use listed in this sub-area shall not use required parking areas, loading spaces or manoeuvring aisles for the storage of goods or materials or the placement of machinery, refuse or garbage receptacles.

7.4 Retail Continuity -- Not Applicable.

7.5 Density

7.5.1 Subject to the provisions of subsection 7.5.2, the maximum floor space ratio for any development shall be 1.0, except that the Development Permit Board may permit an increase in the maximum density:

(a) to a maximum floor space ratio of 2.5, if at least 60% of the residential units comprising not less than 40% of the gross floor area above a floor space ratio of 1.0 are developed as social housing and the remaining 40% of the residential units comprising not more than 60% of the gross floor area above a floor space ratio of 1.0 are developed as secured market rental housing; or
(b) to a maximum floor space ratio of 4.5 if:
  (i) the site has a frontage no greater than 45.7 m,
  (ii) the development includes residential and all residential units are social housing, and
  (iii) the Development Permit Board first considers:
    (a) the intent of this Official Development By-law and all applicable Council policies and guidelines; and

(b) height, bulk, location and overall design of the building and its effect on the site and on surrounding buildings and streets and existing views, with an emphasis on preserving and strengthening prevailing context and mitigating the impact on the liveability of adjacent residential areas and the impact on public areas such as parks and plazas;

7.5.2 Despite the provisions of subsection 7.5.1, the Director of Planning or the Development Permit Board may permit an increase in the maximum floor space ratio to 1.5 for retail, service, manufacturing, or wholesale uses, uses listed in 7.2.1 (h) and accessory uses, if:

(a) the uses are existing as of April 29, 2014;
(b) the uses are located on a site existing as of April 29, 2014; and
(c) there is no conversion of existing residential floor area.

7.5.3 The following shall be excluded in the computation of floor area:

(a) ~~open residential~~ balconies ~~or~~ and ~~sun~~decks and any other appurtenances which, in the opinion of the Development Permit Board, are similar to the foregoing and contribute to the amenity or environment of the Downtown Eastside/Oppenheimer District, provided that the total area of all exclusions does not exceed ~~eight percent~~8% of the ~~provided residential~~ floor area being provided;
(b) where floors are used for off-street parking and loading, the taking on or discharging of passengers, bicycle storage, heating and mechanical equipment, or uses which, in the opinion of the Director of Planning, are similar to the foregoing, those floors or portions thereof so used, which are at or below the base surface, provided that the maximum exclusion for a parking space shall not exceed 24 feet in length;
(c) patios ~~or~~ and roof decks~~gardens~~ provided that ~~any sunroofs or walls are approved by~~the Director of Planning first considers the effect on privacy and overlook;
(d) all residential storage space above or below base surface, except that if the residential storage space above base surface exceeds 3.7 m² per dwelling unit, there will be no exclusion for any of the residential storage space above base surface for that unit;
(e) for exterior walls in laneway houses and in one and two-family dwellings of three storeys or less with or without secondary suites, an area equal to the area occupied by the insulation thickness that exceeds the performance of the prescriptive thermal resistance (RSI value) requirement for exterior walls in the Building By-law, as verified by a Building Envelope Professional, to a maximum exclusion of 330 mm;
(f) for exterior walls in residential buildings that are three storeys or less and classified as Group C buildings under the Building By-law, other than those buildings referred to in subsection (e):
    (i) an area equal to the area occupied by the insulation thickness that exceeds the performance of the prescriptive thermal resistance (RSI value) requirement for exterior walls in the Building By-law, as verified by a Building Envelope Professional, to a maximum exclusion of 179 mm, and
    (ii) an area equal to the area occupied by a rain screen system in a wall that exceeds 203 mm, as verified by a Building Envelope Professional, to a maximum exclusion of 152 mm;
(g) for exterior walls in all buildings other than those referred to in subsections (e) and (f):
    (i) an area equal to the area occupied by the insulation thickness that exceeds the performance of the prescriptive maximum effective thermal transmittance (U factor) requirement for exterior walls in the Building By-law, as verified by a Building Envelope Professional, to a maximum exclusion of 179 mm, and
    (ii) an area equal to the area occupied by a rain screen system in a wall that exceeds 203 mm, as verified by a Building Envelope Professional, to a maximum exclusion of 152 mm; and

(h) in buildings with commercial, retail or service use at grade, the area occupied by interior commercial kitchen exhaust shafts, to a maximum exclusion of 3.7 m² for each floor above the commercial, retail or service use.

7.5.4 The following may be excluded in the computation of floor area:

(a) enclosed residential balconies, provided that the Director of Planning first considers all applicable policies and guidelines adopted by Council and approves the design of any balcony enclosure subject to the following:
   (i) the total area of all open and enclosed balcony or ~~sun~~deck exclusions does not exceed eight percent of the residential floor area being provided; and
   (ii) no more than fifty percent of the excluded balcony floor area may be enclosed.

7.5.5 Floor area excluded pursuant to sections 7.5.3 and 7.5.4 shall not be put to any use other than that which justified the exclusion.

7.6 Physical Form

7.6.1 Height

The maximum height shall be 15 m.

The Development Permit Board may permit an increase in the maximum height of a building to a maximum of 22.8 m if:

(a) the site has a frontage no greater than 45.7 m;
(b) all residential units are social housing, and
(c) the Development Permit Board first considers:
   (i) the intent of this Official Development By-law and all applicable Council policies and guidelines; and
   (ii) height, bulk, location and overall design of the building and its effect on the site and on surrounding buildings and streets and existing views, with an emphasis on preserving and strengthening prevailing context and mitigating the impact on the liveability of adjacent residential areas and the impact on public areas such as parks and plazas;

7.6.2 Frontage

The maximum length of frontage for any non-residential use permitted in this sub-area shall be 30 meters (approximately 100 feet).

7.6.3 Front Yard -- Not Applicable.

7.6.4 Side Yard

No side yard shall be required, except that where a site abuts an existing residential building with any window lighting a habitable room, any facing wall of a new building shall be set back an adequate distance to ensure light and ventilation to the existing habitable rooms, in accordance with all applicable policies and guidelines adopted by Council.

7.7 [Deleted -- see Parking By-law.]

7.8 Social, Cultural and Recreational Facilities

7.8.1 It is the purpose of this section to provide in the Downtown Eastside/Oppenheimer area the following social, cultural and recreational amenities for the enjoyment of Downtown Eastside/Oppenheimer residents and employees:

(a) facilities which provide opportunities for physical fitness;
(b) facilities for general recreation;
(c) facilities which provide a service to the public; and
(d) facilities for arts and culture.

Facilities or areas which contribute to physical amenity, such as parks, plazas, arcades or ornamental elements in the landscape, are not included in this section. Provision of these items and others of a similar nature may be required by the Development Permit Board where appropriate, as part of the design of the building.

7.8.2 Amenities Excluded from Floor Space Ratio

The following amenities and facilities are excluded from the FSR limitation provided that their area does not exceed 20 percent of the allowable FSR or 929 square meters (approximately 10,000 square feet) whichever is the lesser:

(a) saunas;
(b) tennis courts;
(c) swimming pools;
(d) squash or racquet courts;
(e) gymnasiums and workout rooms;
(f) games rooms and hobby rooms;
(g) day care centers;
(h) other similar or related indoor uses of a social or recreational nature which in the opinion of the Development Permit Board are of a type which contribute to social amenity.

7.8.3 Bonuses for Provision of Social, Cultural and Recreational Amenities

Where a need for any public, social, cultural or recreational facility has been demonstrated to the satisfaction of the Development Permit Board, the Board may ~~authorize, for any building which includes one or more of such facilities, an increase in~~ relax, for any building which includes one or more of such facilities, the permitted floor space ratio or density of a building, subject to prior approval by City Council.

~~In determining the increase in~~ In determining the relaxation to permitted floor area or density that may be authorized, the Development Permit Board shall consider:

(a) the construction cost of the facility;
(b) any costs to the developer of continuing maintenance required for the facility;
(c) the rental value of the increased floor area; and
(d) the value of any authorized relaxations of other restrictions.

If appropriate, such facilities shall be preserved in the public domain by way of a registered agreement and operated by the City or its delegates.

7.8.4 Despite the provisions of subsection 7.5.1 and 7.6.1, the Director of Planning or the Development Permit Board may relax the site frontage maximum of 45.7 m, if:

(a) all residential units are social housing;
(b) enforcement will result in unnecessary hardship;
(c) the Director of Planning or Development Permit Board first considers all the applicable policies and guidelines adopted by Council; and
(d) the Director of Planning or Development Permit Board considers the submission of any advisory group, property owner or tenant.

FALSE CREEK AREA
DEVELOPMENT PLAN FOR AREA 6, PHASE 3

(Adopted by By-law No. 5550, May 18, 1982)

Table of Contents

Page

Application and Intent **71**

Development Character **71**

Interpretation **71**

Land Use/Development **73**

Residential Composition **75**

Building Heights **76**

Public Open Space **78**

Vehicular Circulation and Parking **80**
Vehicular Access ..... 80 Parking
Provisions 80

Water Area **82**

Cambie Bridge **84**

Building Character **84**

Subdivision **84**

Open Space Character **85**

List of Diagrams

		Page
Diagram 1	Site Context	72
Diagram 2	Lot Layout	74
Diagram 3	Building Height	77
Diagram 4	Public Open Space	79
Diagram 5	Vehicular Circulation and Parking	81
Diagram 6	Water Area	83
Diagram 7	Lot Configuration/Stage II	86

False Creek Area Development Plan for Area 6, Phase 3

Application and Intent

The following Area Development Plan for Area 6, Phase 3, of the False Creek Comprehensive Development District is intended to regulate the development of that part of the City of Vancouver illustrated on Diagram 1.

Area 6, Phase 3, which includes the City-owned Waterlot Area, shall:

1. have a residential community with high standards of development;
2. have transitional land uses and/or acoustic structures on Lot 9 which act as a buffer between industrial uses to the east and residential land uses to the west;
3. have significant public amenities including a seawall and waterfront walkway in the City-owned Waterlot Area; and
4. have significant public amenities interspersed amongst the residential lands and the City-owned Waterlot Area for the enjoyment and pleasure of the public.

Development Character

The character of development will be as described in this Area Development Plan. General reference to the supplementary architectural drawings submitted on behalf of Polygon Properties Ltd., dated April 16, 1987 and received April 23, 1987 by the City of Vancouver Planning Department, is intended for illustrative purposes only. These drawings are hereinafter referred to as the "supplementary drawings."

Interpretation

Interpretation of the contents in this document is the function of the Development Permit Board.

The Development Permit Board may, at its discretion, refer any difference of opinion as to the interpretation of any part of this document to City Council for decision.

The Development Permit Board, in the exercise of its jurisdiction, may relax the provisions of this Plan in any case where literal enforcement would result in unnecessary hardship. In granting any relaxation, the Board shall have regard to the intent and policies of this Plan, and such other applicable policies and guidelines adopted by Council.

Without limiting the generality of the foregoing, the Development Permit Board may, in particular, vary the boundaries of Lots 3, 4, 5, 6, 7 and 8 as shown on Diagram 2, and vary the boundaries of the height enclosures on those same lots, as shown on Diagram 3, provided that no building on a lot shall be higher than the maximum height shown for that lot in Diagram 3, and that the other revisions of this plan respecting these lots are complied with.

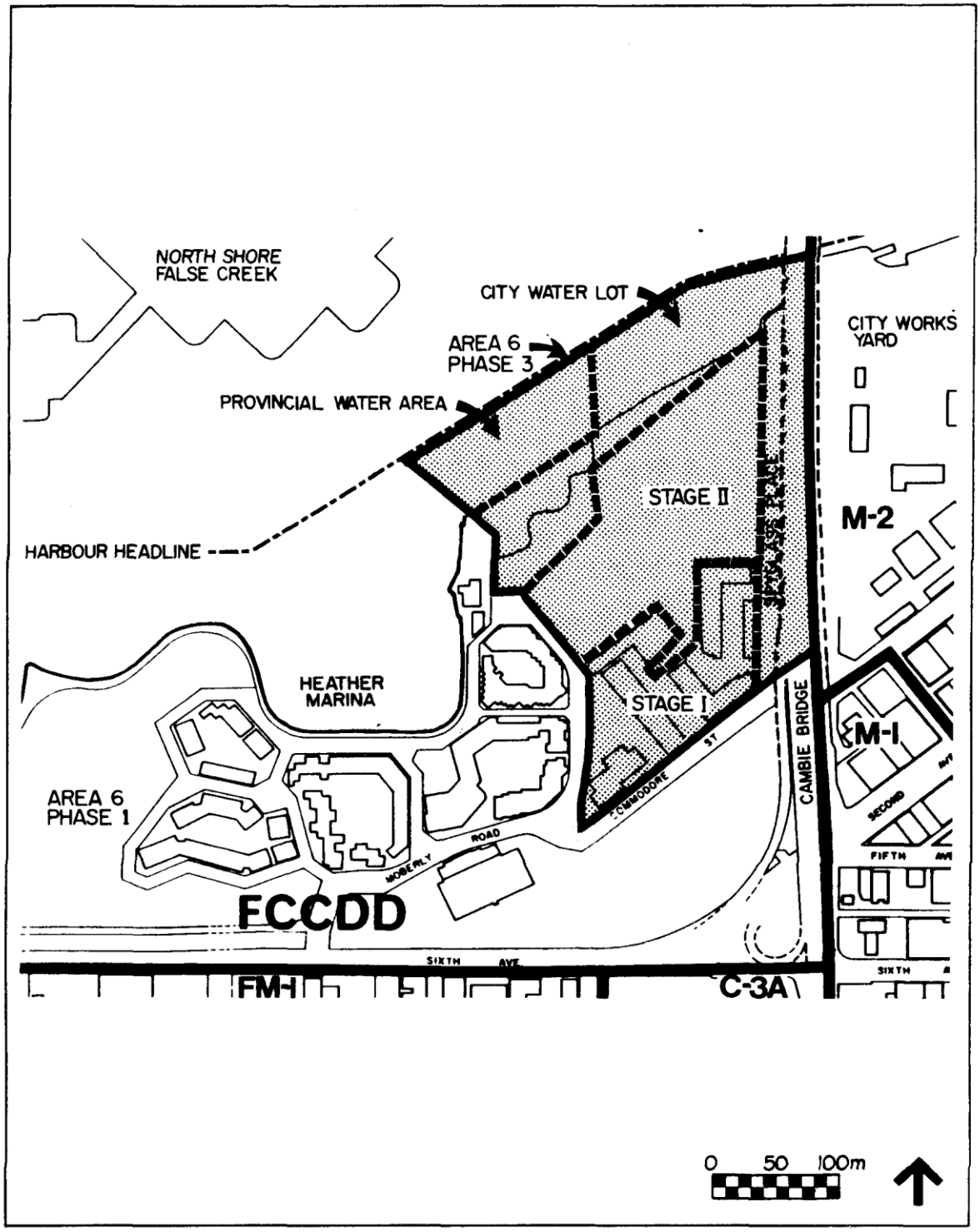
~~The Development Permit Board may permit relaxations in building heights as specified in Diagram 3. The maximum height relaxation shall be 1.1 metres (approx. 3' 6") above prescribed building heights with relaxations permitted only for architectural appurtenances and roof top amenity uses.~~

The Development Permit Board may permit increases in building heights as specified in Diagram 3. The maximum height increase shall be 1.1 metres (approx. 3' 6") above prescribed building heights with increases permitted only for architectural appurtenances and roof top amenity uses.

The Development Permit Board, with advice from the General Manager of Parks and Recreation, may permit "Public Open Space" to be located other than as indicated on Diagrams 4 and 7 provided that there is no loss in the total amount of "Public Open Space".

The Development Permit Board may refuse any application for a Development Permit involving an increase in the gross residential floor area in excess of 2 percent of the gross residential floor area shown on the supplementary drawings.

False Creek Area 6, Phase 3
Diagram 1 - Site Context



~~The Development Permit Board may permit a relaxation of up to 10 feet in the required minimum distance of 100 feet between building "bubbles" on Lots 5 and 7 but only if such relaxation results, in the opinion of the Development Permit Board, in equal or improved views to the north from Lot 3 and 4.~~

The Development Permit Board may permit a reduction of up to 10 feet in the required minimum distance of 100 feet between building "bubbles" on Lots 5 and 7 but only if such reduction results, in the opinion of the Development Permit Board, in equal or improved views to the north from Lot 3 and 4.

~~The Development Permit Board may permit a relaxation of up to 5 feet in the minimum terrace length specified in this Plan. This relaxation may be granted only if, in the opinion of the Development Permit Board, the design of the terraces still achieves suitable scaling down of the building at its ends.~~

The Development Permit Board may permit a reduction of up to 5 feet in the minimum terrace length specified in this Plan. This reduction may be granted only if, in the opinion of the Development Permit Board, the design of the terraces still achieves suitable scaling down of the building at its ends.

~~The Development Permit Board may permit a relaxation in the number of terraces as specified in this Plan. This relaxation may be granted only if, in the opinion of the Development Permit Board, the building's design has achieved a satisfactory tapering down of volume or suitable equivalenttreatment.~~

The Development Permit Board may permit a reduction in the number of terraces as specified in this Plan. This reduction may be granted only if, in the opinion of the Development Permit Board, the building's design has achieved a satisfactory tapering down of volume or suitable equivalent treatment.

Land Use/Development

The permissible development of the site shall be as follows:

1. Residential:

The total number of dwelling units shall not exceed 800, allocated, as set out below, to the individual lots illustrated on Diagram 2.

Lots	Approximate Lot Area hectares (acres)		Maximum Number of Units
1	0.22	(0.54)	120
2	0.57	(1.41)	165
3	0.43	(1.06)	95
4	0.46	(1.14)	60
5	0.49	(1.21)	85
6	0.79	(1.95)	60
7	0.85	(2.10)	85
8	0.81	(2.00)	150
Total	4.62	(11.41)	800*

*Note: This figure represents the aggregate maximum and is less than the sum of individual site maxima.

No development permit will be issued for a residential building on Lots 5, 6, 7 or 8, as shown in Diagram 2, until the property owners have

(i) applied for and received written approval for the design and construction of the seawall, together with any clearances required from other authorities for the construction of that

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

(a) all floors having a minimum ceiling height of 1.22 m (4.0 ft.), both above and below ground level, to be measured to the extreme outer limits of the building.

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

(a) ~~residential~~ balconies and ~~sun~~decks, and other features which are similar to the foregoing, provided that the Director of Planning first considers all applicable policies and guidelines adopted by Council and, ~~approves the design of any balcony enclosure, and provided further~~ that the total area of all exclusions does not exceed ~~eight percent~~8% of the ~~residential~~ floor area being provided;

(b) elevator shafts, laundry rooms and entrance lobbies providing the foregoing are ancillary to residential use;

(c) patios and roof ~~gardens~~decks, provided that the Director of Planning first considers the effect on privacy and overlook;

(d) where floors are used for off-street parking and loading, the taking on or discharging of passengers, bicycle storage, heating and mechanical equipment, or uses which, in the opinion of the Director of Planning, are similar to the foregoing, those floors or portions thereof so used, which are at or below the base surface, provided that the maximum exclusion for a parking space shall not exceed 24 feet in length;

(e) areas of undeveloped floors located above the highest storey or half-storey with a ceiling height of less than four feet, and to which there is no permanent means of access other than a hatch;

(f) social and recreational amenities and facilities that are open to and primarily for the use of residents, tenants, and employees, provided that the area of such excluded facilities listed below does not exceed 20 percent of the allowable FSR or 929.0 m² (10,000.0 sq. ft) whichever is the lesser, the following being illustrative examples:

- saunas
- tennis courts
- swimming pools
- squash courts
- gymnasiums and work-out rooms
- games and hobby rooms
- other similar related indoor uses of a recreational nature which contribute to social amenity;

(g) all residential storage space above or below base surface, except that if the residential storage space above base surface exceeds 3.7 m² per dwelling unit, there will be no exclusion for any of the residential storage space above base surface for that unit;

(h) for exterior walls in laneway houses and in one and two-family dwellings of three storeys or less with or without secondary suites, an area equal to the area occupied by the insulation thickness that exceeds the performance of the prescriptive thermal resistance (RSI value) requirement for exterior walls in the Building By-law, as verified by a Building Envelope Professional, to a maximum exclusion of 330 mm;

(i) for exterior walls in residential buildings that are three storeys or less and classified as Group C buildings under the Building By-law, other than those buildings referred to in subsection (h):

(i) an area equal to the area occupied by the insulation thickness that exceeds the performance of the prescriptive thermal resistance (RSI value) requirement for exterior walls in the Building By-law, as verified by a Building Envelope Professional, to a maximum exclusion of 179 mm, and

(ii) an area equal to the area occupied by a rain screen system in a wall that exceeds 203 mm, as verified by a Building Envelope Professional, to a maximum exclusion of 152 mm;

(j) for exterior walls in all buildings other than those referred to in subsections (h) and (i):
  (i) an area equal to the area occupied by the insulation thickness that exceeds the performance of the prescriptive maximum effective thermal transmittance (U factor) requirement for exterior walls in the Building By-law, as verified by a Building Envelope Professional, to a maximum exclusion of 179 mm, and
  (ii) an area equal to the area occupied by a rain screen system in a wall that exceeds 203 mm, as verified by a Building Envelope Professional, to a maximum exclusion of 152 mm; and

(k) in buildings with commercial, retail or service use at grade, the area occupied by interior commercial kitchen exhaust shafts, to a maximum exclusion of 3.7 m² for each floor above the commercial, retail or service use.

6.3.4 Notwithstanding Section 6.3.1, and subject to prior approval by City Council, ~~an increase in floor space ratio may be permitted~~ the permitted floor space ratio may be relaxed on any site where a need for a public, social, cultural, educational, or institutional use or building has been demonstrated, subject to the following:

(a) the area of such facilities does not exceed 20 percent of the allowable floor area or 929.0 m² (10,000.0 sq. ft.), whichever is the lesser;

(b) in determining the increase in floor area or density that may be authorized, the Development Permit Board shall consider:
  (i) the construction cost of the facility;
  (ii) any costs to the developer of continuing maintenance required for the facility;
  (iii) the rental value of the increased floor area;
  (iv) the value of any authorized relaxation of other restrictions;

(c) if appropriate, such facilities may be preserved in the public domain by way of a registered agreement and operated by the City or its delegates.

6.3.5 The following may be excluded in the computation of floor space ratio:

(a) enclosed residential balconies, provided that the Director of Planning first considers all applicable policies and guidelines adopted by Council and approves the design of any balcony enclosure subject to the following:
  (i) the total area of all open and enclosed balcony or ~~sun~~deck exclusions does not exceed eight percent for the residential floor area being provided; and
  (ii) no more than fifty percent of the excluded balcony floor area may be enclosed;

(b) Interior public space, including atria and other similar spaces, provided that:
  (i) the excluded area shall not exceed the lesser of l0 percent of the permitted floor area or 6,000 square feet;
  (ii) the excluded area shall be secured by covenant and right of way in favour of the City of Vancouver which set out public access and use; and
  (iii) the Director of Planning first considers all applicable policies and guidelines adopted by Council.

6.3.6 Floor space excluded pursuant to sections 6.3.3 or 6.3.5 shall not be put to any use other than that which justified the exclusion.

PARKING BY-LAW

Section 2

Definitions

Words used in this By-law shall have the meaning assigned to them in the Zoning and Development By-law.

In this By-law, unless the context otherwise requires:

Accessible Parking Space means a Parking Space for the use of a person who has a loss, or a reduction, of functional ability and activity and includes a person in a wheelchair and a person with a sensory disability which includes visual impairment;

Bicycle Space means a space for the parking of one bicycle either outside or inside a structure;

Bicycle Space, Class A means a bicycle space primarily designed to provide long-term parking for employees or residents of the building;

Bicycle Space, Class B means a bicycle space primarily designed to provide short-term transient parking for persons who are not residents or employees of the building;

Central Broadway means that area outlined in black on Map 2A set out at the end of this section 2;

City Engineer means the General Manager of Engineering Services;

Co-op Housing means a non-profit, subsidized housing project operated by a co-operative association in accordance with the Co-operative Housing Program (1986 revision) administered by the Canada Mortgage and Housing Corporation;

Downtown means that area outlined in black on Map 2B set out at the end of this section 2;

Electric Vehicle means a vehicle that uses electricity for propulsion, and that can use an external source of electricity to charge the vehicle's batteries;

Electric Vehicle Supply Equipment means a complete assembly consisting of cables, connectors, devices, apparatus, and fittings installed for the purpose of power transfer and information exchange between the branch circuit and the electric vehicle;

Energized Outlet means a connected point in an electrical wiring installation at which current is taken and a source of voltage is connected to supply utilization equipment;

Grooming Station means facilities for grooming;

Heritage Site means any site designated as a Provincial heritage site or a municipal heritage site under parts 2 and 3 respectively of the Heritage Conservation Act;

High-Branched Tree means any species of tree which at reasonable maturity and without severe pruning does not have branches lower than three metres from the ground;

Level 2 Charging means a Level 2 electric vehicle charging level as defined by SAE International's J1772 standard;

Loading Space means a space for the loading or unloading of a vehicle either outside or inside a building or structure and includes **Class A, Class B, and Class C loading spaces**;

Loading Space, Class A means a designated space, clear of any driving or manoeuvring aisles or means of emergency egress, for the loading or unloading of automobiles, vans or other small vehicles used for servicing, repair or delivery activities of overall length equal to or greater than 5.5 m but less than 8.5 m; used for servicing, repair or delivery activities of overall length equal to or greater than 8.5 m but less than 17 m;

Loading Space, Class B means a designated space, clear of any driving or manoeuvring aisles or means of emergency egress, for the loading or unloading of single-unit trucks and other medium-size vehicles

Loading Space, Class C means a designated space, clear of any driving or manoeuvring aisles or means of emergency egress, for the loading or unloading of semi-trailers or other vehicles of overall length equal to or greater than 17 m used for delivery activities.

Mechanical Parking means a device, including an elevating device such as a vertical lift or automated vehicle storage system, that allows for the provision of parking in a compact form without the use of ramping.

Mount Pleasant Industrial Area means that area outlined in black on Map 2C set out at the end of this section 2;

Parking Area means an open area of land other than a street or lane, principally used or intended to be used to provide access to, and space for, the parking, loading or storage of motor vehicles, and which may include bicycle spaces, but does not mean an area providing no more than four parking spaces accessory to a residential use;

Parking Garage means a structure or a portion of a structure principally used or intended to be used to provide access to, and space for, the parking, loading, or storage of motor vehicles, and which may include bicycle spaces, but does not mean a structure providing no more than four parking spaces accessory to a residential use;

Parking Space means a space for the parking of one motor vehicle either outside or inside a building or structure, but does not include manoeuvring aisles and other areas providing access to the space;

Passenger Space means a space for the standing of a vehicle for the purpose of discharging or taking on passengers and includes **Class A, Class B and Class C passenger spaces**.

Passenger Space, Class A means a designated space, clear of any driving or manoeuvring aisles or means of emergency egress, for loading passengers to or from an automobile.

Passenger Space, Class B means a designated space, clear of any driving or manoeuvring aisles or means of emergency egress, for loading passengers to or from a custom transit vehicle.

Passenger Space, Class C means a designated space, clear of any driving or manoeuvring aisles or means of emergency egress, for loading passengers to or from a bus;

Payment-In-Lieu means a procedure by which Council waives the requirement to provide off-street parking spaces in return for payment of an amount of money specified in this By-law which the city uses for the provision of off-street parking spaces or transportation infrastructure that supports walking and cycling;

Principal Dwelling Unit with Lock-off Unit means a larger principal dwelling unit, containing a smaller dwelling unit which must have separate external access and shared internal access, and which can be locked off from the larger principal dwelling unit;

Protected Heritage Property means property that is protected under section 13 (2) of Heritage Conservation Act; designated as protected under section 593 of the Vancouver Charter; or listed in a schedule included under section 596A (3) (b) of the Vancouver Charter in an official development plan;

Rowhouse means a dwelling unit, in a row of at least three side by side dwelling units, which does not have another dwelling unit located directly above or below, or another dwelling unit located behind or in front;

Secured Market Rental Housing means a development or part of a development, used only as market rental housing, which has a covenant or housing agreement registered against title restricting its use to market rental housing, for the longer of sixty years or the life of the building, or for such other term as agreed on by the city and the owner;

Shared Vehicle Parking Space means a parking space reserved for the exclusive use of a shared vehicle.

Shared Vehicle means a four-wheeled automobile, van, or pick-up truck owned and operated by a shared vehicle organization which provides car-sharing services to its members.

Shared Vehicle Organization means a legal entity whose principal business objective is to provide its members, for a fee, with a car-sharing service by which such members have access to a fleet of shared vehicles which they may reserve for use on an hourly basis, and which the City Engineer has approved.

Social Housing HILS Units means dwelling units secured for households with incomes below housing income limits, as set out in the current "Housing Income Limits" table published by the British Columbia Housing Management Commission, or equivalent publication;

Sub-area C2 means the sub-area described as C2 in Schedule A to the Downtown District Official Development Plan.

~~**Traffic Demand Management Measures**~~ **Transportation Demand Management Measures** means measures intended to reduce reliance on personal motor vehicles by residents, patrons and visitors of a development, and to support reduced vehicle parking requirements;

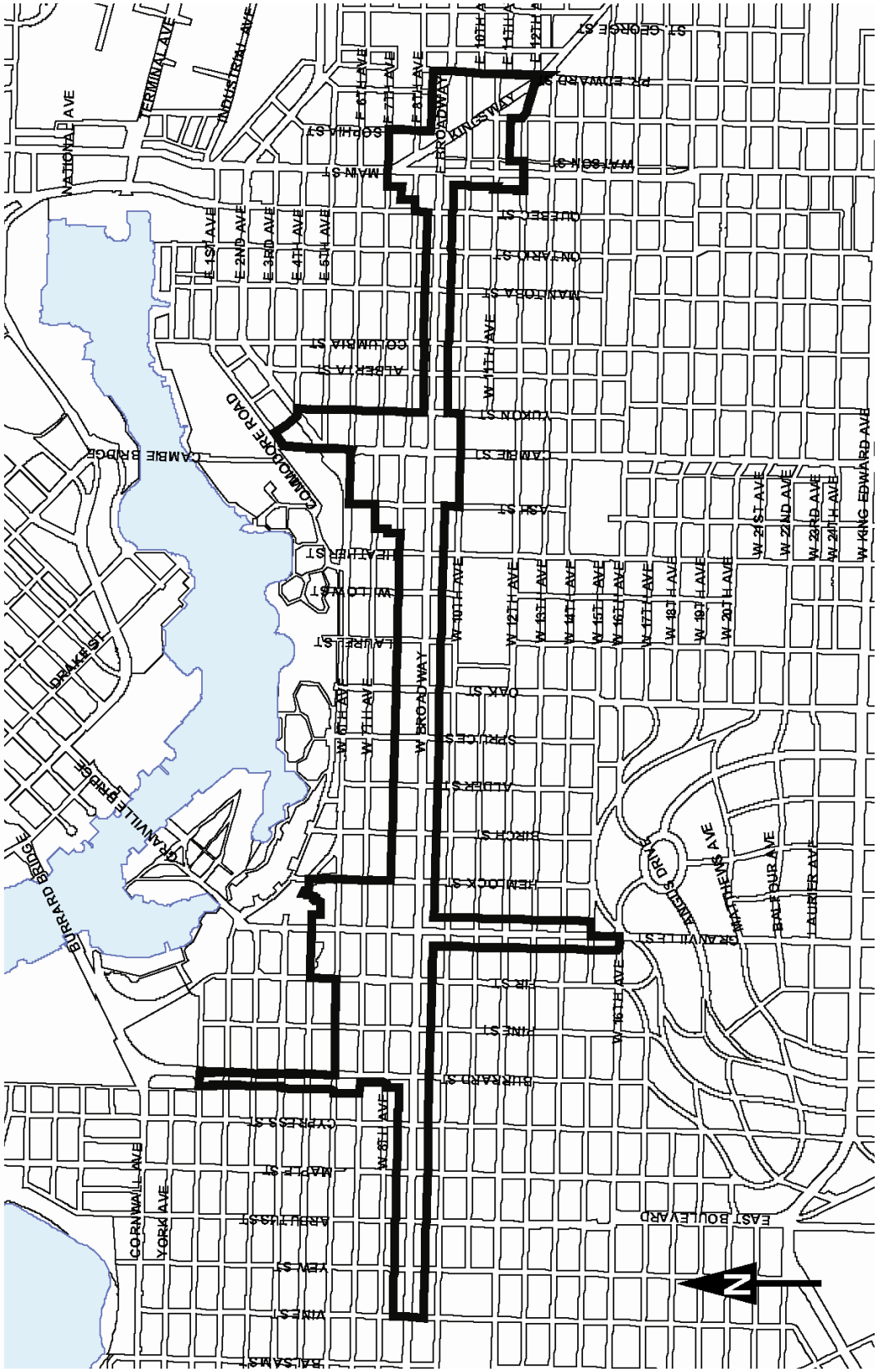
~~**Traffic Demand Management Plan**~~ **Transportation Demand Management Plan** means a document forming part of a development permit application that sets out the commitments made by the owner of a development regarding the implementation of ~~Traffic Demand Management Measures~~ Transportation Demand Management Measures and;

West End and Robson North Permit Area means those areas outlined by the dashed black line on Map 2B.

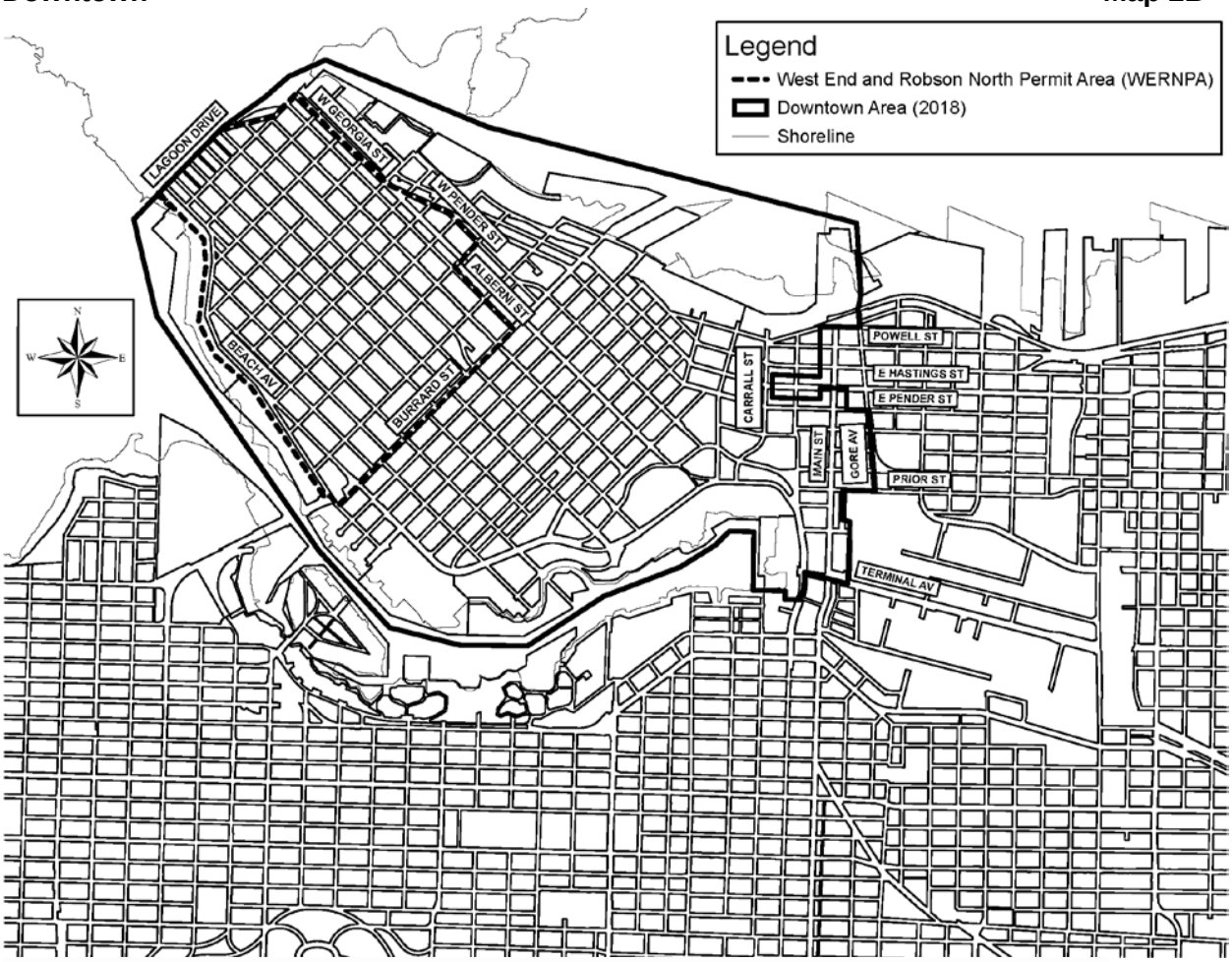
Vancouver Heritage Register means the listing of heritage resources adopted as the Vancouver Heritage Register [formerly Vancouver Heritage Inventory] by resolution of Council on September 23, 1986 and includes all of its amendments approved by Council;

Central Broadway

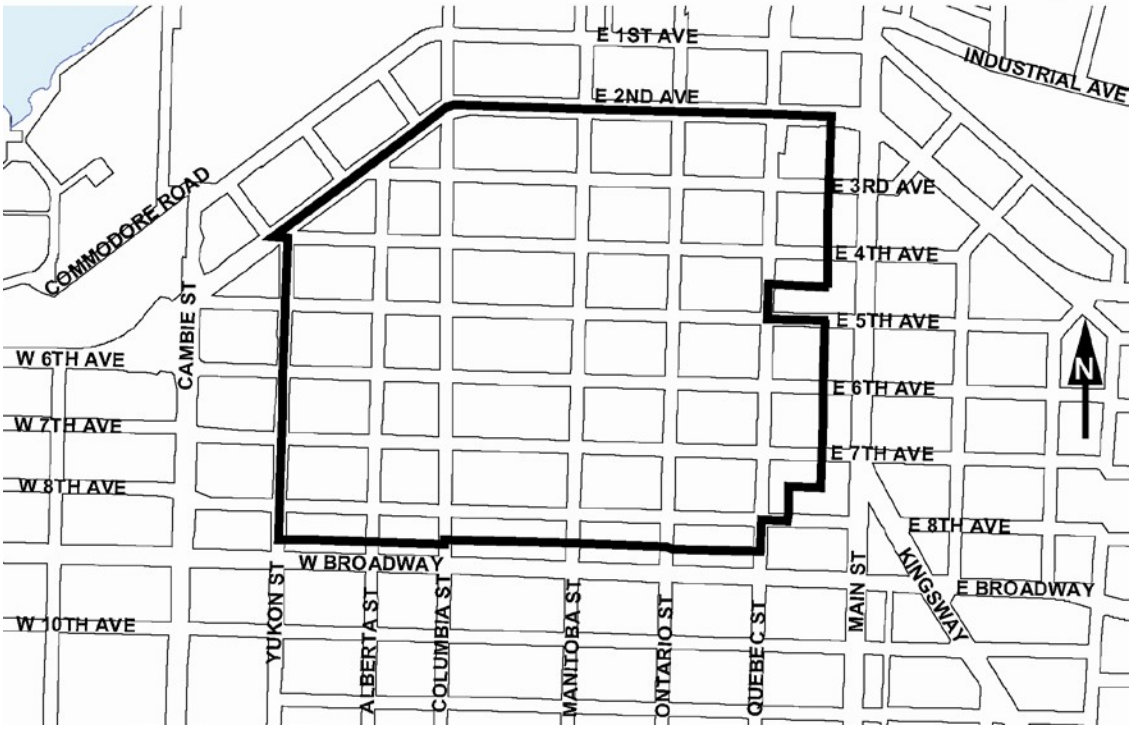
Map 2A



Downtown **Map 2B**



Mount Pleasant Industrial Area Map 2C



Section 4

Off street Parking Space Regulations

4.2 Table of Number of Required and Permitted Accessory Parking Spaces in R except for Downtown, C except for Downtown and Central Broadway, M, I except for Mount Pleasant industrial area, DEOD, and First Shaughnessy Districts, and Broadway Station Precinct shown outlined in heavy black on Map 4.5.

For sites within the heavy black outline shown on Map 2B, use section 4.3.

In R except for Downtown, C except for Downtown and Central Broadway, M, I except for Mount Pleasant industrial area, DEOD, and First Shaughnessy Districts and in Broadway Station Precinct, parking spaces for any building classified in Column 1 must meet the corresponding standard listed in Column 2, except for:

(a) sub-area 1 of DEOD;
(b) heritage sites in First Shaughnessy District;
(c) specified uses in Broadway Station Precinct listed in Section 4.5; and
(d) a fitness centre - Class 1 that does not include racquet and ball courts, school-arts or self improvement, restaurant, health enhancement centre, health care office or animal clinic, that consists of less than 200 m², that is commencing business in an existing building in the C-2, C-3A, C-5, C-5A, or C-6 zone, and that constitutes a change of use from the previous use in the same premises, in which case the parking standard is the lesser of the number of parking spaces listed in Column 2 for such new use and the number of parking spaces available for the previous use.

	COLUMN 1 BUILDING CLASSIFICATION	COLUMN 2 REQUIRED AND PERMITTED PARKING SPACES
4.2.1	**Dwelling**	
4.2.1.1	One-Family Dwelling, Two-Family Dwelling, Infill One-Family Dwelling, or Infill Two-Family Dwelling in the following districts:	
	R, C, DEOD	A minimum of one space for every dwelling unit, except that the maximum number of spaces for a site having a one-family or two-family dwelling as the only use other than an accessory use shall be: Site width at rear property line — Spaces less than 10.0 m — 2 at least 10.0 but less than 12.2 m — 3 at least 12.2 but less than 14.5 m — 4 14.5 m or more — 5
	First Shaughnessy District	A minimum of two spaces for every dwelling unit.
4.2.1.2	One-Family Dwelling with Secondary Suite	A minimum of one space for every dwelling unit, and for a building constructed before April 20, 2004, a minimum of one space.
	One-Family Dwelling with Laneway House	A minimum of one space.
	One-Family Dwelling with Secondary Suite and Laneway House	A minimum of one space.
	In RT-11: One-Family Dwelling with Secondary Suite on a site with more than one principal building	A minimum of 1.5 spaces.
	Two-Family Dwelling with Secondary Suite	A minimum of three spaces, except that the maximum number of spaces for a site having a two-family dwelling with secondary suite as the only use other than an accessory use must be: Site width at rear property line — Spaces At least 10.0 m but less than 12.2 m — 3 At least 12.2 m but less than 14.5 m — 4 14.5 m or more — 5
4.2.1.3	Multiple Conversion Dwelling in the following districts:	
	RS-7	A minimum of one space for every dwelling unit, except that the maximum number of spaces for a site having a multiple conversion dwelling as the only use other than an accessory use shall be: Site width at rear property line — Spaces less than 10.0 m — 2 at least 10.0 but less than 12.2 m — 3 at least 12.2 but less than 14.5 m — 4 14.5 m or more — 5 If the minimum number of spaces exceeds the maximum, then the minimum number of spaces shall be provided and not exceeded.
	RS-1A	A minimum of one space.

	COLUMN 1 BUILDING CLASSIFICATION	COLUMN 2 REQUIRED AND PERMITTED PARKING SPACES
	RT-3, RT-4, RT-4N, RT-4A, RT-4AN, RT-6, RT-7, FM-1 and sites less than 500 square metres in RM-4 and RM-4N	A minimum of one space for every residential unit.
	RT-5, RT-5N, RT-5A, RT-5AN, RT-8, RT-9, RT-10, RT-10N, RT-11, RT-11N, RM-1, RM-1N, RM-7, RM-7N, RM-7AN, RM-8, RM-8N, RM-9, RM-9N, RM-9A, RM-9AN, ~~RM-10N"~~ RM-10N, RM-11, RM-11N, and RM-12N	A minimum of one additional space for every dwelling unit newly created.
	DEOD	
	Two residential units	A minimum of two spaces.
	Three or more residential units	A minimum of one space for each 70 m² of gross floor area, except that no more than 2.2 spaces for every residential unit need be provided.
	RS-2, RS-4, RT-1, RT-2, RM-2, RM-3, RM-3A, C, (except C-5, C-5A and C-6), M, I except Mount Pleasant industrial area, and sites 500 m² or larger in RM-4 and RM-4N	
	Two residential units	A minimum of two spaces.
	Three or more residential units	A minimum of 0.5 space for every dwelling unit that has less than 50 m² of gross floor area, and, for every dwelling unit that has 50 m² or more of gross floor area, at least 0.6 space for every dwelling unit plus one space for each 200 m² of gross floor area, except that, for every dwelling unit which has a gross floor area of 180 m² or greater, there need be no more than 1.5 spaces for every dwelling unit. For sites smaller than 500 m² or with a maximum of 1.0 floor space ratio, the lesser of the requirement set out in the preceding paragraph of this column or one space for every dwelling unit.
4.2.1.4	Multiple Dwelling or Infill Multiple Dwelling in the following districts, except as provided for in sections ~~4.2.1.7~~, 4.2.1.8, 4.2.1.10, and 4.2.1.13:	
	DEOD	A minimum of one space for each 70 square metres of gross floor area, except that no more than 2.2 spaces for every dwelling unit need be provided.
	RS-7, RT-3, RT-4, RT-4N, RT-4A, RT-4AN, RT-5, RT-5N, RT-5A, RT-5AN, RT-6, RT-7, RT-8, and sites less than 500 square metres in RM-4, RM-4N and FM-1	A minimum of 0.5 space for every dwelling unit that has less than 50 m² of gross floor area, and, for every dwelling unit that has 50 m² or more of gross floor area, at least 0.6 space for every dwelling unit plus one space for each 200 m² of gross floor area, except that, for every dwelling unit which has a gross floor area of 180 m² or greater, there need be no more than 1.5 spaces for every dwelling unit.
	Sites 500 square metres or larger in RM-4 and RM-4N	For sites smaller than 500 m² or with a maximum of 1.0 floor space ratio, the lesser of the requirement set out in the preceding paragraph of this column or one space for every dwelling unit.
	Sites 500 square metres or larger in FM-1	
	RM-1 and RM-1N	A minimum of one space for every dwelling unit.

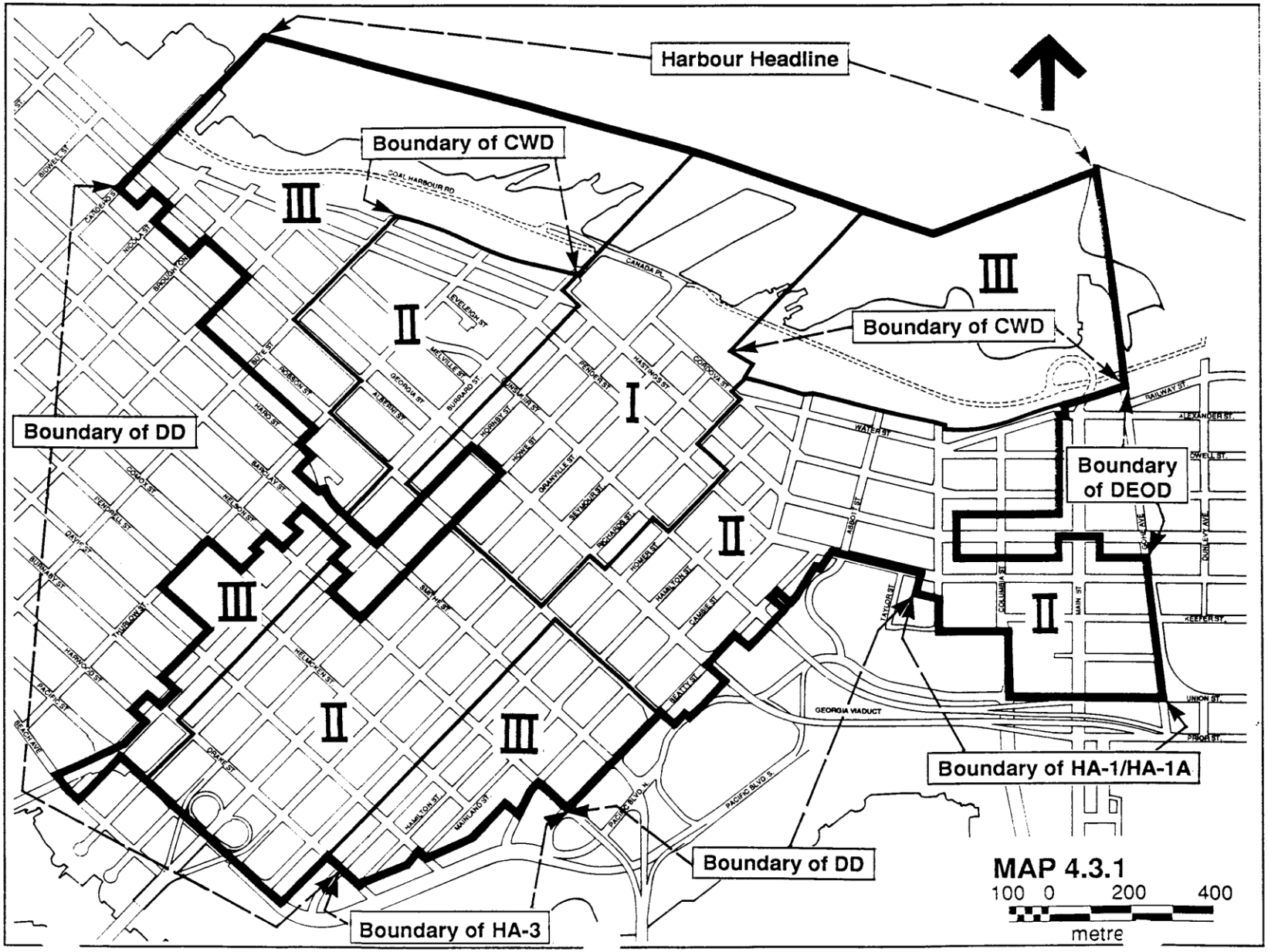
	COLUMN 1 BUILDING CLASSIFICATION	COLUMN 2 REQUIRED AND PERMITTED PARKING SPACES
	Multiple Dwelling in RM-7, RM-7N and RM-7AN (not including Rowhouse)	A minimum of 0.8 spaces for every dwelling unit.
	Multiple Dwelling in RM-8A and RM-8AN (not including Rowhouse)	A minimum of 0.8 spaces for every dwelling unit.
	Multiple Dwelling in RM-8, RM-8N, RM-9, RM-9N and RM-9BN (not including Rowhouse)	A minimum of 0.5 space for every dwelling unit with less than 50 m^2 of gross floor area, and, a minimum of 0.6 space for every dwelling unit with 50 m^2 or more of gross floor area, plus one space for each 200 m^2 of gross floor area, except that, for every dwelling unit which has a gross floor area of 80 m^2 or greater, there need be no more than 1 space for every dwelling unit.
	Multiple Dwelling in RM-9A, RM-9AN, RM-11, RM-11N, and RM-12N	A minimum of one space and no more than 2 spaces for every dwelling unit.
	RM-10 and RM-10N	A minimum of 0.5 space for every dwelling unit with less than 50 m2 of gross floor area, and, a minimum of 0.6 space for every dwelling unit with 50 m2 or more of gross floor area, plus one space for each 200 m2 of gross floor area, except that, there need be no more than 1 space for every dwelling unit. In addition to the preceding paragraph in this Column 2, a minimum of 0.075 space for each dwelling unit and a maximum of 0.15 space for each dwelling unit for designated visitor parking unless the Director of Planning and General Manager of Engineering Services allow visitor parking off site at a location and on terms and conditions satisfactory to them. Visitor parking shall be part of minimum parking requirements.
	Rowhouse in RM-7, RM-7N, RM-7AN, RM-8, RM-8N, RM-8A, RM-8AN, RM-9, RM-9N and RM-9BN	A minimum of one space for every dwelling unit.
	Principal Dwelling Unit with a Lock-off Unit in RM-7, RM-7N, RM-7AN, RM-8, RM-8N, RM-8A, RM-8AN, RM-9, RM-9A, RM-9N, RM-9AN, RM-9BN, RM-10, RM-10N, RM-11, RM-11N, and RM-12N	~~A principal dwelling unit with a lock-off unit is subject to the parking requirements in section 4.2.1.4 and there is no additional parking requirement for the lock-off unit.~~ The principal dwelling unit is subject to the relevant parking requirements in section 4.2.1.4. There is no additional parking requirement for the lock-off unit.
4.2.1.5	Rooming House	A minimum of one space for each 37 square metres of floor area used for sleeping units, exclusive of bathrooms.
4.2.1.6	Dwelling Units up to a maximum of two in conjunction with a Neighbourhood Store.	A minimum of one space for every dwelling unit.
4.2.1.7	Repealed	
4.2.1.8	Social Housing HILS Units	A minimum of 0.3 spaces per unit for units with fewer than 2 bedrooms, and a minimum of 0.5 spaces per unit for units with 2 or more bedrooms.
4.2.1.9	Three or more dwelling units designated solely as social housing low end of market units.	The rate applicable for secure market rental housing in section 4.5B1.

	COLUMN 1 BUILDING CLASSIFICATION	COLUMN 2 REQUIRED AND PERMITTED PARKING SPACES
4.2.1.9A	Three or more dwelling units designated solely as shelter rate units.	1 space for every 15 units.
4.2.1.10	Residential Unit associated with and forming an integral part of an Artist Studio	A minimum of one space for every studio of 75 square meters or less of gross floor area, 1.3 spaces for every studio over 75 square meters of gross floor area and one additional space for every 12 studios on sites with 12 or more studios.
4.2.1.11	Co-op Housing.	A minimum of 1.2 spaces for every dwelling unit. For three or more dwelling units: A minimum of 0.5 space for every dwelling unit that has less than 50 m² of gross floor area, and, for every dwelling unit that has 50 m² or more of gross floor area, at least 0.6 space for every dwelling unit plus one space for each 200 m² of gross floor area, except that, for every dwelling unit which has a gross floor area of 180 m² or greater, there need be no more than 1.5 spaces for every dwelling unit. For sites smaller than 500 m² or with a maximum of 1.0 floor space ratio, the lesser of the requirement set out in the preceding paragraph of this column or one space for every dwelling unit.
4.2.1.12	Seniors Supportive or Assisted Housing For residential units less than 50 square metres in size For residential units 50 square metres - 70 square metres in size For residential units over 70 square metres in size	 1 space per 100 square metres of floor area used for residential units. 1 space per 70 square metres of floor area used for residential units. 1 space per 70 square metres of floor area used for residential units except that no more than 2.2 spaces for every unit need be provided.
4.2.1.13	Unless otherwise specified in this section 4.2.1, for three or more residential units, or for dwelling units in conjunction with another use or located within the area bounded by Burrard Inlet, Boundary Road, Marine Drive, Kerr Street, Fraser River, the boundary between the city and the University Endowment Lands, English Bay, False Creek, Burrard Street, 1st Avenue, Lamey's Mill Road, False Creek 2nd Avenue, Main Street, Prior Street, Gore Avenue, the lane south of Hastings Street, and Heatley Street. (See Map 4.2.1.13)	A minimum of 0.5 space for every dwelling unit that has less than 50 m² of gross floor area, and, for every dwelling unit that has 50 m² or more of gross floor area, at least 0.6 space for every dwelling unit plus one space for each 200 m² of gross floor area, except that, for every dwelling unit which has a gross floor area of 180 m² or greater, there need be no more than 1.5 spaces for every dwelling unit. For sites smaller than 500 square metres or with a maximum of 1.0 floor space ratio, the lesser of the requirement set out in the preceding paragraph of this column or one space for every dwelling unit.
	Principal Dwelling Unit with Lock-off Unit in the C-2, C-2B, C-2C, C-2C1, and C-3A Districts.	The principal dwelling unit with lock-off unit, including the floor area of the lock-off unit, is subject to the parking requirement otherwise specified in section 4.2.1.13, and there is no additional requirement for a lock-off unit. However, for the purpose of calculating visitor parking requirements, Council deems a lock-off unit to be a separate dwelling unit.

	COLUMN 1 BUILDING CLASSIFICATION	COLUMN 2 REQUIRED AND PERMITTED PARKING SPACES
4.2.2	**Temporary Accommodation**	
4.2.2.1	Hotel	A minimum of one space for every dwelling unit and one space for every two sleeping or housekeeping units.
4.2.2.3	Bed and Breakfast Accommodation	A minimum of one space
4.2.3	**Institutional**	
4.2.3.1	Community Care Facility – Class A; Community Care Facility – Class B; and Group Residence	A minimum of one space for each four beds.
4.2.3.2	Detoxification Centre.	A minimum of one space for each 28 square metres of gross floor area.
4.2.3.3	Hospital or other similar use.	A minimum of one space for each 93 square metres of gross floor area.
4.2.3.4	Church, chapel, wedding chapel, funeral home, place of worship, or similar place of assembly	A minimum of one space for each 9.3 square metres of floor area used for assembly purposes, except that where two or more separate areas of assembly exist within a site and are not used concurrently, the Director of Planning may require parking for only the largest of these areas.
4.2.3.5	School - Elementary or Secondary	A minimum of two spaces for every three employees in elementary schools and one and one-quarter spaces for each employee in secondary schools, except that where spaces required as the result of an extension to an existing school would diminish the existing school playground area, the Director of Planning may require a lesser number of additional spaces.
4.2.3.6	School - University or College	As determined by the Director of Planning in consultation with the City Engineer.
4.2.4	**Cultural and Recreational**	
4.2.4.1	Community centre, activity centre or similar place of assembly; Library, gallery, museum, or aquarium	A minimum of one space for each 18.6 square metres of floor area used for assembly purposes.
4.2.4.2	Theatre, auditorium, casino - Class 1, hall, club or bingo hall	A minimum of one space for each 9.3 square metres of floor area used for assembly purposes.
4.2.4.3	Stadium, arena, exhibition hall, rink, ring, pool, or similar place with spectator facilities	A minimum of one space for every 5 seats, or one space for each 9.3 square metres of pool or surface area used for assembly purposes, whichever is the greater.
4.2.4.4	Fitness Centre, except as provided for in section 4.2.4.7; School - Arts or Self-Improvement	A minimum of one space for each 18.6 square metres of gross floor area.
4.2.4.5	Billiard Hall or Arcade	A minimum of one space for every table or game.
4.2.4.6	Bowling Alley or Curling Rink	A minimum of three spaces for every alley or ice sheet.
4.2.4.7	racquet or Ball Court	A minimum of two spaces for every court.

	COLUMN 1 BUILDING CLASSIFICATION	COLUMN 2 REQUIRED AND PERMITTED PARKING SPACES
4.2.4.8	Golf Driving Range	A minimum of one space for every stall.
4.2.4.9	Marina, Sailing School, or Boat Facilities	A minimum of one space for every two mooring berths, with additional spaces for launching facilities and sailing schools as determined by the Director of Planning having regard to design and use.
4.2.4.10	Artist Studio (non residential)	A minimum of one space for each 100 square meters of gross floor area.
4.2.5	**Commercial**	
4.2.5.1	Office Uses (except for Office Uses in the I-3 District) and Retail Uses, except as noted below; School - Business or; School - Vocational or Trade	A minimum of one space for each 100 square metres of gross floor area up to 300 square metres, and one additional space for each additional 50 square metres of gross floor area.
4.2.5.2	Office Uses in the following districts: FC-1	A minimum of one space for each 70 square metres of gross floor area and a maximum of one space for each 46.5 square metres of gross floor area.
4.2.5.3	Grocery Store or Drug Store, excluding Neighbourhood Grocery Store but including Small-scale Pharmacy, or Liquor Store	A minimum of one space for each 100 square metres of gross floor area up to 300 square metres, one additional space for each additional 20 square metres of gross floor area up to 2 300 square metres, and one additional space for each additional 30 square metres of gross floor area over 2 300 square metres.
4.2.5.4	Premises, or portions thereof, licensed pursuant to Provincial legislation for the regular sale of liquor, except for a Cabaret, Neighbourhood Public House, or Liquor Store	A minimum of one space for each 5.6 square metres of floor area open to the public.
4.2.5.5	Cabaret, licensed for the sale of liquor	A minimum of one space for each 9.3 square metres of floor area open to the public.
4.2.5.6	Neighbourhood Public House, licensed for the sale of liquor	A minimum of one space for each 18.6 square metres of floor area open to the public.
4.2.5.7	Except as provided in section 4.2.6.4, Laboratory; Motor Vehicle Repair Shop; Photofinishing or Photography Laboratory; Production or Rehearsal Studio; Repair Shop - Class A; Repair Shop - Class B; Work Shop	A minimum of one space for each 100 square metres of gross floor area in the building or one space for every five employees on a maximum work shift, whichever is greater.
4.2.5.8	Neighbourhood Grocery Store	No requirements.
4.2.5.9	Restaurant or Drive-in Restaurant with a gross floor area less than 250 square metres on a site less than 325 square metres	A minimum of one space for each 50 square metres of gross floor area, except that no more than 2 spaces need be provided.
4.2.5.10	Restaurant or Drive-in Restaurant in the C-3A district except for Central Broadway and except as provided for in section 4.2.5.9	A minimum of one space for each 100 m² of gross floor area for the first 300 m² of gross floor area, and one additional space for each additional 50 m² of gross floor area.
4.2.5.11	Restaurant or Drive-in Restaurant, except as otherwise provided for in this By-law	A minimum of one space for each 50 square metres of gross floor area up to 100 square metres, one additional space for each additional 10 square metres of gross floor area up to 500 square metres and one additional space for each additional 20 square metres of gross floor area over 500 square metres.

	COLUMN 1 BUILDING CLASSIFICATION	COLUMN 2 REQUIRED AND PERMITTED PARKING SPACES
4.2.5.12	Health Care Office; Health Enhancement Centre; Animal Clinic	A minimum of one space for each 28 square metres of gross floor area.
4.2.5.13	Farmers' Market	As determined by the Director of Planning in consultation with the City Engineer.
4.2.6	**Industrial**	
4.2.6.1	Except as provided in section 4.2.6.4, Manufacturing Uses; Wholesale Uses	A minimum of one space for each 93 square metres of gross floor area in the building, or one space for every five employees on a maximum work shift, whichever is the greater.
4.2.6.2	Except as provided in section 4.2.6.4, Transportation and Storage Uses, except as provided for in section 4.2.6.3; Utility and Communication Uses	As determined by the Director of Planning in consultation with the City Engineer.
4.2.6.3	Except as provided in section 4.2.6.4, Storage Warehouse	A minimum of one space for each 185 square metres of gross floor area.
4.2.6.4	Except as provided in section 4.2.6.5, the following uses in I-3: Manufacturing Uses; Office Uses; Laboratory; Production or Rehearsal Studio; Utility and Communication Uses; Transportation and Storage Uses; Wholesale Uses; Work Shop	A minimum of one space for each 57.5 square metres of gross floor area and a maximum of one space for each 42 square metres of gross floor area.
4.2.6.5	Mini-storage Warehouse	For visitors, a minimum of two spaces, situated in proximity to the office, at least one of which is a Class B loading space that meets the requirements of section 5; for office use, a minimum of one space for each 100 square metres of gross floor area up to 300 square metres, and an additional space for each additional 50 square metres of gross floor area; and, for each caretaker who resides on the premises, one additional space.


Harbour Headline
Boundary of CWD
Boundary of CWD
Boundary of DD
Boundary of DEOD
Boundary of HA-1/HA-1A
Boundary of DD
Boundary of HA-3
I
II
III
GOAL HARBOUR RD
CANADA PL
EVELEIGH ST
MELVILLE ST
BURRARD ST
GEORGIA ST
ALBERNI ST
ROBSON ST
HARO ST
BURRARD ST
HORNBY ST
HOWE ST
GRANVILLE ST
SEYMOUR ST
ROBSON ST
POWELL ST
HAMILTON ST
CAMBIE ST
BEATTY ST
HELMCKEN ST
DRAKE ST
HAMILTON ST
MAINLAND ST
PACIFIC BLVD N
PACIFIC BLVD S
GEORGIA VIADUCT
LAYTON ST
ABBOTT ST
WATER ST
COLUMBIA ST
MAIN ST
GORE AVE
DUNLEVY AVE
ALEXANDER ST
POWELL ST
RAILWAY ST
KEEFER ST
UNION ST
PRIOR ST
BROUGHTON ST
NICOLA ST
BURNAB ST
THURLOW ST
HARRO ST
PACIFIC ST
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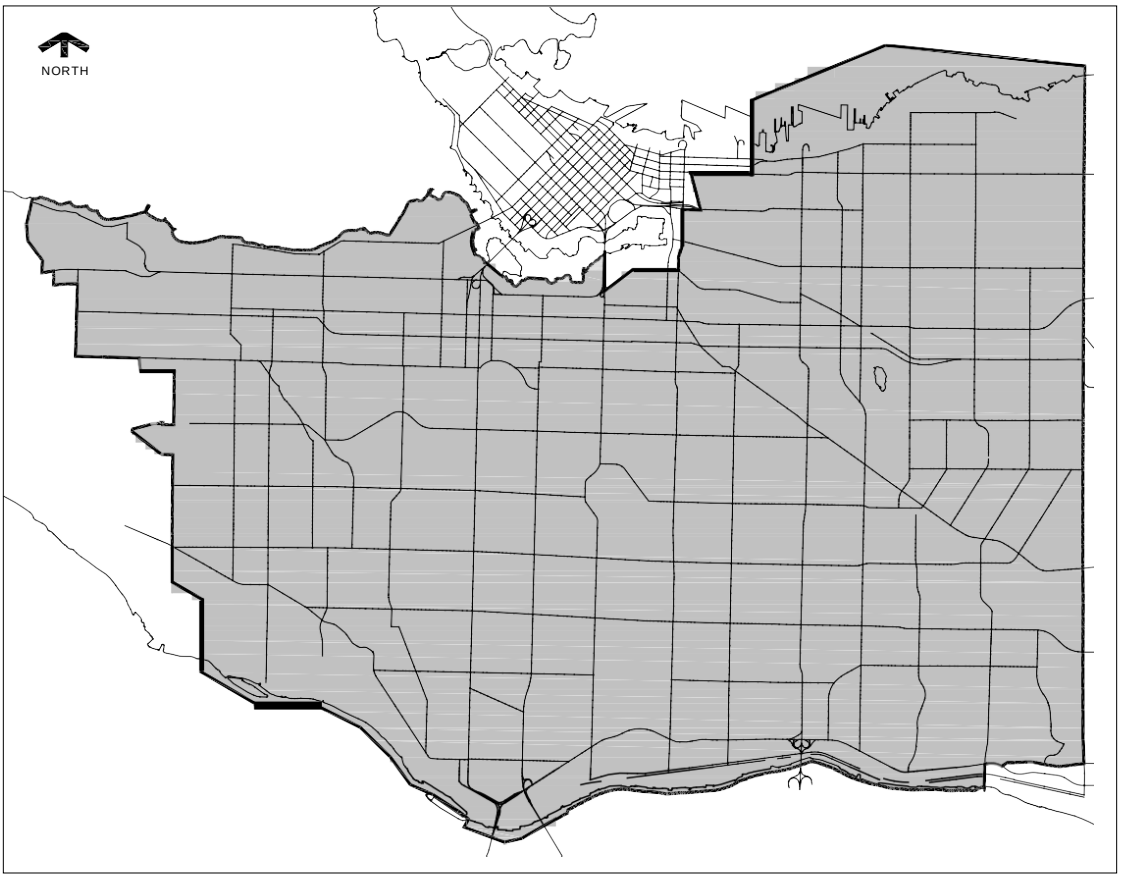
MAP 4.3.1
100 0 200 400
metre

Map 4.2.1.13



4.3 Required and Permitted Accessory Parking Spaces Downtown

[Additional regulations for developments located in Central Waterfront District sub-area 3 are contained in the Central Waterfront District Official Development Plan.]

4.3.1 Non-residential Uses - Downtown

Except for accessible parking which is to be provided in accordance with section 4.8.4, and parking spaces for water based uses which are to be provided in accordance with section 4.2.4.9, all non-residential uses Downtown shall provide a maximum of one parking space for each 115 m^2 of gross floor area."

4.3.2 Residential Uses including Live-Work – Downtown, except in the West End and Robson North Permit Area

Except for accessible parking which is to be provided in accordance with section 4.8.4, and residential parking in the West End and Robson North Permit Area which is to be provided in accordance with sections 4.3.3 and 4.3.5, there is no minimum residential parking requirement for residential uses Downtown, including live-work use.

4.3.3 Residential Uses including Live-Work - West End and Robson North Permit Area

Except as provided in section 4.3.5, residential uses in the West End and Robson North Permit Area, including live-work use, shall provide the lesser of:

(a) at least one parking space for each 140 m^2 of gross floor area; and
(b) one parking space for every dwelling unit.

4.3.4 Residential Visitor Parking - Downtown

Where parking spaces are provided for residential uses Downtown, the lesser of

(a) 5% of the total number of residential parking spaces; and
(b) 0.05 spaces per dwelling unit,

to a maximum of 0.1 spaces per dwelling unit, must be designated and reserved for the use of visitors.

4.3.5 Social Housing HILS Units and Shelter Rate Units - West End and Robson North Permit Area

Except for accessible parking which is to be provided in accordance with section 4.8.4, no parking is required for Social Housing HILS Units or shelter rate units in the West End and Robson North Permit Area.

4.3.6 Transportation Demand Management - Downtown

Except for sites required to provide parking under section 4.3.3, the owners of all developments Downtown must provide a ~~Traffic Demand Management Plan~~ Transportation Demand Management Plan satisfactory to the Director of Planning.

4.15 Transportation Demand Management Plan

4.15.1 All development sites involving a land parcel or parcels having a total site size of 8,000 m^2 or more, or containing 45,000 m^2 or more of new development floor area, must provide a ~~Traffic Demand Management Plan~~ Transportation Demand Management Plan satisfactory to the Director of Planning.

Section 5

Off-Street Loading Space Regulations

5.1 Number of Loading Spaces

5.1.1 General Requirements

Unless otherwise provided in Schedule C or a CD-1 By-law, in all districts except FCCDD and BCPED the number of spaces for the off-street loading and unloading of motor vehicles required for any development shall be calculated according to section 5.2.

5.1.2 HA District and Sub-area C2 Loading Requirements

In HA Districts and sub-area C2, the Director of Planning may permit or require fewer spaces than in section 5.1.1, where, after considering the recommendations of any advisory group, policies or guidelines approved by Council for the area, he is satisfied that literal enforcement would result in a development that is out of character with the architectural, historical, or cultural nature of the area.

5.1.3 BCPED and FCCDD District Requirements

Unless otherwise provided in an Official Development Plan, the number of spaces for the off-street loading and unloading of motor vehicles required for any development in the BCPED and FCCDD District shall be calculated according to section 5.2.

5.1.4 Uses Not Listed

If a use is not listed in the tables, the number of loading spaces shall be calculated on the basis of a similar use as determined by the Director of Planning.

5.1.5 Multi-Use Developments

For the purposes of this section, uses with the same formula for determining required loading spaces shall be considered to be of the same class. If a development contains more than one use as defined in section 5.2, the total number of loading spaces shall be the sum of the loading spaces required for the various classes of uses calculated separately and, unless otherwise permitted by the Director of Planning, in consultation with the City Engineer, taking into account the time-varying demand of uses, a loading space required for one use shall be deemed not to meet the requirement for any other use in that development.

5.1.6 Floor Area Calculations

Where gross floor area is used to calculate the number of required loading spaces, it shall be calculated in the same manner as the floor space ratio of the applicable district schedule or official development plan.

5.1.7 Rounding of Fractional Numbers

Where the calculation of total required loading spaces results in a fractional number, the nearest whole number above zero shall be taken. Subject to section 5.2.1 or to any other specific requirement of this By-law, a fraction of one-half shall be rounded up to the next whole number.

5.1.8 Loading Space Requirement Exemptions

The required number of off-street loading spaces need not be provided where, subsequent to original construction of a building, any additions, alterations or change in use would, in total, result in an increase of less than 10 percent of the number of parking spaces required for the originally constructed building before any addition, alteration or change in use.

5.1.9 Farmers' Market Exemption

A farmers' market is exempt from off-street loading space requirements.

5.2 Table of Number of Required Off Street Loading Spaces

Loading spaces for any building classified in Column 1 must meet the corresponding standard listed in Column 2, except for Fitness Centre - Class 1 that does not include racquet and ball courts, School-arts or self-improvement, Restaurant, Health Enhancement Centre, Health Care Office or Animal Clinic, that consists of less than 200 m², that is commencing business in an existing building in the C-2, C-3A, C-5, C-5Aor C-6 zone, and that constitutes a change of use from the previous use in the same premises, in which case the loading standard is at least one Class A space for each 100-200 sq metres of gross floor area.

	Column 1 **Building Classification**	**Column 2** **Required Loading Spaces**		
		Class A	**Class B**	**Class C**
5.2.1	Dwelling Use (For the purpose of calculating loading spaces in the Southeast False Creek area illustrated in Map 4.5A, the number of dwelling units is to include the number of live-work units under section 4.5A.5 and social housing units under sections 4.5A.6, 4.5A.7, and 4.5A.8.); .	No Requirement.	No requirement for less than 100 dwelling units. At least one space for 100 to 299 dwelling units; a minimum of one additional space for 300 to 499 dwelling units; and at least one additional space for any portion of each additional 200 dwelling units, except that w here one or more parcels of land include multiple buildings that share a parking area or parking garage, the Director of Planning, in consultation with the City Engineer, may allow the loading requirement to be based on the total number of dwelling units in all the buildings.	No requirement.
	Dwelling use in RM-10 and RM-10N	A minimum of one space at grade for sites located on Joyce Street		

	Column 1 Building Classification	Column 2 Required Loading Spaces		
		Class A	**Class B**	**Class C**
5.2.2	Hotel	A minimum of one space for a hotel with a minimum of 150 sleeping, housekeeping or dwelling units up to a maximum of 249 units, a minimum of two spaces for a hotel with 250 units up to a maximum of 499 units, a minimum of three spaces for a hotel with 500 units up to a maximum of 699 units, and one additional space for any portion of each additional 200 units.	A minimum of one space for a hotel with less than 75 sleeping, housekeeping or dwelling units, a minimum of two spaces for a hotel with 75 units up to a maximum of 399 units, a minimum of three spaces for a hotel with 400 units up to a maximum of 599 units, and one additional space for any portion of each additional 200 units.	No requirement.
5.2.3	Community Care Facility - Class B; Group Residence; School Business; Animal Clinic; Detoxification Centre; Hospital or other similar use; Church, chapel, wedding chapel, funeral home, place of worship,or similar place of assembly; School - Elementary or Secondary; School University or College; Community centre, activity centre, or similar place of assembly; Library, gallery, museum, or aquarium; Theatre, auditorium, Casino - Class 1, hall, club or bingo hall; Stadium, arena, exhibition hall, rink, ring, pool, or similar place w ith spectator facilities; Fitness Centre, except as provided for in section 5.2.4; School - Vocational or Trade; School - Arts or Self - Improvement.	No Requirement.	No requirement for less than 100 square metres of gross floor area. A minimum of one space for each 2 800 square metres of gross floor area.	No requirement for less than 2 000 square metres of gross floor area. At least one space for each 2 000 square metres to 5 000 square metres of gross floor area for a hospital or other similar use; and at least two spaces for more than 5 000 square metres of gross floor area for such use.

	Column 1 Building Classification	Column 2 Required Loading Spaces		
		Class A	**Class B**	**Class C**
5.2.4	Billiard Hall or Arcade; Bow ling Alley or Curling Rink; Racket or Ball Court; Golf Driving Range; Artist Studio; Marina, Sailing School or Boat facilities.	No Requirement.	No requirement for less than 100 square metres of gross floor area. A minimum of one space for the first 4 650 square metres of gross floor area plus one space for any portion of the next 1 860 square metres and one additional space for each additional 2 325 square metres.	No requirement.
5.2.5	Laboratory; Motor Vehicle Repair Shop; Photofinishing or Photography Laboratory; Repair Shop - Class A; Repair Shop - Class B; Retail Uses, except for Neighbourhood Grocery Store; Restaurant or Drive-in Restaurant; Premises, or portions thereof, licensed pursuant to Provincial legislation for the regular sale of liquor; Production or Rehearsal Studio; Manufacturing Uses; Transportation and Storage Uses; Utility and Communication Uses; Wholesale Uses; Work Shop.	No Requirement.	No requirement for less than 100 square metres of gross floor area. A minimum of one space for the first 465 square metres of gross floor area plus one space for any portion of the next 1 860 square metres and one additional space for each additional 2 325 square metres.	No requirement for less than 2 000 square metres of gross floor area. At least one space for 2 000 square metres to 5 000 square metres of gross floor area for a manuf acturing use, retail use except for a neighbourhood grocery store, storage w arehouse, or w holesale use, separately or in combination; and at least two spaces for more than 5 000 square metres of gross floor area for any such use or combination of uses.
5.2.6	Seniors Supportive or Assisted Housing	No requirement.	A minimum of one space for a facility with less than 200 residential units, and one additional space for any portion of each additional 200 residential units.	No requirement.

	Column 1 Building Classification	Column 2 Required Loading Spaces		
		Class A	**Class B**	**Class C**
5.2.7	Office Uses	No requirement for less than 1 000 square metres of gross floor area At least one space for 1 000 to 7 500 square metres of gross floor area; at least tw o spaces for more than 7 500 to 15 000 square metres of gross floor area; at least three spaces for more than 15 000 to 20 000 square metres of gross floor area; at least four spaces for more than 20 000 to 28 000 square metres of gross floor area; and at least one additional space for any portion of each additional 7 500 square metres of gross floor area.	No requirement for less than 500 square metres of gross floor area. At least one space for 500 to 5 000 square metres of gross floor area; at least tw o spaces for more than 5 000 to 10 000 square metres of gross floor area; at least three spaces for more than 10 000 to 28 000 square metres of gross floor area; and at least one additional space for any portion of each additional 15 000 square metres of gross floor area.	
5.2.8	Mini-storage Warehouse	A minimum of one space for each 620 m² of gross floor area	A minimum of one space for each 1 860 m² of gross floor area.	No requirement.
5.2.9	Live-Work Use, except in the Southeast False Creek area illustrated in Map 4.5A	No requirement for less than 7 500 square metres of gross floor area. At least one space for 7 500 to 20 000 square metres of gross floor area; at least two spaces for more than 20 000 to 35 000 square metres of gross floor area; and at least one additional space for any portion of each additional 15 000 square metres of gross floor area.	No requirement for less than 5 000 square metres of gross floor area. At least one space for 5 000 to 10 000 square metres of gross floor area; at least 2 spaces for more than 10 000 to 28 000 square metres of gross floor area; and at least one additional space for any portion of each additional 30 000 square metres of gross floor area.	No requirement.

Section 6

Off-street Bicycle Space Regulations

6.1 Number of Bicycle Spaces

6.1.1 General Requirements

Unless otherwise provided in Schedule C or a CD-1 By-law, in all districts, the number of spaces required for the off-street parking of bicycles shall be calculated according to section 6.2.

6.1.2 Bicycle Space Requirement Exemptions

The required number of off-street bicycle spaces need not be provided where any additions, alterations or changes of use to a building existing on October 17, 1995 would, in total, result in an increase of less than 10 percent of the number of spaces required before the additions, alterations or change in use.

6.1.3 Uses Not Listed

If a use is not listed in the tables, the number of bicycle spaces shall be calculated on the basis of a similar use as determined by the Director of Planning.

6.1.4 Multiple-Use Developments

For the purposes of this section uses with the same formula for determining required bicycle spaces shall be considered to be of the same class. If a development contains parking for more than one use as listed in section 6.2, the total number of bicycle spaces shall be the sum of the bicycle spaces required for the various classes of uses calculated separately and, unless otherwise permitted by the Director of Planning, in consultation with the City Engineer, taking into account the time-varying demand of uses, a bicycle space required for one use shall be deemed not to meet the requirement for any other use in that development.

6.1.5 Floor Area Calculation

Where gross floor area is used to calculate the number of required bicycle spaces, it shall be calculated in the same manner as the floor space ratio of the applicable district schedule or official development plan.

6.1.6 Rounding of Fractional Numbers

Where the calculation of total required bicycle spaces results in a fractional number, the nearest whole number shall be taken, unless specified otherwise in section 6.2. A fraction of one-half shall be rounded up to the next whole number.

6.2 Table of Number of Required Off-Street Bicycle Spaces

Bicycle spaces shall be required for any buildings classified in column 1 in accordance with the corresponding standards listed in column 2.

	Column 1 **Building Classification**	**Column 2** **Required Bicycle Spaces**	
		Class A	**Class B**
6.2.1	**Dwelling**		
6.2.1.1	Dwelling Uses, including live-work use,except as provided for in sections 6.2.1.2, 6.2.1.3, 6.2.1.4, 6.2.1.5 and 6.2.1.6.	No Requirement.	No Requirement.
6.2.1.2	Multiple Dwelling, Infill Multiple Dwelling, or three or more dwelling units in conjunction with another use, including live-work, except as provided for in sections 6.2.1.3, 6.2.1.4 and 6.2.1.5.	A minimum of 1.5 spaces for every dwelling unit under 65 m^2. A minimum of 2.5 spaces for every dwelling unit over 65 m^2 and under 105 m^2. A minimum of 3 spaces for every dwelling unit over 105 m^2.	A minimum of 2 spaces for any development containing at least 20 dwelling units, and one additional space for every additional 20 dwelling units.
6.2.1.3	Three or more dwelling units designated solely for seniors citizens housing.	A minimum of 0.75 spaces for every dwelling unit, except that where designated spaces are provided for the purpose of parking mobility scooters, these designated spaces may form part of the required minimum.	A minimum of 2 spaces for any development containing at least 20 dwelling units, and one additional space for every additional 20 dwelling units.
6.2.1.4	Shelter rate units.	A minimum of 0.75 spaces for every unit designed for single room accommodation or similar use, and according to the standard in Section 6.2.1.2 for all other units, except that w here dwelling units have explicitly been designed to adequately accommodate bicycles, the Director of Planning may reduce this requirement.	A minimum of 2 spaces for any development containing at least 20 dwelling units, and one additional space for every additional 20 dwelling units.
6.2.1.5	Seniors Supportive or Assisted Housing.	A minimum of 0.10 spaces for every residential unit.	A minimum of 2 spaces for any development containing at least 20 dwelling units, and one additional space for every additional 20 dwelling units.

	Column 1 **Building Classification**	**Column 2** **Required Bicycle Spaces**	
		Class A	**Class B**
6.2.2	**Institutional**		
6.2.2.1	Community Care Facility – Class B; Group Residence; Detoxification Centre.	A minimum of 1 space for every 100 beds.	No requirement.
6.2.2.2	Hospital or other similar use.	A minimum of 1 space for every 17 employees on a maximum w ork shift.	A minimum of 6 spaces at each public entrance.
6.2.2.3	School - Elementary or Secondary; School - University or College.	A minimum of 1 space for every 17 employees and for secondary schools, universities or colleges, 0.4 space for every 10 students on a maximum attendance period.	A minimum of 0.6 space for every 10 students on a maximum attendance period except that elementary schools shall provide a minimum of 1 space for every 20 students.
6.2.2.4	Church, chapel, place of w orship, or similar place of assembly.	No requirement.	A minimum of 6 spaces.
6.2.2.5	Ambulance Station; Child Day Care Facility; Social Service Centre; Community Care Facility – Class A~~; Seniors Supportive and Assisted Housing~~.	No requirement.	No requirement.

	Column 1 **Building Classification**	**Column 2** **Required Bicycle Spaces**	
		Class A	**Class B**
6.2.3	**Cultural & Recreational**		
6.2.3.1	Community centre, hall, club, bingo hall, activity centre or similar place of assembly; Casino - Class 1; Library, gallery, museum or aquarium.	A minimum of 1 space for each 500 square metres of floor area used for assembly purposes.	A minimum of 6 spaces for any portion of each 1,500 square metres of floor area used for assembly purposes.
6.2.3.2	Theatre, auditorium, stadium, arena, or similar place with spectator facilities.	No requirement.	A minimum of 6 spaces for any portion of each 300 person seating capacity.
6.2.3.3	Fitness centre.	A minimum of 1 space for each 250 square metres of gross floor area.	A minimum of 6 spaces for any portion of each 500 square metres of gross floor area.
6.2.3.4	Billiard hall; Arcade; Bow ling Alley; Curling Rink.	No requirement.	A minimum of 6 spaces for any portion of each 40 tables, games, alleys or ice sheets.
6.2.3.5	Artist Studio, without residential component (See section ~~6.2.1.3~~ 6.2.1.2 for requirement for Residential Unit associated with and forming an integral part of an artist studio).	No requirement.	No requirement.
6.2.4	**Office**		
6.2.4.1	Office Uses	A minimum of one space for each 170 square metres of gross floor area.	A minimum of 6 spaces for any development containing a minimum of 2,000 square metres of gross floor area.
6.2.5	**Retail & Service**		
6.2.5.1	Retail and Service Uses, except as provided for in sections 6.2.5.2 and 6.2.5.3.	A minimum of one space for each 340 square metres of gross floor area.	A minimum of 6 spaces for any development containing a minimum of 1,000 square metres of gross floor area.
6.2.5.2	Hotel.	A minimum of 1 space for every 30 dw elling, housekeeping or sleeping units, or any combination thereof.	A minimum of 6 spaces for any development containing a minimum of 75 dwelling, housekeeping or sleeping units, or any combination thereof.

	Column 1 **Building Classification**	**Column 2** **Required Bicycle Spaces**	
		Class A	**Class B**
6.2.5.3	Bed & Breakfast Accommodation; Funeral Home; Wedding Chapel.	No requirement.	No requirement.
6.2.6 6.2.6.1	**Manufacturing, Transportation & Storage, Utility & Communication Uses, Wholesale** Manufacturing Uses; Transportation and Storage uses; Utility and Communication Uses; Wholesale Uses.	A minimum of 1 space for each 1,000 square metres of gross floor area in the building or 1 space for every 17 employees on a maximum work shift, whichever is the greater.	No requirement.
6.2.7 6.2.7.1	**Parking** Parking Uses.	As determined by the Director of Planning in consultation with the City Engineer.	As determined by the Director of Planning in consultation with the City Engineer.
6.2.8 6.2.8.1	**Agricultural** Agricultural Uses.	No requirement.	No requirement.