

**PROPOSED MISCELLANEOUS AMENDMENTS TO THE  
ZONING & DEVELOPMENT BY-LAW AND EAST FRASERLANDS OFFICIAL  
DEVELOPMENT PLAN**

**REDLINE VERSION**

**MARCH 2022**

**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. 14799 entitled “Miscellaneous Amendments – Zoning and Development By-law and East Fraser Lands Official Development Plan” 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.

# Section 4

## Development Permits

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

Section		
4.1	Development Permit Applications	
	<p>4.1.1 Every applicant for a development permit or an amendment to a development permit shall submit to the Director of Planning a written application on forms furnished for such purpose, and the Director of Planning may require the correctness of the information supplied in that application to be verified by statutory declaration.</p>	
	<p>4.1.2 Every application for a development permit or an amendment to a development permit shall include:</p> <ul style="list-style-type: none"> <li>(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</li> <li>(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.</li> </ul>	Formerly 4.1.2 and 4.13

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*[continued on the next page...]*

	<p>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.</p> <p>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.</p> <p>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.</p> <p>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.</p>	<p>Formerly 4.14</p> <p>Formerly 4.1.5</p> <p>Formerly 4.1.6</p> <p>Formerly 4.1.7</p>
<p><b>4.2</b></p>	<p>Development Permit Application Time Limits</p> <p>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.</p> <p>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 warranted by the circumstances. In no case shall any extension or extensions exceed in total 12 months.</p> <p>4.2.3 If within 30 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 applicant, then the issue of the development permit shall be deemed to have been refused, so as to enable 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</p>	

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refused during such period that issuance of such development or building permit so continues to be withheld.

**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. Formerly 3.3.1

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. Formerly 3.1.7

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: Formerly 3.3.2

- (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 Formerly 3.3.2A

assessment, and may consider drainage to be inadequate if the proposed development will result in:

*[continued on the next page...]*

- (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:

Formerly 3.3.2B

- (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:

Formerly 3.3.2C

- (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

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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:

Formerly 3.3.3 and 3.3.4

- (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 additional density 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

*[continued on the next page...]*

(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. Formerly 3.3.5  
See By-law No. 4722, Appendix F

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: Formerly 3.3.6

- (a) a multiple dwelling with three or more dwelling units in the C-2, C-2B, C-2C1, 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 C-2, C-2B, C-2C, C-2C1, 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;
  - (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, or
  - (d) a building containing three or more dwelling units in conjunction with any of the uses listed in the applicable district schedule in the C-2, C-2B, C-2C, or C2-C1 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 Issuance

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	<p>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.</p> <p style="text-align: right;"><i>[continued on the next page...]</i></p> <p>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.</p> <p>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.</p> <p>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.</p> <p>4.4.5 The issue of a development permit shall not absolve the applicant from complying with all City by-laws.</p> <p>4.4.6 In the event of a discrepancy between any written description and the plans or drawings the written description shall prevail.</p> <p>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.</p>	<p>Formerly 4.3.1</p> <p>Formerly 4.3.2</p> <p>Formerly 4.3.3</p> <p>Formerly 4.3.4</p> <p>Formerly 4.3.5</p> <p>Formerly 4.3.6</p> <p>Formerly 4.3.7</p>
<p><b>4.5</b></p>	<p>Development Permit Amendment</p> <p>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</p>	<p>Formerly 4.4.1</p>



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.

<b>4.6</b>	Development Permit Time Limits	
	<p>4.6.1 Any development permit issued shall be void 12 months after the date of issue of same unless:</p> <p>(a) the development authorized thereunder shall meanwhile have been commenced; or</p> <p style="text-align: right;"><i>[continued on the next page...]</i></p> <p>(b) a building permit has been issued and is unexpired.</p>	Formerly 4.5.1
	<p>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.</p>	Formerly 4.5.2
	<p>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.</p>	Formerly 4.5.3
	<p>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.</p>	Formerly 4.5.4
	<p>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.</p>	Formerly 4.5.5
	<p>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.</p>	Formerly 4.5.6
	<p>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:</p> <p>(a) the use is configured in the same way as it lawfully existed immediately prior to the fire; and</p> <p>(b) a development permit authorizing the repair and reconstruction of the building is issued within 90 days of the building's destruction or demolition.</p>	Formerly 4.5.7

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	<p>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.</p>	<p>Formerly 4.5.8</p>
<p><b>4.7</b></p>	<p>Building Permit Validity</p> <p>4.7.1 Unless issued in accordance with sections 4.7.2 and 4.7.3, 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.</p> <p style="text-align: right;"><i>[continued on the next page...]</i></p> <p><del>4.7.2 Despite section 4.7.1, the Director of Planning may recommend the issuance of a building permit to the City Building Inspector, provided that the:</del></p> <ul style="list-style-type: none"> <li><del>(i) Director of Planning has issued a “prior to permit issuance” letter for the development;</del></li> <li><del>(ii) Director of Planning, in consultation with the City Engineer and Director of Legal Services, is satisfied that the applicant has made substantial progress in satisfying the conditions imposed under (i);</del></li> <li><del>(iii) City Building Inspector, in consultation with the City Engineer, is satisfied that a building permit may be issued, and the building permit:             <ul style="list-style-type: none"> <li><del>(a) application is submitted by a Certified Professional; and</del></li> <li><del>(b) is limited only to excavation and shoring associated with the proposed development permit for the same site; and</del></li> </ul> </del></li> <li><del>(iv) development must include one of the following uses:             <ul style="list-style-type: none"> <li><del>(a) Cultural and Recreational Uses, limited to Artist Studio, Community Centre or Neighbourhood House, Library, Museum or Archives, and Park or Playground;</del></li> <li><del>(b) Dwelling Uses, developed as Social Housing or Secured Market Rental Housing;</del></li> <li><del>(c) Institutional Uses; or</del></li> <li><del>(d) any other use which the Director of Planning reasonably considers to be similar to the foregoing.</del></li> </ul> </del></li> </ul>	<p>Formerly 4.6.1</p>

- 4.7.2 Despite section 4.7.1, the Director of Planning may recommend the issuance of a building permit to the City Building Inspector, provided that the:
- (a) Director of Planning has issued a “prior to permit issuance” letter for the development;
  - (b) Director of Planning, in consultation with the City Engineer and Director of Legal Services, is satisfied that the applicant has made substantial progress in satisfying the conditions imposed under (i);
  - (c) City Building Inspector, in consultation with the City Engineer, is satisfied that a building permit may be issued, and the building permit:
    - (i) application is submitted by a Certified Professional; and
    - (ii) is limited only to excavation and shoring associated with the proposed development permit for the same site; and
  - (d) development must include one of the following uses:
    - (i) Cultural and Recreational Uses, limited to Artist Studio, Community Centre or Neighbourhood House, Library, Museum or Archives, and Park or Playground;
    - (ii) Dwelling Uses, developed as Social Housing or Secured Market Rental Housing;
    - (iii) Institutional Uses; or
    - (iv) any other use which the Director of Planning reasonably considers to be similar to the foregoing.

~~4.7.3 If the Director of Planning recommends that a building permit be issued pursuant to section 4.7.2, the City Building Inspector may issue a building permit, and in addition to any authority granted to the City Building Inspector under the Building By-law, may impose conditions on the building permit that require the owner to:~~

- ~~(i) provide the City with a certified Letter of Credit for an amount equal to the estimated cost of backfilling the~~

~~excavation and shoring works to the satisfaction of the City Engineer; and~~

~~(ii) register a covenant on the title of the site, pursuant to section 219 of the Land Title Act, that is satisfactory to the Director of Legal Services.~~

4.7.3 If the Director of Planning recommends that a building permit be issued pursuant to section 4.7.2, the City Building Inspector may issue a building permit, and in addition to any authority granted to the City Building Inspector under the Building By-law, may impose conditions on the building permit that require the owner to:

- (a) provide the City with a certified Letter of Credit for an amount equal to the estimated cost of backfilling the excavation and shoring works to the satisfaction of the City Engineer; and
- (b) register a covenant on the title of the site, pursuant to section 219 of the Land Title Act, that is satisfactory to the Director of Legal Services.

**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:

- 4.8.3 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.
- 4.8.4 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.
- 4.8.5 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.

Formerly 5.1

Formerly 5.2

Formerly 5.3

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4.8.6	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.	Formerly 5.4
4.8.7	The construction and maintenance of that part of a public utility placed in or upon a public thoroughfare or public utility easement.	Formerly 5.5
4.8.8	The construction, widening, improvement, maintenance or repair of any highway, lane, street, bridge or other public thoroughfare.	Formerly 5.6
4.8.9	<p>The demolition of any building, except for a building:</p> <ul style="list-style-type: none"> <li>(a) used for residential rental accommodation;</li> <li>(b) listed on the Heritage Register; or</li> <li>(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:</li> </ul>	Formerly 5.7
	<i>[continued on the next page...]</i>	
	<ul style="list-style-type: none"> <li>(a) residential rental accommodation subject to the provisions of section 10.8.3,</li> <li>(b) subject to a demolition order,</li> <li>(c) subject to demolition as a condition of subdivision approval, or</li> <li>(d) 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.</li> </ul>	
4.8.10	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.	Formerly 5.8
4.8.11	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.	Formerly 5.9
4.8.12	The keeping of animals or birds for domestic purposes, except as otherwise prohibited or regulated by the Health By-law.	Formerly 5.10
4.8.13	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.	Formerly 5.11
4.8.14	The provision of recreation rooms or extra bedrooms in the basement of a one- or two- family dwelling.	Formerly 5.12

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

Formerly 5.13

4.8.16 The change in use from a lawfully existing use that is listed in Column A to a use listed opposite in Column B.

Formerly 5.14

Check Parking By-law

COLUMN A

COLUMN B

From

To

1. Multiple conversion dwelling or rooming house.

One-family dwelling.

*[continued on the next page...]*

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

Any outright use listed in the same District Schedule.

	warehouse or any use where the number of parking and loading spaces has been relaxed.	
	5. One or more of the following conditional or outright uses in a zoning district: General Office, Retail Store, Health Care Office, Barber Shop or Beauty Salon, and Beauty and Wellness Centre.	Any other of the conditional or outright uses in a zoning district listed in column A, provided the total floor space does not exceed 300m <sup>2</sup> .
4.8.17	The construction of antennae, including satellite dishes, provided: <ul style="list-style-type: none"> <li>(a) they are used for domestic purposes if located in an R district; and</li> </ul> <p style="text-align: right;"><i>[continued on the next page...]</i></p> <ul style="list-style-type: none"> <li>(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.</li> </ul>	Formerly 5.15
4.8.18	The placing of a mural on a hoarding where at least 50% of the hoarding is located on a street or lane.	Formerly 5.16
4.8.19	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.	Formerly 5.17
4.8.20	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.	Formerly 5.18
4.8.21	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: <ul style="list-style-type: none"> <li>(a) does not include any enclosed structures;</li> <li>(b) is automated;</li> <li>(c) does not interfere with any public works, facilities or amenities; and</li> <li>(d) is part of a network comprised of no fewer than 50 Public Bike Share Stations.</li> </ul>	Formerly 5.19

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4.8.22	An arts and culture indoor event.	Formerly 5.20
4.8.23	An Urban Farm - Class A, provided that: (a) the planting area of the parcel does not exceed 325 m <sup>2</sup> (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.	Formerly 5.21
4.8.24	Short Term Rental Accommodation, provided that the Short Term Rental Accommodation otherwise complies with section 11.32 of the Zoning and Development By-law.	Formerly 5.22



# 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
<p><b>10.1</b></p>	<p><b>Antennae</b></p> <p>10.1.1 Except as exempted by the provisions of section 4.8.15, no person shall erect an antenna, including a satellite dish, without first obtaining a development permit from the Director of Planning.</p> <p>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:</p> <ul style="list-style-type: none"> <li>(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</li> <li>(b) before granting approval the Director of Planning notifies such adjacent property owners or persons the Director of Planning deems necessary.</li> </ul>
<p><b>10.2</b></p>	<p><b>Birds and Animals</b></p> <p>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.</p> <p>10.2.2 Despite section 10.2.1, a building or other enclosure for keeping one or more hens:</p> <ul style="list-style-type: none"> <li>(a) must be no more than 9.2 m<sup>2</sup> in floor area;</li> <li>(b) must be no more than 2 m high;</li> </ul> <p style="text-align: right;"><i>[continued on the next page...]</i></p>

Formerly 10.27

Formerly 10.18

- (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 Shaughnessy Districts.

**10.3**

**Boats, Vehicles, Equipment or Materials in Residential and Commercial Districts**

Formerly 10.17

- 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**

Formerly 10.9

- 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 view obstruction:
- (a) eaves, gutters, sills, safety railings and chimneys;
  - (b) balconies, subject to the same conditions as in section 10.7.1(c);

*[continued on the next page...]*

	<p>(c) canopies over entrances to buildings, subject to the same conditions as set out in section 10.32.1(d); and</p> <p>(d) any other features which, in the opinion of the Director of Planning, are similar to any of the features listed above.</p>	
<b>10.5</b>	<p><b>Buildings on Site – Number</b></p> <p>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.</p>	<p><b>Formerly 10.1</b> See, for example, section 3.2.1(b)</p>
<b>10.6</b>	<p><b>Character House</b></p> <p>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 authorized by the district schedule), where a character house is retained.”;</p> <p>10.6.2 Computation of floor area in a character house may exclude:</p> <ul style="list-style-type: none"> <li>(a) existing covered porches that: <ul style="list-style-type: none"> <li>(i) in the opinion of the Director of Planning, are original to the character house,</li> <li>(ii) face a street, and</li> <li>(iii) are open or protected by guards that do not exceed the required minimum height</li> </ul> </li> <li>(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);</li> <li>(c) floor areas under sloping roofs with a pitch of at least 7:12 if: <ul style="list-style-type: none"> <li>(i) the vertical distance from the floor to any part of the ceiling is 2.3 m or less, and</li> <li>(ii) the ceiling attaches directly to the underside of the sloping roof rafter and follows its slope; and</li> </ul> </li> <li>(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<sup>2</sup>.</li> </ul>	<p><b>Formerly 11.33</b></p>
<b>10.7</b>	<p><b>Daylight Access and Angle Controls Exclusions</b></p> <p>10.7.1. The following features are excluded from regulations of daylight access and angle controls:</p> <ul style="list-style-type: none"> <li>(a) steps;</li> <li>(b) eaves, gutters, sills and chimneys;</li> <li>(c) balconies, if: <ul style="list-style-type: none"> <li>(i) they do not project more than 1.2 m into the area controlled by daylight angles, and</li> <li>(ii) the safety railing does not extend more than 1 070 mm above the floor of the balcony;</li> </ul> </li> </ul> <p style="text-align: right;"><i>[continued on the next page...]</i></p>	<p><b>Formerly 10.8</b></p>

- (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 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;

*[continued on the next page...]*

**Formerly 10.12**

Refer also to the Demolition of Social Housing By-law

	<p>(g) where located in a multiple dwelling consisting of a co-operative tenure established prior to legislation permitting condominium ownership; and</p> <p>(h) where located in a building deemed by Council to be appropriate for demolition because the premises are a nuisance.</p> <p>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.</p> <p>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.</p> <p>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.</p> <p>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.</p> <p>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.</p>	
<p><b>10.9</b></p>	<p><b>Fences</b></p> <p>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.</p> <p style="text-align: right;"><i>[continued on the next page...]</i></p>	<p>Formerly 10.16</p>

	<p>10.9.2 Height shall be measured from any point on the ground level of the site at the structure or fence line.</p> <p>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.</p> <p>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.</p> <p>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.</p> <p>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.</p>	
<p><b>10.10</b></p>	<p><b>Floor Area Exclusions</b></p> <p>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.</p>	<p>Formerly 10.28</p>
<p><b>10.11</b></p>	<p><b>Floor Area Exclusions for Exterior Wall Thickness</b></p> <p>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.</p> <p>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.</p> <p>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.</p>	<p>Formerly 10.33</p>

<b>10.12</b>	Deleted	Formerly 10.41
<b>10.13</b>	<p><b>Floor Area Exclusions for Kitchen Exhaust Shafts</b></p> <p>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<sup>2</sup> for each floor above the commercial, retail or service use.</p>	Formerly 10.40
<b>10.14</b>	Deleted	Formerly 10.35
<b>10.15</b>	<p><b>Floor Area Exclusions for Sites in a Designated Flood Plain in an R District</b></p> <p>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.</p>	Formerly 10.39
<b>10.15A</b>	<p><b>Floor Area Exclusions for Zero Emissions Mechanical Equipment in Residential Buildings of Three Storeys or Less</b></p> <p>10.15A.1 For residential buildings of three storeys or less, the Director of Planning may exclude up to 2.3 m<sup>2</sup> per dwelling unit from the computation of floor area to accommodate zero emissions mechanical equipment for heating or hot water.</p>	
<b>10.16</b>	<p><b>Floor Area Increase for Low Operational Cost Housing</b></p> <p>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.</p>	Formerly 11.34
<b>10.17</b>	<p><b>Frontage Determination</b></p> <p>10.17.1 The frontage of any site having more than one boundary on a street shall be:</p> <ul style="list-style-type: none"> <li>(a) where street boundary lengths are equal, as determined by the Director of Planning;</li> <li>(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</li> <li>(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 of Planning.</li> </ul>	Formerly 10.5

**10.18****Height - Building**Formerly 10.10  
and 10.11

- 10.18.1 The Director of Planning may permit the following items to exceed the maximum building height otherwise permitted in this By-law provided that, except for the items set out in subsection (d), they do not in total cover more than 10% of the roof area on which they are located as viewed from directly above:
- (a) architectural features, provided no additional floor area is created;
  - (b) mechanical equipment, including elevator machine rooms and any screening materials that the Director of Planning considers appropriate to reduce visual impacts;
  - (c) chimneys;
  - (d) roof mounted energy technologies, and access and infrastructure required to maintain green roofs or urban agriculture;
  - (e) venting skylights and opening clerestory windows designed to reduce energy consumption or improve natural light and ventilation;
  - (f) roof-top access structures to private or common outdoor amenity space that do not exceed a height of 3.6 m;
  - (g) common roof-top amenity structures, contiguous with common outdoor amenity spaces, that do not exceed a height of 3.6 m;
  - (h) any required guards, provided that the Director of Planning considers the guard materials to be appropriate to reduce visual impacts; and
  - (i) items similar to any of the above, provided the Director of Planning first considers the impact on siting, massing, views, overlook, shadowing and noise.
- 10.18.2 The Development Permit Board may, for any building higher than 30.5 m, permit a decorative roof to exceed the maximum building height otherwise permitted 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.
- 10.18.3 For residential buildings of three storeys or less, an additional 0.15 m in height is permitted if the roof contains at least 0.35 m of insulation.
- \*(proposed change - reinsert a clause permitting additional building height with the provision for more roof insulation in section 10.18 that was enacted on January 20, 2021 (amending by-law #12865) and was inadvertently deleted following amendments to section 10.18 July 20, 2021 (amending by-law #13067))



<p><b>10.19</b></p>	<p><b>Land not Abutting a Street</b></p> <p>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.</p>
<p><b>10.20</b></p>	<p><b>Landscape Setbacks in an M or I District or a CD-1 District</b></p> <p>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:</p> <ul style="list-style-type: none"> <li>(a) a setback shall be provided and maintained at a depth as set forth in Schedule C;</li> <li>(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;</li> <li>(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</li> <li>(d) the following may be permitted within the landscaped setback area by the Director of Planning:             <ul style="list-style-type: none"> <li>(i) statuary, fountains and other objects of art,</li> <li>(ii) open ornamental fences if necessary for the protection and preservation of landscaping or permitted objects of art, and</li> <li>(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.</li> </ul> </li> </ul>

Formerly 10.3

Formerly 11.3

Formerly 10.15

<p><b>10.21</b></p>	<p><b>Living Accommodation Below Finished Grade</b></p> <p>10.21.1 In the case of multiple dwellings:</p> <ul style="list-style-type: none"> <li>(a) living accommodation may be located below finished grade provided the floor is no more than 0.8 m below the finished grade of the adjoining ground, except that the Director of Planning may increase this dimension to 1.5 m subject to applicable policies and guidelines; and</li> <li>(b) where existing utility, recreational or storage areas are located 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.</li> </ul> <p>10.21.2 Storage rooms shall be excluded from the provisions of section 10.21.1.</p> <p>10.21.3 In the case of a one-family dwelling, one-family dwelling with secondary suite, two-family dwelling, two-family dwelling with secondary suite, or two-family dwelling with lock-off unit:</p> <ul style="list-style-type: none"> <li>(a) secondary suite, lock-off unit or bedroom may be located in a basement; and</li> <li>(b) no portion of a living room, kitchen, dining room or bedroom can be located 1.5 m or more below the finished grade of the adjoining ground.</li> </ul>
	<p>10.21.4 In the case of a one-family dwelling or a one-family dwelling with secondary suite existing prior to June 23, 2020, a secondary suite, lock-off unit or bedroom may be located in a cellar, provided that the cellar is no more than 1.83 m below the average finished grade.</p>
<p><b>10.21A</b></p>	<p><b>Mass Timber Buildings</b></p> <p>10.21A For a mass timber building that is 7 storeys or more, the Director of Planning may vary the following regulations if the Director of Planning first considers the intent of the relevant district schedule and all applicable Council policies and guidelines:</p> <ul style="list-style-type: none"> <li>(a) building height by up to 18 cm per floor, except that height regulations related to the distance of a building from a property line may be varied by more than 18 cm per floor; and</li> <li>(b) yards, setbacks, site coverage, building depth, and external design.</li> </ul>

<p><b>10.22</b></p>	<p><b>Murals</b></p> <p>10.22.1 The Director of Planning may permit a mural in any district, provided that the Director of Planning first considers:</p> <ul style="list-style-type: none"> <li>(a) all applicable policies and guidelines adopted by Council; and</li> <li>(b) the submission of any advisory group, property owner or tenant.</li> </ul>
<p><b>10.23</b></p>	<p><b>Nuclear Weapons Prohibition</b></p> <p>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</p>
<p><b>10.23A</b></p>	<p><b>Passive House</b></p> <p>10.23A.1 For a one-family dwelling, a one-family dwelling with secondary suite, an infill one-family dwelling, a two-family dwelling, a two-family dwelling with secondary suite, or an infill twofamily dwelling 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:</p> <ul style="list-style-type: none"> <li>(a) height, including secondary envelopes, by a maximum of 1 m;</li> <li>(b) the floor area of a partial storey or a half-storey;</li> <li>(c) front yards expressed as a dimension, by a maximum of 0.5 m;</li> <li>(d) rear yards expressed as a dimension, by a maximum of 1.25 m;</li> <li>(e) building depth, and front and rear yards expressed as a percentage, by a maximum of 5%;</li> </ul> <p style="text-align: right;"><i>[continued on the next page...]</i></p>

Formerly 10.25

Formerly 10.23

	<p>(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;</p> <p>(g) external design regulations; and</p> <p>(h) the dimensions of below grade features including window wells and entrances designed to increase solar gain to a basement.</p> <p>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.</p> <p>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.</p> <p>10.23A.4 In an RA, RS or RT district, except where the floor area exceeds 465 m<sup>2</sup>, computation of floor area in a Passive House shall exclude 16% of the floor area in a one-family dwelling, a one-family dwelling with secondary suite, or an infill one-family dwelling, and 18% of the floor area in a two-family dwelling, a two-family dwelling with secondary suite, or an infill two-family dwelling, 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.</p> <p>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.</p>
<p><b>10.24</b></p>	<p><b>Principal Pedestrian Access</b></p> <p>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.</p>

Formerly 10.4

<b>10.25</b>	<p><b>Relocation of a Building</b></p> <p>10.25.1 Where an existing building is:</p> <ul style="list-style-type: none"> <li>(a) relocated onto a different site; or</li> <li>(b) located elsewhere within the same site,</li> </ul> <p>it shall conform with all the regulations of the district in which it is located.</p>	Formerly 10.13
<b>10.26</b>	<p><b>Site with Building Lines</b></p> <p>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:</p> <ul style="list-style-type: none"> <li>(a) width or depth of a required yard;</li> <li>(b) depth of required setbacks for pump islands and canopies in gasoline station – full serve and split island; and</li> <li>(c) depth of a site for the purpose of yard reductions pursuant to section 10.29.</li> </ul>	Formerly 10.2
<b>10.27</b>	<p><b>Site, Corner – in Certain Districts</b></p> <p>10.27.1 Development in an RA, RS, RT, or C-1 district, or as required in other districts 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:</p> <ul style="list-style-type: none"> <li>(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</li> <li>(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.</li> </ul>	Formerly 11.1
<b>10.28</b>	<p><b>Site, Double Fronting – Design Approval</b></p> <p>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.</p>	Formerly 10.14

<p><b>10.29</b></p>	<p><b>Site, Shallow - in an RS, RT or C-1 District</b></p> <p>10.29.1 <del>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:</del></p> <p><del>For development in an RS, RT or C-1 district on a site which is less than 36.6 m deep, the required depths may be reduced as follows:</del></p> <p>(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</p> <p>(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.</p>	<p>Formerly 11.2</p>
<p><b>10.29A</b></p>	<p><b>Temporary patios</b></p> <p>10.29A.1 For the purposes of this section 10.29A, “temporary patio” means a patio permitted on a temporary basis only, for a period up to and including March 31, 2022.</p> <p>10.29A.2 Notwithstanding a condition of use in a district schedule requiring that a use be carried on wholly within a completely enclosed building, the Director of Planning may permit a temporary patio to be carried on outside of a completely enclosed building.</p> <p>10.29A.3 The Director of Planning may vary any regulation in a district schedule in order to enable the enclosure of a temporary patio.</p>	
<p><b>10.30</b></p>	<p><b>Vehicles on a Site - Maximum Number</b></p> <p>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.</p>	<p>Formerly 10.24</p>

**10.31****Yards – Development In**

Formerly 10.6

- 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

Formerly 10.7

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 side yard;
- (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 1.8 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;

*[continued on the next page...]*



	<ul style="list-style-type: none"><li>(g) demountable green walls, if:<ul style="list-style-type: none"><li>(i) they do not project more than 254 mm into a required yard,</li><li>(ii) they comply with Building By-law requirements, and</li><li>(iii) they are, in the opinion of the Director of Planning, suitably designed and located to contribute to sustainable design performance; and</li></ul></li><li>(h) any other features which, in the opinion of the Director of Planning, are similar to any of the features listed above.</li></ul> <p>10.32.2 The following additional features may project into rear yards only:</p> <ul style="list-style-type: none"><li>(a) open fire escapes; and</li><li>(b) any other features which, in the opinion of the Director of Planning, are similar to any of the features listed above.</li></ul>
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## 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<sup>2</sup>, whichever is the greater, except that:
      - (i) floor area previously excluded from existing development pursuant to section 4.7.3(c), and
      - (ii) the floor area of a laneway house, shall be deducted from the total allowable accessory building floor area;
    - (d) 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<sup>2</sup>;
    - (e) not more than 80 percent of the width of the rear yard of any lot is occupied by accessory buildings;
    - (f) roof decks and decks are not located on an accessory building located beyond the permitted building depth as regulated by section 4.16.1 of this Schedule.
  - Accessory Uses customarily ancillary to any of the uses listed in this section, provided that accessory parking spaces shall comply with the provisions of section 2.2.A(b) of this Schedule.

## 2.2.DW [Dwelling]

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

## 2.2.I [Institutional]

- Community Care Facility – Class A, subject to the regulations, 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:

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

### 3.2 Uses

3.2.1 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 Units in conjunction with a Neighbourhood Grocery Store.
- Infill in conjunction with retention of a character house existing on the site as of January 16, 2018.
- Infill One-Family Dwelling, provided that:
  - it shall be for a caretaker;
  - it shall be subject to the provisions of section 2.2.A regulating Accessory Buildings except that:
    - clause (a) thereof shall not apply to any portion not located within 7.9 m of the ultimate rear property line;
    - clause (c) thereof shall not apply; and
    - clause (b) of section 10.27 of this By-law shall not apply; and

(c) its floor area shall not exceed 75 m<sup>2</sup> and shall be also counted in the accessory building area.

- One-Family Dwelling with Secondary Suite.
- Laneway House.
- 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.
- 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<sup>2</sup>, and the minimum site width for a one-family dwelling, one-family dwelling with secondary suite, two-family dwelling, or two-family dwelling with secondary suite, is 7.3 m.

- 4.1.2 Where the site is less than 9.8 m in width or less than 334 m<sup>2</sup> in area, the design of any new dwelling shall first require the approval of the Director of Planning.
- 4.1.3 The minimum site area for a dwelling unit for a caretaker shall be 3 000 m<sup>2</sup>.
- 4.1.4 The maximum site area for a two-family dwelling, including a lock-off unit in conjunction with a two-family dwelling, is less than 511 m<sup>2</sup>.
- 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:
- (a) for all uses other than one-family dwelling with secondary suite, the Director of Planning considers:
    - (i) the impact of the increased height on views from surrounding development,
    - (ii) the extent to which the increased height improves the roof lines of the building, and

- (iii) the effect of the increased height on adjacent properties and the character of the area; and
- (b) for one-family dwelling with secondary suite:
  - (i) 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, and
  - (ii) the Director of Planning considers the relationship between the height of the floors above the basement floor and the adjacent finished grade.

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) 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% 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:

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

4.5.2 In the case of a corner site which has located at its rear, with or without the intervention of a lane, a site which fronts on the street flanking the corner site, the exterior side yard shall be regulated by the provisions of section 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 deck or 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 m<sup>2</sup>;
- (b) in all other cases, the area of all floors at or above finished grade and of the floors of any storey, basement, or cellar located below a storey which has a floor surface located 1.8 m or more above finished grade, all of which floors are located within the building depth as defined by section 4.16.1 of this Schedule, shall not exceed a floor space ratio of 0.20 plus 130 m<sup>2</sup>;
  - (c) notwithstanding clauses (a) and (b), where a site is 18.2 m or more in width and 500 m<sup>2</sup> or more in area the Director of Planning may permit an increase in the area of all floors as described in clause (a) or (b) as the case may be, to a floor space ratio not exceeding 0.3 plus 93 m<sup>2</sup> provided that:
    - (i) 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 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 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<sup>2</sup>.

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) 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 8% 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 in multiple conversion dwellings containing 3 or more units or in multiple dwellings or uses which, in the opinion of the Director of Planning, are similar to the foregoing, those floors or portions thereof not exceeding 7.3 m in length so used which:
  - (i) are located in an accessory building located within 7.9 m of the ultimate rear property line, or
  - (ii) where a site has no developed secondary access, are located in a principal building, or in an accessory building located within the building depth regulated by the provisions of section 4.16, up to a maximum of 42 m<sup>2</sup>.
- (d) child day care facilities to a maximum floor area of 10 percent of the permitted floor area, provided the Director of Planning, on the advice of the Director of Social Planning, is satisfied that there is a need for a day care facility in the immediate neighbourhood;
- (e) areas of undeveloped floors which are located
  - (i) above the highest storey or half-storey and to which there is no permanent means of access other than a hatch; or
  - (ii) adjacent to a storey or half-storey with a ceiling height of less than 1.2 m.
- (f) floors located at or below finished grade with a ceiling height of less than 1.2 m;
- (g) 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) the side facing the street or rear property line is open or protected by guards that do not exceed the required minimum height,
  - (iv) 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,
  - (v) for two-family dwellings and two-family dwellings with secondary suite, the depth of the total area being excluded for ~~entries, porches and verandahs 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;
- (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 m<sup>2</sup>.

#### **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 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 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 m<sup>2</sup> to accommodate vehicular access and manoeuvring.

4.8.6 For the purposes of section 4.8.5, the following materials shall be considered impermeable: the projected area of the outside of the outermost walls of all buildings, including carports, entries, porches and verandahs, 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:
- (a) one separate and distinct front entrance to a one-family dwelling; and
  - (b) two separate and distinct front entrances to a 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 The surface of the ground adjoining a building can be lowered only for the purpose of providing:
- (a) a window well for a basement or a cellar, provided that the lowered surface does not extend more than 1.0 m from the surface of a wall;
  - (b) a sunken entrance for a basement, provided that:
    - (i) the portion of the building abutting the lowered surface faces either the front street or the rear property line,

- (ii) the lowered surface does not extend more than 3.1 m into the required front or rear yard, measured from the street-facing wall and including stair runs or vertical change in grade between the basement and the existing grade, and
    - (iii) the sum of the widths of all lowered surfaces abutting the building is not greater than half the width of the building or 4.6 m, whichever is the lesser; or
  - (c) a sunken entrance for a cellar in buildings existing prior to June 23, 2020, provided that:
    - (i) it complies with sections 4.17.4(b)(i) through (iii), and
    - (ii) the depth of the lowered surface does not exceed 1.83 m below the average finished grade.
- 4.17.5 Notwithstanding section 4.17.2 or section 4.17.3, the Director of Planning may, 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.
- 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 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 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.

**5.2** 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.

## 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<sup>2</sup>, 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<sup>2</sup>,
    - (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<sup>2</sup> 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 in conjunction with a Neighbourhood Grocery Store.
- 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.
  - 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 m<sup>2</sup>.
- 4.1.2 Where the site size is less than 9.8 m in width or less than 334 m<sup>2</sup> 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<sup>2</sup>.
- 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 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% 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 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 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<sup>2</sup>.
- 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) 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 8% 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 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) 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) the side facing the street or rear property line is open or protected by guards that do not exceed the required minimum height,
- (iv) 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,
- (v) for two-family dwellings and two-family dwellings with secondary suite, the depth of the total area being excluded for ~~entries, porches and verandahs~~ 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;
- (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 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 60 percent of the total site area except that where developed secondary vehicular access to a site is not available, the Director of Planning may exclude from the area of impermeable materials an amount not exceeding:
- (a) for the first parking space, the product of the distance, in metres as measured along the driveway centre line, from the point where the driveway crosses the property boundary to the point where it meets the nearest side of the approvable parking space times 3.1 m; and
  - (b) for each additional parking space, 67 m<sup>2</sup> to accommodate vehicular access and manoeuvring.

- 4.8.5 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, entries, porches and 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 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 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.

## 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<sup>2</sup>, 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<sup>2</sup>;
- (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<sup>2</sup> 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]

- Dwelling Units in conjunction with a Neighbourhood Grocery Store.
- 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.
- Laneway House.
- 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.
- 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.
- One-Family Dwelling with Secondary Suite.
- Seniors Supportive or Assisted Housing.
- 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.
- 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.*
  - Neighbourhood Grocery Store
  - 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<sup>2</sup>.
- 4.1.2 Where the site size is less than 9.8 m in width or less than 334 m<sup>2</sup> 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<sup>2</sup>.
- 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 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% 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 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 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<sup>2</sup>.
- 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) 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 8% 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 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) 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) the side facing the street or rear property line is open or protected by guards that do not exceed the required minimum height,
  - (iv) 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,
  - (v) for two-family dwellings and two-family dwellings with secondary suite, the depth of the total area being excluded for ~~entries, porches and verandahs 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;
- (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 decks.
- 4.8.3 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 60 percent of the total site area except that where developed secondary vehicular access to a site is not available, the Director of Planning may exclude from the area of impermeable materials an amount not exceeding:
- (a) for the first parking space, the product of the distance, in metres as measured along the driveway centre line, from the point where the driveway crosses the property boundary to the point where it meets the nearest side of the approvable parking space times 3.1 m; and
  - (b) for each additional parking space, 67 m<sup>2</sup> to accommodate vehicular access and manoeuvring.
- 4.8.5 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, entries, porches and 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.

## 4.14 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 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:
- 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;
  - dormer roofs shall be gable, hip or shed in form and shall have a minimum slope of 4:12;
  - 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;
  - 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
  - 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 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.

## 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<sup>2</sup>, 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<sup>2</sup>;
- (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<sup>2</sup> 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 in conjunction with a Neighbourhood Grocery Store.
- 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.
- 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:

- 334 m<sup>2</sup> for a one-family dwelling, one family dwelling with secondary suite, two-family dwelling, or two-family dwelling with secondary suite; and
- 929 m<sup>2</sup> 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 m<sup>2</sup> in area, the design of any new dwelling shall first require the approval of the Director of Planning.

4.1.3 The 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<sup>2</sup>.

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:

- one-family dwelling;
- one-family dwelling with secondary suite;
- one-family dwelling with laneway house;
- one-family dwelling with secondary suite and laneway house;
- two-family dwelling;
- two-family dwelling with secondary suite; and
- 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 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% 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 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 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<sup>2</sup>.

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) 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 8% 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 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) 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) the side facing the street or rear property line is open or protected by guards that do not exceed the required minimum height,
  - (iv) 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,
  - (v) for two-family dwellings and two-family dwellings with secondary suite, the depth of the total area being excluded for ~~entries, porches and verandahs~~ 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;
- (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 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 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 m<sup>2</sup> 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, entries, porches and 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 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<sup>2</sup>.

#### 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 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 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.

## 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 m<sup>2</sup>, and
    - (ii) the floor area of a laneway house shall be deducted from the total allowable accessory building floor area:
 
$$[\text{site width in metres} \times 3.0 \text{ m}] + 20 \text{ m}^2;$$
  - (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<sup>2</sup>;
  - (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 and 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<sup>2</sup> 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:

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

#### 3.2 Uses

3.2.1 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 Units in conjunction with a Neighbourhood Grocery Store.
- 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 m<sup>2</sup> 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.
  - 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 m<sup>2</sup>, and the minimum site width for a one-family dwelling, one-family dwelling with secondary suite, two-family dwelling, or two-family dwelling with secondary suite, is 7.3 m.
- 4.1.2 Where the site is less than 9.8 m in width or less than 334 m<sup>2</sup> in area, the design of any new dwelling shall first require the approval of the Director of Planning.
- 4.1.3 The minimum site area for a dwelling unit for a caretaker shall be 3 000 m<sup>2</sup>.
- 4.1.4 The maximum site area for a two-family dwelling, including a lock-off unit in conjunction with a two-family dwelling, is less than 511 m<sup>2</sup>.
- 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 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% 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:

$$\% \text{ of site width} = \text{site width in metres} + 2.$$

- 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 m<sup>2</sup>;
  - (b) in all other cases, the area of all floors at or above finished grade and of the floors of any storey, basement or cellar located below a storey which has a floor surface located 1.8 m or more above finished grade shall not exceed a floor space ratio of 0.16 plus 130 m<sup>2</sup>;
  - (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 m<sup>2</sup> 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 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 entry, porch and verandah,
 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<sup>2</sup>.

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) 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 8% 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 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 m<sup>2</sup>;
- (d) child day care facilities to a maximum floor area of 10 percent of the permitted floor area, provided the Director of Planning, on the advice of the Director of Social Planning, is satisfied that there is a need for a day care facility in the immediate neighbourhood;
- (e) areas of undeveloped floors which are located
  - (i) above the highest storey or half-storey and to which there is no permanent means of access other than a hatch; or
  - (ii) adjacent to a storey or half-storey with a ceiling height of less than 1.2 m.
- (f) floors located at or below finished grade with a ceiling height of less than 1.2 m;
- (g) 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) the side facing the street or rear property line is open or protected by guards that do not exceed the required minimum height,
  - (iv) 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,
  - (v) for two-family dwellings and two-family dwellings with secondary suite, the depth of the total area being excluded for ~~entries, porches and verandahs 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) 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;
- (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
- (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 m<sup>2</sup>.”;

## 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 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 60 percent of the total site area except that where developed secondary vehicular access to a site is not available, the Director of Planning may exclude from the area of impermeable materials an amount not exceeding:
- (a) for the first parking space, the product of the distance, in metres as measured along the driveway centre line, from the point where the driveway crosses the property boundary to the point where it meets the nearest side of the approvable parking space times 3.1 m; and
  - (b) for each additional parking space, 67 m<sup>2</sup> to accommodate vehicular access and manoeuvring.
- 4.8.5 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, entries, porches and 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 4.15 (Reserved)



#### 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:
- (a) one separate and distinct front entrance to a one-family dwelling; and
  - (b) two separate and distinct front entrances to a 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 The surface of the ground adjoining a building can be lowered only for the purpose of providing:
- (a) a window well for a basement or a cellar, provided that the lowered surface does not extend more than 1.0 m from the surface of a wall;
  - (b) a sunken entrance for a basement, provided that:
    - (i) the portion of the building abutting the lowered surface faces either the front street of the rear property line,
    - (ii) the lowered surface does not extend more than 3.1 m into the required front or rear yard, measured from the street-facing wall and including stair runs or vertical change in grade between the basement and the existing grade, and
    - (iii) the sum of the widths of all lowered surfaces abutting the building is not greater than half the width of the building or 4.6 m, whichever is the lesser; or
  - (c) a sunken entrance for a cellar in buildings existing prior to June 23, 2020, provided that:
    - (i) it complies with sections 4.17.4(b)(i) through (iii), and
    - (ii) the depth of the lowered surface does not exceed 1.83 m below the average finished grade.
- 4.17.5 Notwithstanding section 4.17.2 or section 4.17.3, the Director of Planning may, 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.
- 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 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 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.
- 5.2** 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.

## 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% of the minimum rear yard prescribed in this Schedule, or 48 m<sup>2</sup> 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<sup>2</sup>;
    - (e) not more than 67 percent of the width of the rear yard of any lot is occupied by accessory buildings;
    - (f) roof decks and 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<sup>2</sup> 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:

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

### 3.2 Uses

- 3.2.A
- Accessory Buildings 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 Units in conjunction with a Neighbourhood Grocery Store.
- Infill in conjunction with retention of a character house existing on the site as of January 16, 2018.
- Infill One-Family Dwelling, provided that:
  - it shall be for a caretaker;
  - it shall be subject to the provisions of section 2.2.A regulating Accessory Buildings except that:
    - clause (a) thereof shall not apply to any portion not located within 7.9 m of the ultimate rear property line;
    - clause (c) thereof shall not apply; and
    - clause (b) of section 10.27 of this By-law shall not apply; and
  - its floor area shall not exceed 75 m<sup>2</sup> and shall be also counted in the accessory building area.
- One-Family Dwelling with Secondary Suite.
- 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.
- 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<sup>2</sup>, and the minimum site width for a one-family dwelling, one-family dwelling with secondary suite, two-family dwelling, or two-family dwelling with secondary suite, is 7.3 m.

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

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

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

- 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.

**4.4 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 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% of the width of the building; and
  - no decks are directly above those portions of an entry, porch and 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:
- 12 percent of the site width for sites less than or equal to 21.3 m in width; or
  - 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:

$$\% \text{ of site width} = [(\text{site width in metres} - 21.3 \text{ m}) \times 0.66] + 12$$

- 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:
- where an abutting site is vacant, it shall be deemed to have a rear yard depth of 40 percent of its site depth;
  - 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;
  - where the site has an exterior side yard, the rear yard to be provided can be reduced to that of the abutting site; and
  - 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 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% of the width of the building; and
  - (b) no decks are directly above those portions of an entry, porch and 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 deck or 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 m<sup>2</sup>;
  - (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 m<sup>2</sup>;
  - (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 m<sup>2</sup>;
  - (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 m<sup>2</sup>;
      - (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 m<sup>2</sup>;
      - (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 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 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<sup>2</sup>.

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) 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 exclusion does not exceed 8% 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 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<sup>2</sup>;
- (d) child day care facilities to a maximum floor area of 10 percent of the permitted floor area, provided the Director of Planning, on the advice of the Director of Social Planning, is satisfied that there is a need for a day care facility in the immediate neighbourhood;
- (e) areas of undeveloped floors which are located 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) 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) the side facing the street or rear property line is open or protected by guards that do not exceed the required minimum height,
  - (iv) 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,
  - (v) for two-family dwellings and two-family dwellings with secondary suite, the depth of the total area being excluded for ~~entries, porches and verandahs covered porches~~ above the first storey does not exceed 1.83 m,
  - (vi) 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 porch floor, and
  - (vii) 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;
- (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
- (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 m<sup>2</sup>.

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 m<sup>2</sup> 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 m<sup>2</sup> 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 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 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 m<sup>2</sup> 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, entries, porches and 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:
- the percentage of the site covered by existing impermeable materials is not increased by the proposed development;
  - the Director of Planning considers the advice of the City Engineer; and
  - 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; and
  - two separate and distinct front entrances to a 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 The surface of the ground adjoining a building can be lowered only for the purpose of providing:
- a window well for a basement or a cellar, provided that the lowered surface does not extend more than 1.0 m from the surface of a wall;
  - a sunken entrance for a basement, provided that:
    - the portion of the building abutting the lowered surface faces either the front street or the rear property line,
    - the lowered surface does not extend more than 3.1 m into the required front or rear yard, measured from the street-facing wall and including stair runs or vertical change in grade between the basement and the existing grade, and
    - the sum of the widths of all lowered surfaces abutting the building is not greater than half the width of the building or 4.6 m, whichever is the lesser; or
  - a sunken entrance for a cellar in buildings existing prior to June 23, 2020, provided that:
    - it complies with sections 4.17.5(b)(i) through (iii), and
    - the depth of the lowered surface does not exceed 1.83 m below the average finished grade.
- 4.17.6 Notwithstanding section 4.17.3 or 4.17.4, the Director of Planning may, 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.
- 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:
- 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
  - 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 sections 10.18.1(a), 10.18.1(c) and 10.18.1(d) of this By-law shall not be considered for the determination of building height under section 4.17.7.

4.17.9 Roof decks are permitted above the second storey, provided that:

- (a) the total area of the roof deck does not exceed 0.03 x site area;
- (b) the base of the roof deck 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 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%

- (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 entry, porch and 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 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 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 m<sup>2</sup> and for transom lights over front doors to a maximum of 2.3 m<sup>2</sup>, 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 m<sup>2</sup> 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, porches, verandahs, entry, porch or verandah columns, guards, handrails, windows, doors, window and door trims, belt courses, fascia boards, trim boards, gutters and drain pipes, architectural accents totalling less than 1.0 m<sup>2</sup> 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 a covered entry 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 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 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** 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 m<sup>2</sup> 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 Relaxation of Impermeable Materials Regulation**

**5.3.1** 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.

## 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 m<sup>2</sup>, 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<sup>2</sup>
- (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 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<sup>2</sup> 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:

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

### 3.2 Uses

- 3.2.1.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 in conjunction with a Neighbourhood Grocery Store.
- Infill.
- Infill in conjunction with retention of a character house existing on the site as of January 16, 2018.
- Multiple Conversion Dwelling, provided that:
  - 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;
  - 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.
- 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 m<sup>2</sup> 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 m<sup>2</sup> 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 m<sup>2</sup> 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<sup>2</sup>.

#### 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) entries, porches and verandahs 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% 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% 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 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 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<sup>2</sup>.

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) 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 8% 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 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 m<sup>2</sup>; or
  - (iii) where the site is less than 307 m<sup>2</sup> 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 m<sup>2</sup>; 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) 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) the side facing the street or rear property line is open or protected by guards that do not exceed the required minimum height,
  - (iv) 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,,
  - (v) for two-family dwellings and two-family dwellings with secondary suite, the depth of the total area being excluded for ~~entries, porches and verandahs covered porches~~ above the first storey does not exceed 1.83 m,

- (vi) 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 porch floor, and
  - (vii) 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~~ **section 4.17.33**;
  - (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;
  - (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 m<sup>2</sup>.
- 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 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 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 m<sup>2</sup> 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, entries, porches and 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:
- the percentage of the site covered by existing impermeable materials is not increased by the proposed development;
  - the Director of Planning considers the advice of the City Engineer; and
  - 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.—Sections 4.17.2 through 4.17.4, 4.17.6, and 4.17.8 through 4.17.40 apply to all uses except for two-family dwellings and two-family dwellings with secondary suite, sections 4.17.41 through 4.17.45 apply to two-family dwellings and two-family dwellings with secondary suite, and sections 4.17.5, 4.17.7 and 4.17.46 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:
- (a) one separate and distinct front entrance to a one-family dwelling; and
  - (b) two separate and distinct front entrances to a 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 The surface of the ground adjoining a building can be lowered only for the purpose of providing:
- (a) a window well for a basement or a cellar, provided that the lowered surface does not extend more than 1.0 m from the surface of a wall;
  - (b) a sunken entrance for a basement, provided that:
    - (i) the portion of the building abutting the lowered surface faces either the front street or the rear property line,
    - (ii) the lowered surface does not extend more than 3.1 m into the required front or rear yard, measured from the street-facing wall and including stair runs or vertical change in grade between the basement and the existing grade, and
    - (iii) the sum of the widths of all lowered surfaces abutting the building is not greater than half the width of the building or 4.6 m, whichever is the lesser; or
  - (c) a sunken entrance for a cellar in buildings existing prior to June 23, 2020, provided that:
    - (i) it complies with sections 4.17.5(b)(i) through (iii), and
    - (ii) the depth of the lowered surface does not exceed 1.83 m below the average finished grade.
- \*(proposed change – insert clause for sunken entrances in the RS-7 DS that was in advertently missed in amending by-law #12719 (June 23, 2020) which clarified regulations for basements and exceptions for window wells)
- 4.17.56 Notwithstanding section 4.17.3 or 4.17.4, the Director of Planning may, 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.
- 4.17.67 On sites less than 307 m<sup>2</sup> 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.
- 4.17.78 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 (e)~~ 4.17.11 (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.

4.17.89 The items described in sections 10.18.1(a), 10.18.1(c) and 10.18.1(d) of this By-law shall not be considered in the determination of building height for the purpose of section ~~4.17.7~~ 4.17.8 of this Schedule.

4.17.910 Roof decks are permitted above the second storey, provided that:

- (a) the total area of the roof deck does not exceed 0.03 times the site area;
- (b) the base of the roof deck 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 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.

4.17.1011 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	<ul style="list-style-type: none"> <li>• one dormer 25 percent</li> <li>• two or more dormers, each separated by no less than 1.5 m, all totalling in width 30%</li> </ul>

- (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)~~ 4.17.11(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.

4.17.1112 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.

4.17.1213 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.

4.17.1314 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 entry, porch and 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.

4.17.1415 to 4.17.3031 (Reserved)

4.17.3132 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.

4.17.3233 The maximum height of 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.

4.17.3334 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 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.

4.17.3435 Except for front door side lights to a total maximum of 2.3 m<sup>2</sup> and for transom lights over front doors to a maximum of 2.3 m<sup>2</sup>, 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.

4.17.3536 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)~~ 4.17.36(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 m<sup>2</sup> 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(e) and (d)~~ 4.17.36 (c) and (d) of this Schedule, materials on chimneys, basements, cellar or crawl space walls, entries, porches, verandahs, entry, porch or verandah columns, guards, handrails, windows, doors, window and door trims, belt courses, fascia boards, trim boards, gutters and drain pipes, architectural

accents totalling less than 1.0 m<sup>2</sup> 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.

4.17.3637 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.

4.17.3738 Nothing in section ~~4.17.36~~ 4.17.37 of this Schedule precludes the use of skylights or flashing.

4.17.3839 Roofs with a slope of less than 4:12 shall be exempt from the requirements of sections ~~4.17.36(a) to (d)~~ 4.17.37 (a) to (d) of this Schedule and the roof materials thereon are not regulated by this Schedule.

4.17.3940 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.

4.17.4041 In two-family dwellings and two-family dwellings with secondary suite, there must be two main entrances, one to each principal dwelling unit.

4.17.4142 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.

4.17.4243 In two-family dwellings and two-family dwellings with secondary suite, there must be an entry, porch or verandah at each main entrance, with a minimum width and depth of 1.8 m.

4.17.4344 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)~~ 4.17.44(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.

4.17.4445 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.

4.17.4546 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.

4.17.4647 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)~~ may vary the requirements of sections 4.17.8 (roof form), 4.17.10 (roof decks), 4.17.11 (dormers), 4.17.12 (gables), 4.17.13 (bay windows), 4.17.14 (basements), 4.17.32 (chimneys), 4.17.33 and 4.17.34 (entries, porches or verandahs), 4.17.35 (windows), 4.17.36 (exterior wall cladding), 4.17.37 (roofing materials), and 4.17.40 (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.

4.17.4748 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 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.
- 5.2 The Director of Planning may relax any of the requirements of section 4.8.4 of this Schedule 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 the advice of the City Engineer; and
  - (b) the Director of Planning considers all applicable guidelines and policies 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<sup>2</sup>, 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<sup>2</sup>;
  - (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 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 in conjunction with a Neighbourhood Grocery Store.
- 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.
- 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 m<sup>2</sup>.

4.1.2 The minimum site area for a Multiple Dwelling shall be ~~511 m<sup>2</sup>~~ 338 m<sup>2</sup>.

~~4.1.3 Notwithstanding section 4.1.2, the Director of Planning may permit a Multiple Dwelling on sites smaller than 511 m<sup>2</sup>, provided that consideration is first given to all applicable policies and guidelines adopted by Council.~~

4.1.43 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 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 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) 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 8% 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 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 shall not exceed 42 m<sup>2</sup> 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) 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,
    - (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% of the floor area being provided,
    - (iii) for two-family dwellings and two-family dwellings with secondary suite, the depth of the total area being excluded for ~~entries, porches and verandahs covered porches~~ above the first storey does not exceed 1.83 m, and

- (iv) 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;
- (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 4.7.6(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 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%.

**4.9 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.

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

**4.16 Building Depth**

- 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 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:

<b>Dormer Orientation</b>	<b>Maximum Total Dormer Width</b>
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 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.

## 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 m<sup>2</sup>, 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 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 in conjunction with a Neighbourhood Grocery Store.
- 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.
  - 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 m<sup>2</sup>.
- 4.1.2 The minimum site area for a Multiple Dwelling shall be ~~511 m<sup>2</sup>~~ 338m<sup>2</sup>.
- ~~4.1.3 Notwithstanding section 4.1.2, the Director of Planning may permit a Multiple Dwelling on sites smaller than 511 m<sup>2</sup>, provided that consideration is first given to all applicable policies and guidelines adopted by Council.~~
- 4.1.43 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 Entries, porches and verandahs complying with the conditions of section 4.7.6(b) may be permitted to project a maximum of 1.8 m into the required front yard.
- 4.4.4 The Director of Planning may 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) 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 8% of the floor area being provided;
  - (b) 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 subsection 4.7.6(a), does not exceed 13% of the floor area being provided;
- (c) patios and roof decks, provided 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 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 shall not exceed 42 m<sup>2</sup> 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;
- (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 of less than 2.0 m, located below the floors of entries, porches and verandahs complying with subsection 4.7.6(b), 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 decks.
- 4.8.3 The maximum site coverage for any portion of the site used for parking shall be 30%.

#### **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 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.

## 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<sup>2</sup>, 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 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 in conjunction with a Neighbourhood Grocery Store.
- 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<sup>2</sup> 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.
- 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:

- 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
- Laneway House, which is only permitted in combination with (a).

### 4.1 Site Area

4.1.1 The minimum site area for:

- multiple conversion dwelling with no more than two dwelling units; and
- two-family dwelling,

is 303 m<sup>2</sup>.

4.1.2 The minimum site area for:

- 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;
- two-family dwelling with secondary suite; or
- 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<sup>2</sup>.

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<sup>2</sup>, if:

- the site meets one of the following criteria:
  - the rear or side property line of the site abuts a park or school site, with or without the intervention of a lane,
  - the site is a corner site, or
  - the site is double fronting; and
- 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
- 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<sup>2</sup> 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;
  - (d) 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;
  - (d) 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 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) 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<sup>2</sup> 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; 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) 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 8% 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, 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 m<sup>2</sup>,
  - (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 m<sup>2</sup> 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;
- (e) floors located at or below finished grade with a ceiling height of less than 1.2 m;
- (f) entries, porches and verandahs and covered porches above the first storey, provided that:
  - (i) the side facing the street, rear property line, common open space, park or school, is open or protected by guards that do not exceed the required minimum height,
  - (ii) the total excluded area, when combined with the balcony and deck exclusions under section 4.7.5 (a) of this schedule, does not exceed 13% of the 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 ~~entries, porches and verandahs covered porches~~ above the first storey does not exceed 1.83 m;
- (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 4.7.5(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 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, entries, porches and 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 - (Reserved)  
4.10**

**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 - (Reserved)  
4.14**

**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.

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

**4.16 Building Depth**

- 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 an entry, porch or verandah 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<sup>2</sup>, 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<sup>2</sup> 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.

## **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 m<sup>2</sup>;
- (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 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 in conjunction with a Neighbourhood Grocery Store.
  - 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.
  - 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 m<sup>2</sup>.
- 4.1.2 The minimum site area for a multiple dwelling shall be 604 m<sup>2</sup>, 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 m<sup>2</sup>.
- 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 Entries, porches and verandahs complying with section 4.7.3 (f) shall be permitted to project into the required front yard a maximum of 1.8 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 1.5 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) 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, 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~~ rear 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) 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 for multiple dwellings and 8% of the floor area being provided for all other uses;

- (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, 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 m<sup>2</sup> 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 m<sup>2</sup>;
  - (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 m<sup>2</sup> 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;
- (e) floors located at or below finished grade with a ceiling height of less than 1.2 m;
- (f) 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 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;
- (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 m<sup>2</sup> per dwelling unit, there will be no exclusion for any of the residential storage area above base surface for that unit; and
- (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 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 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, entries, porches 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 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<sup>2</sup>.

**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.

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

**4.16 Building Depth**

- 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.

## 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. Additionally, this Schedule is intended to encourage development of six storey social housing apartment buildings.

### 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 m<sup>2</sup>, whichever is the greater;
- (d) not more than 66 $\frac{2}{3}$  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 child day care facility, provided that all residential floor area is developed as social housing.
- Dwelling Units in conjunction with a Neighbourhood Grocery Store.
- Micro dwelling.
- Multiple Conversion Dwelling, resulting from the conversion of a building existing as of June 18, 1956 and in accordance with section 3.3.1 of this Schedule, 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,
- 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.
- 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 buildings containing three or more dwelling units in conjunction with child day care facility, provided that all residential floor area is developed as social housing, 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 on another site that was subject to the RHS ODP before it was rezoned to allow for replacement housing, and is adjacent to the contiguous area of the zoning district of the site that requires the replacement housing, 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 building containing dwelling units in conjunction with child day care facility, provided that all residential floor area is developed as social housing, multiple dwelling, or rooming house shall be 550 m<sup>2</sup>. The minimum site area shall be 550 m<sup>2</sup> for:~~
- (a) a building containing dwelling units in conjunction with child day care facility, provided that all residential floor area is developed as social housing;
  - (b) multiple dwelling;
  - (c) rooming house;
  - (d) seniors supportive or assisted housing.

~~\*(Proposed change – when seniors supportive or assisted housing was added to the RM-3A DS on April 6, 2004 (amending by-law #8825), it was meant to have the same regulations as multiple dwelling, and thus should have been listed in sec 4.1.1 along with multiple dwelling. There is already a variance to the min site area for seniors supportive or assisted housing in 4.1.2 that allows the DOP to reduce to 500m<sup>2</sup>.)~~

- 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) a building containing dwelling units in conjunction with child day care facility, provided that all residential floor area is developed as social housing, with a minimum lot area of 500 m<sup>2</sup>;
- (b) multiple dwelling, with a minimum lot area of 500 m<sup>2</sup>;
- (c) rooming house, with a minimum lot area of 500 m<sup>2</sup>; and
- (d) seniors supportive or assisted housing, with a minimum lot area of 500 m<sup>2</sup>.

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) a building containing dwelling units in conjunction with child day care facility, provided that all residential floor area is developed as social housing;
- (b) multiple dwelling;
- (c) rooming house; ~~and~~
- (d) two-family dwelling; ~~and~~
- (e) seniors supportive or assisted housing, with a minimum lot area of 500m<sup>2</sup>.

\*(Proposed change – when seniors supportive or assisted housing was added to the RM-3A DS on April 6, 2004 (amending by-law #8825), it was meant to have the same regulations as multiple dwelling, and thus should have been listed in sec 4.1.3 along with multiple dwelling. There is already a variance to the min site area in 4.1.2 that allows the DOP to reduce to 500m<sup>2</sup>.)

**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 Despite section 4.3.1, the Director of Planning or Development Permit Board, as the case may be, may increase the maximum height to 19.9 m for multiple dwellings or dwelling units in conjunction with a child day care facility if:

- (a) 100% of the residential floor area is developed as social housing; and
- (b) 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.

4.3.3 If 100% of the residential floor area is developed as social housing, and if the Director of Planning first considers the intent of this Schedule and all applicable policies and guidelines adopted by Council, the Director of Planning may permit a greater height than otherwise permitted for:

- (a) roof-top access structures to shared outdoor amenity space that do not exceed a height of 3.6 m;
- (b) any required guards provided the Director of Planning considers the guard materials to be appropriate to reduce visual impacts; and
- (c) common roof-top amenity structures contiguous with common outdoor amenity spaces that do not exceed a height of 3.6 m, provided that the total floor area of the amenity room on the roof deck does not exceed 10% of the roof area.

**4.4 Front Yard**

- 4.4.1 A front yard with a minimum depth of 6.1 m shall be provided.
- 4.4.2 Despite section 4.4.1, the Director of Planning or Development Permit Board, as the case may be, may vary the front yard requirements for multiple dwellings or dwelling units in conjunction with a child day care facility if:
- (a) 100% of the residential floor area is developed as social housing; and
  - (b) 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.
- 4.4.3 Entries, porches and verandahs complying with the conditions of subsection 4.7.4(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 Despite sections 4.5.1 and 4.5.2, the Director of Planning or Development Permit Board, as the case may be, may vary the side yard requirements for multiple dwellings or dwelling units in conjunction with a child day care facility if:
- (a) 100% of the residential floor area is developed as social housing; and
  - (b) 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.
- 4.5.4 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.

- 4.6.5 Despite sections 4.6.1, 4.6.3, and 4.6.4, the Director of Planning or Development Permit Board, as the case may be, may vary the rear yard requirements for multiple dwellings or dwelling units in conjunction with a child day care facility if:
- (a) 100% of the residential floor area is developed as social housing; and
  - (b) 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.

#### 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 m<sup>2</sup> 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 m<sup>2</sup> of site area in excess of 837 m<sup>2</sup>, 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 Despite section 4.7.1, the Director of Planning or Development Permit Board, as the case may be, may increase the maximum floor space ratio to 3.0 for multiple dwellings or dwelling units in conjunction with a child day care facility if:
- (a) 100% of the residential floor area is developed as social housing; and
  - (b) 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.
- 4.7.3 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.
- 4.7.4 The following shall be excluded in the computation of floor space ratio:
- (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 8% 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.
- (d) amenity areas, including child day care facilities, recreational facilities, and meeting rooms accessory to residential use, to a maximum floor area of 10 percent of the 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;
- (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 m<sup>2</sup> per dwelling unit, there will be no exclusion for any of the residential storage space above base surface for that unit;
- (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 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 subsection 4.7.4(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 4.7.4(h), to which there is no access from the interior of the building.

4.7.5 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 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 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 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 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<sup>2</sup>.

## **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. Additionally, this Schedule is intended to encourage development of six storey social housing apartment buildings. 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 m<sup>2</sup>, 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 child day care facility, provided that all residential floor area is developed as social housing.
  - Dwelling Units in conjunction with a Neighbourhood Grocery Store.
  - 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 and in accordance with section 3.3.1 of this Schedule, 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,
  - 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.
- 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 buildings containing three or more dwelling units in conjunction with child day care facility, provided that all residential floor area is developed as social housing, 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 on another site that was subject to the RHS ODP before it was rezoned to allow for replacement housing, and is adjacent to the contiguous area of the zoning district of the site that requires the replacement housing, 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, 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 m<sup>2</sup> 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 building containing dwelling units in conjunction with child day care facility, provided that all residential floor area is developed as social housing, multiple dwelling or rooming house shall be 550 m<sup>2</sup>.~~ The minimum site area shall be 550 m<sup>2</sup> for:

- (a) a building containing dwelling units in conjunction with child day care facility, provided that all residential floor area is developed as social housing;
- (b) multiple dwelling;
- (c) or rooming house; and
- (d) seniors supportive or assisted housing.

~~\*(Proposed change – when seniors supportive or assisted housing was added to the RM-4 and 4N DS on April 6, 2004 (amending by-law #8825), it was meant to have the same regulations as multiple dwelling, and thus should have been listed in sec 4.1.1 along with multiple dwelling. There is already a variance to the min site area for seniors supportive or assisted housing in 4.1.2 and 4.1.3 that allows the DOP to reduce to 500m<sup>2</sup>.)~~

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) a building containing dwelling units in conjunction with child day care facility, provided that all residential floor area is developed as social housing, with a minimum lot area of 500 m<sup>2</sup>;
- (b) multiple dwelling with a minimum lot area of 500 m<sup>2</sup>;
- (c) rooming house, with a minimum lot area of 500 m<sup>2</sup>; and
- (d) seniors supportive or assisted housing, with a minimum lot area of 500 m<sup>2</sup>.

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) a building containing dwelling units in conjunction with child day care facility, provided that all residential floor area is developed as social housing;
- (b) multiple dwelling;
- (c) rooming house; and
- (d) seniors supportive or assisted housing, with a minimum lot area of 500 m<sup>2</sup>.

**4.2 Frontage**

4.2.1 The maximum site frontage for a building containing dwelling units in conjunction with child day care facility, provided that all residential floor area is developed as social housing, or 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.

- 4.3.2 Despite section 4.3.1, the Director of Planning or Development Permit Board, as the case may be, may increase the maximum height to 19.9 m for multiple dwellings or dwelling units in conjunction with a child day care facility if:
- (a) 100% of the residential floor area is developed as social housing; and
  - (b) 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.
- 4.3.3 If 100% of the residential floor area is developed as social housing, and if the Director of Planning first considers the intent of this Schedule and all applicable policies and guidelines adopted by Council, the Director of Planning may permit a greater height than otherwise permitted for:
- (a) roof-top access structures to shared outdoor amenity space that do not exceed a height of 3.6 m;
  - (b) any required guards provided the Director of Planning considers the guard materials to be appropriate to reduce visual impacts; and
  - (c) common roof-top amenity structures contiguous with common outdoor amenity spaces that do not exceed a height of 3.6 m, provided that the total floor area of the amenity room on the roof deck does not exceed 10% of the roof area.

**4.4 Front Yard**

- 4.4.1 A front yard with a minimum depth of 6.1 m shall be provided.
- 4.4.2 Despite section 4.4.1, the Director of Planning or Development Permit Board, as the case may be, may vary the front yard requirements for multiple dwellings or dwelling units in conjunction with a child day care facility if:
  - (a) 100% of the residential floor area is developed as social housing; and
  - (b) 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.
- 4.4.3 Entries, porches and verandahs complying with the conditions of subsection 4.7.4(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 Despite sections 4.5.1 and 4.5.2, the Director of Planning or Development Permit Board, as the case may be, may vary the side yard requirements for multiple dwellings or dwelling units in conjunction with a child day care facility if:
  - (a) 100% of the residential floor area is developed as social housing; and
  - (b) 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.
- 4.5.4 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.

- 4.6.5 Despite sections 4.6.1, 4.6.3, and 4.6.4, the Director of Planning or Development Permit Board, as the case may be, may vary the rear yard requirements for multiple dwellings or dwelling units in conjunction with a child day care facility if:
  - (a) 100% of the residential floor area is developed as social housing; and
  - (b) 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.

**4.7 Floor Space Ratio**

4.7.1 The floor space ratio shall not exceed 0.60 for one-family dwellings, one-family dwellings with secondary suite, and two-family dwellings, nor 0.75 for all other uses.

4.7.2 Despite section 4.7.1, the Director of Planning or Development Permit Board, as the case may be, may increase the maximum floor space ratio to 3.0 for multiple dwellings or dwelling units in conjunction with a child day care facility if:

- (a) 100% of the residential floor area is developed as social housing; and
- (b) 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.

4.7.3 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.

4.7.4 The following shall be excluded in the computation of floor area:

- (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 for multiple dwellings and 8% of the floor area being provided for all other uses;
- (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.
- (d) amenity areas, including child day care facilities, recreational facilities, and meeting rooms accessory to residential use, to a maximum floor area of 10 percent of the 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;

- (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 m<sup>2</sup> per dwelling unit, there will be no exclusion for any of the residential storage area above base surface for that unit;
- (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 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 subsection 4.7.4(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 4.7.4(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<sup>[1]</sup> 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 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 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<sup>[1]</sup> 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 vary the horizontal angle of daylight requirement, if:

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<sup>[1]</sup> [as provided for in section 5.3 of this Schedule]

- (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<sup>2</sup>.

**4.11 - (Reserved)**  
**4.14**

**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.

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



**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<sup>2</sup>;
- (d) not more than 80% of the width of the site at the rear property line is occupied by accessory buildings;
- (e) no accessory building is closer than 3.7 m to any residential dwelling; and
- (f) roof decks and 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<sup>2</sup>, except that:
      - (i) the Director of Planning may increase the total floor area of all accessory buildings to a maximum of 24 m<sup>2</sup> for each dwelling unit, not including lock-off units, if the Director of Planning first considers the intent of this schedule and all applicable Council policies and guidelines;
    - (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 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 in conjunction with a Neighbourhood Grocery Store.
- 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 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 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 m<sup>2</sup> 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.

- 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<sup>2</sup>.

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<sup>2</sup>.

4.1.3 If the Director of Planning first considers the intent of this schedule and all applicable Council policies and guidelines, the Director of Planning may permit 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<sup>2</sup>.

- 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.

**4.3 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 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 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<sup>2</sup> 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<sup>2</sup> 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) 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 for multiple dwelling and freehold rowhouse and 8% of the floor area being provided for all other uses;
- (b) patios and roof decks, provided that the Director of Planning first 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 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<sup>2</sup>, and

- (ii) on sites with no developed secondary access, those floors or portions thereof not exceeding 7.3 m in length and minimum required maneuvering aisle, which are located either in a principal building, an accessory building, or an infill one-family dwelling up to a maximum area that the Director of Planning may determine, provided the Director of Planning first considers all applicable Council policies and guidelines;
- (e) for non-dwelling uses, where floors are used for off-street parking and loading, heating and mechanical equipment, or uses which, in the opinion of the Director of Planning, are similar to the foregoing, those floors or portions thereof not exceeding 7.3 m in length so used, which are located in an accessory building located within 7.9 m of the ultimate rear property line, or below base surface;
- (f) areas of undeveloped floors which are located:
  - (i) above the highest storey or half-storey and to which there is no permanent means of access other than a hatch, or
  - (ii) adjacent to a storey or half-storey with a ceiling height of less than 1.2 m;
- (g) floors located at or below finished grade with a ceiling height of less than 1.2 m;
- (h) 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 guards that do not exceed the required minimum height,
  - (ii) the total area of these exclusions, when combined with the balcony and deck exclusions under subsection 4.7.5(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,
  - (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 ~~entries, porches and verandahs 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<sup>2</sup> 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;
- (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 4.7.5(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 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, entries, porches and 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 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<sup>2</sup>.

**4.11 Dedication of Land for Lane Purposes**

- 4.11.1 Where a site does not abut a lane, or abuts a lane which is less than 6.1 m in width, a portion of the site, as determined by the City Engineer, to a maximum of 3.1 m, 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 - (Reserved)  
4.14**

**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.

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

**4.16 Building Depth and Width**

- 4.16.1 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 an entry, porch or verandah 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<sup>2</sup>; and
  - (b) the Director of Planning first considers the intent of this schedule and all applicable 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<sup>2</sup>;
- (d) not more than 80% of the width of the site at the rear property line is occupied by accessory buildings;
- (e) no accessory building is closer than 3.7 m to any residential dwelling; and
- (f) roof decks and 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<sup>2</sup>, except that:
  - (i) the Director of Planning may increase the total floor area of all accessory buildings to a maximum of 24 m<sup>2</sup> for each dwelling unit, not including lock-off units, if the Director of Planning first considers the intent of this schedule and all applicable Council policies and guidelines;
- (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 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 in conjunction with a Neighbourhood Grocery Store.
- 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 m<sup>2</sup> 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.
- 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<sup>2</sup>.



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<sup>2</sup>.

4.1.3 If the Director of Planning first considers the intent of this schedule and all applicable Council policies and guidelines, the Director of Planning may permit 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<sup>2</sup>.

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 3<sup>rd</sup> storey, if:
- (a) the 3<sup>rd</sup> 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 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 entries, porches and verandahs may project up to 1.8 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 Yards**

- 4.5.1 Side yards must have a minimum width of 1.2 m.
- 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 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 10.32.1 (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 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<sup>2</sup> 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<sup>2</sup> 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<sup>2</sup> and larger, with a minimum frontage of 12.8 m, the permitted floor area may be increased by one m<sup>2</sup> 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<sup>2</sup> and larger, with a minimum frontage of 12.8 m, the permitted floor area may be increased by one m<sup>2</sup> 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<sup>2</sup> and 112 m<sup>2</sup>;
- (c) for multiple dwelling or seniors supportive or assisted housing on sites that are less than 445 m<sup>2</sup> in size or with a frontage less than 12.8 m, the permitted floor area may be increased by one m<sup>2</sup> 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<sup>2</sup> 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 m<sup>2</sup> 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 m<sup>2</sup> 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) 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 for multiple dwelling and freehold rowhouse and 8% of the floor area being provided for all other uses;
- (b) patios and roof decks, provided that the Director of Planning first 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 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<sup>2</sup>, and
    - (ii) on sites with no developed secondary access, those floors or portions thereof not exceeding 7.3 m in length and minimum required maneuvering aisle, which are located either in a principal building, an accessory building, or an infill one-family dwelling up to a maximum area that the Director of Planning may determine, provided the Director of Planning first considers all applicable Council policies and guidelines;
  - (e) for non-dwelling uses, where floors are used for off-street parking and loading, heating and mechanical equipment, or uses which, in the opinion of the Director of Planning, are similar to the foregoing, those floors or portions thereof not exceeding 7.3 m in length so used, which are located in an accessory building located within 7.9 m of the ultimate rear property line, or below base surface;
  - (f) areas of undeveloped floors which are located:
    - (i) above the highest storey or half-storey and to which there is no permanent means of access other than a hatch, or
    - (ii) adjacent to a storey or half-storey with a ceiling height of less than 1.2 m;
  - (g) floors located at or below finished grade with a ceiling height of less than 1.2 m;
  - (h) 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 guards that do not exceed the required minimum height,
    - (ii) the total area of these exclusions, when combined with the balcony and deck exclusions under subsection 4.7.9(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,
    - (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 ~~entries, porches and verandahs 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<sup>2</sup> 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;
- (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 4.7.9(h), 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 m<sup>2</sup> and 112 m<sup>2</sup>, 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 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, entries, porches and 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 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<sup>2</sup>.
- 4.11 Dedication of Land for Lane Purposes**
- 4.11.1 Where a site does not abut a lane, or abuts a lane which is less than 6.1 m in width, a portion of the site, as determined by the City Engineer, to a maximum of 3.1 m, must be dedicated for lane purposes.
- 4.11.2 Where dedication is made, it shall be deemed not to reduce the site area for the purpose of calculating floor space ratio.
- 4.12 (Reserved)**
- 4.13 (Reserved)**
- 4.14 Dedication of Land for Sidewalk and Boulevard Purposes**
- 4.14.1 For development sites which 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 an entry, porch or verandah 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 more than one 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<sup>2</sup>; and
- (b) the Director of Planning first considers the intent of this schedule and all applicable Council policies and guidelines.

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

### 1 Intent

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

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

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

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

### 2 Outright Approval Uses

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

#### 2.2 Uses

- 2.2.A
- Accessory Buildings customarily ancillary to any of the uses listed in this Schedule, provided that:
    - (a) no accessory building exceeds 3.7 m in height, measured to the highest point of the roof if a flat roof, to the deck line of a mansard roof, or to the mean height of the level between the eaves and the ridge of a gable, hip or gambrel roof, except that no portion of an accessory building may exceed 4.6 m in height;
    - (b) all accessory buildings are located:
      - (i) within 7.9 m of the ultimate rear property line, and
      - (ii) no less than 3.6 m from the ultimate centre line of any rear or flanking lane and 1.5 m from a flanking street;
    - (c) the total floor area of all accessory buildings, measured to the extreme outer limits of the building, is not greater than 48 m<sup>2</sup>;
    - (d) not more than 80% of the width of the site at the rear property line is occupied by accessory buildings;
    - (e) no accessory building is closer than 3.7 m to any residential dwelling;
    - (f) no accessory building obstructs the daylight access prescribed in this Schedule; and
    - (g) roof decks and 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<sup>2</sup>, except that:
  - (i) the Director of Planning may increase the total floor area of all accessory buildings to a maximum of 24 m<sup>2</sup> for each dwelling unit, not including lock-off units, if the Director of Planning first considers the intent of this Schedule and all applicable Council policies and guidelines;
- (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 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]

- Dwelling Units in conjunction with a Neighbourhood Grocery Store
- 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.
- Neighbourhood Grocery Store
- 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 minimum of 25% of the total dwelling units must be two-bedroom units;
  - a minimum of 10% of the total dwelling units must be three-bedroom units;
- 3.3.3 Notwithstanding section 3.3.2, the Director of Planning may vary the distribution of units, provided that no less than 35% of the total dwelling units are two- or three-bedroom units, and provided the Director of Planning first considers the intent of this Schedule and all applicable policies and guidelines adopted by Council.

## 4 Regulations

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

### 4.1 Site Area

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

### 4.2 Frontage

- 4.2.1 The minimum site frontage for multiple dwellings consisting of four or more dwelling units, not including lock-off units, is 36.6 m along the streets set forth below:
- East 1<sup>st</sup> Avenue,
  - East 12<sup>th</sup> Avenue, or
  - 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:
- East 1<sup>st</sup> Avenue, or
  - East 12<sup>th</sup> Avenue.
- 4.2.3 Notwithstanding sections 4.2.1 and 4.2.2 of this Schedule, the Director of Planning may reduce the minimum site frontage requirement if the Director of Planning first considers the intent of this Schedule and all applicable Council policies and guidelines.
- 4.2.4 The maximum site frontage for multiple dwellings consisting of four or more dwelling units, not including lock-off units, is 50 m.

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

**4.3 Height**

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

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

**4.4 Front Yard**

4.4.1 Front yards must have a minimum depth of 3.7 m 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 Entries, porches and verandahs complying with section 4.7.9 (j) of this Schedule, may project up to 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 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<sup>2</sup>, the Director of Planning may permit an increase in floor area to a maximum floor space ratio of 1.7 FSR.

4.7.3 For multiple dwellings consisting of four or more dwelling units, not including lock-off units, or seniors supportive or assisted housing, if the Director of Planning first considers the intent of this Schedule, all applicable Council policies and guidelines, and the submissions of any advisory groups, property owners or tenants, on sites with a minimum frontage of 36.6 m, and a minimum site area of 1000 m<sup>2</sup>, the Director of Planning may permit an increase in floor area by one m<sup>2</sup> per amenity share or affordable housing share provided to the city at no cost to the city, to a maximum floor space ratio of 1.7 FSR.

4.7.4 For the purposes of section 4.7.3 of this Schedule, the cost of an affordable housing share in the RM-11 and RM-11N Zoning Districts is the amount specified per m<sup>2</sup> in Schedule F of this By-law, for any increase in floor space ratio above 0.75.

4.7.5 For the purposes of section 4.7.3 of this Schedule, the cost of an amenity share in the RM-11 and RM-11N Zoning Districts is the amount specified per m<sup>2</sup> in Schedule F of this By-law, for any increase in floor space ratio above 0.75.

4.7.6 For the purposes of this Schedule, amenity means one or more of the following:

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

4.7.7 Notwithstanding section 4.7.3, **section 4.7.10(a) and section 4.7.10(c)** 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) 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 for multiple dwellings of four or more units, and 8% of the floor area being provided for all other uses;
- (b) patios and roof decks, provided that the Director of Planning first 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 foregoing, which are located below the base surface;
- (d) for multiple dwellings consisting of three units, and for dwelling uses other than multiple dwellings, where floors are used for off-street parking and loading, or bicycle storage in multiple conversion dwellings consisting of three or more dwelling units, or uses which, in the opinion of the Director of Planning, are similar to the foregoing:
  - (i) those floors or portions thereof not exceeding 7.3 m in length, which are located in an accessory building which complies with section 2.2.A of this Schedule, or in an infill one-family dwelling or principal building located within 7.9 m of the ultimate rear property line, up to a maximum of 48 m<sup>2</sup>, and
  - (ii) on sites with no developed secondary access, those floors or portions thereof not exceeding 7.3 m in length and minimum required maneuvering aisle, which are located either in a principal building, an accessory building, or an infill building up to a maximum area that the Director of Planning may determine, provided Director of Planning first considers all applicable Council policies and guidelines;
- (e) for non-dwelling uses, where floors are used for off-street parking and loading, heating and mechanical equipment, or uses which, in the opinion of the Director of Planning, are similar to the foregoing, those floors or portions thereof not exceeding 7.3 m in length so used, which are located in an accessory building located within 7.9 m of the ultimate rear property line, or below base surface;
- (f) amenity areas, including day care facilities, recreation facilities, and meeting rooms to a maximum total of 10 percent of the total permitted floor area;
- (g) areas of undeveloped floors which are located:
  - (i) above the highest storey or half-storey and to which there is no permanent means of access other than a hatch, or
  - (ii) adjacent to a storey or half-storey with a ceiling height of less than 1.2 m;
- (h) floors located at or below finished grade with a ceiling height of less than 1.2 m;

- (i) for multiple dwellings, all residential storage area above or below base surface, except that if the residential storage area above base surface exceeds 3.7 m<sup>2</sup> per dwelling unit, there will be no exclusion for any of the residential storage space above base surface for that unit;
- (j) 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 is open or protected by guards that do not exceed the required minimum height,
  - (ii) the total area of these exclusions, when combined with the balcony and deck exclusions under subsection 4.7.9(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,
  - (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 any 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 m<sup>2</sup>,
  - (ii) a frontage less than 12.8 m,
  - (iii) a maximum height of 10.7 m,
  - (iv) a minimum side yard width of 1.2 m, and
  - (v) a minimum rear yard depth of 10.7 m,
 the permitted floor area may be increased by one m<sup>2</sup> per amenity share or affordable housing share provided to the city at no cost to the city, to a maximum allowable density of 0.9 FSR;
- (b) For multiple dwellings consisting of no more than three dwelling units, not including lock-off units, where 100% of the residential floor area is developed as secured market rental housing secured by a housing agreement that restricts the rates at which rents may be increased, and which are on sites with:
  - (i) a minimum site area of 303 m<sup>2</sup>,
  - (ii) a frontage less than 12.8 m,
  - (iii) a maximum height of 10.7 m,
  - (iv) a minimum side yard width of 1.2 m, and
  - (v) a minimum rear yard depth of 10.7 m,
 the permitted floor area may be increased to a maximum allowable density of 0.9 FSR;
- (c) For multiple dwellings consisting of four or more dwelling units, not including lock-off units, or for seniors supported or assisted housing, and which are on sites with:
  - (i) a minimum site area of 566 m<sup>2</sup>,
  - (ii) a frontage greater than 12.8 m and less than 36.6 m,
  - (iii) a maximum height of 11.5 m,
  - (iv) a maximum height of 10.1 m for buildings adjacent to the lane, and
  - (v) a minimum rear yard depth of 1.8 m;
 the permitted floor area may be increased by one m<sup>2</sup> per amenity share or affordable housing share provided to the city at no cost to the city, to a maximum allowable density of 1.2 FSR; and

- (d) For multiple dwellings consisting of four or more dwelling units, not including lock-off units, where 100% of the residential floor area is developed as either secured market rental housing secured by a housing agreement that restricts the rates at which rents may be increased, social housing exempt from development costs charges in accordance with 523D (10)(d) of the *Vancouver Charter*, or seniors supportive or assisted housing that is secured market rental housing subject to an agreed upon rental increase limit, and which are on sites with:
  - (i) a minimum site area of 566 m<sup>2</sup>,
  - (ii) a frontage greater than 12.8 m and less than 36.6 m,
  - (iii) a maximum height of 11.5 m,
  - (iv) a maximum height of 10.1 m for buildings adjacent to the lane, and
  - (v) a minimum rear yard depth of 1.8 m;
 the permitted floor area may be increased to a maximum allowable density of 1.2 FSR.

**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 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, entries, porches and 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 (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 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 m<sup>2</sup>.

**4.11 Dedication of Land for Lane Purposes**

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

**4.12 (Reserved)**

**4.13 (Reserved)**

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

- 4.14.1 For development sites which adjoin the streets set forth below, a portion of the site must be dedicated to the City for sidewalk and boulevard improvements to achieve a distance from the centerline of the street to the property line of the development site, measured at right angles:
- (i) East 1st Avenue, from Commercial Drive to 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.

<b>Portions of dwelling units</b>	<b>Leq24 (dBA)</b>
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 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.

**SCHEDULE A**

**CITY OF VANCOUVER**

**EAST FRASER LANDS  
OFFICIAL DEVELOPMENT PLAN**

*(Adopted by By-law No. 9393, December 12, 2006)*

## Section 6 Development Phasing

### Areas

6.1 Each area is to include the following uses and restrictions on use:

#### Area 1

6.1.1 Area 1 is to include:

- (a) residential floor area consisting of approximately 338 774 m<sup>2</sup>, except that if office floor area in the areas outlined with dotted lines in Figure 19 is used for dwelling units used for secured market rental housing, then it is to include residential floor area consisting of approximately 313 950 m<sup>2</sup>,
- (b) retail floor area consisting of no more than 25 673 m<sup>2</sup>,
- (c) flex use floor area consisting of no more than 26 758 m<sup>2</sup>,
- (d) park and public open space consisting of at least 3.5 hectares,
- (e) a community centre consisting of at least 2 790 m<sup>2</sup> adjacent to a waterfront plaza,
- (f) a 69 space child care facility located in the community centre,
- (g) 60 out-of-school spaces located in the community centre,
- (h) at least 12.9% of the residential floor area is to be available for affordable housing, and
- (i) at least 9 290 m<sup>2</sup> of the residential floor area is to be available for secured market rental housing on sites adjacent to the high street south of the rail corridor.

#### Area 2

6.1.2 Area 2, with the exception of the child care facility referred to in subparagraph (e), is to include:

- (a) residential floor area consisting of approximately 157 560 m<sup>2</sup>,
- (b) park and public open space, consisting of at least 4.2 hectares,
- (c) an elementary school site consisting of at least 0.44 hectares,
- (d) a 69 space child care facility located in the elementary school,
- (e) a 69 space child care facility located in Area 2 or within 250 m of Area 2,
- (f) 80 out-of-school spaces, 60 of which are to be within the school and 20 of which are to be within the child care facility on the school site, and
- (g) at least 14.8% of the residential floor area is to be available for affordable housing.

#### Area 3

6.1.3 Area 3 is to include:

- (a) residential, flex and light industrial live-work floor area consisting of approximately 296 780 m<sup>2</sup>,
- (b) retail and ~~community~~ community energy centre floor area consisting of no more than 2 050 m<sup>2</sup>,
- (c) Gasoline Station – Split Island,
- (d) park and public open space consisting of at least 3.31 hectares,
- (e) a secondary school site consisting of at least 0.57 hectares,
- (f) at least 25.6% of the residential floor area is to be available for affordable housing, and
- (g) at least 27 871 m<sup>2</sup> of the residential floor area is to be available for secured market rental housing.

#### Area 4

6.1.4 Area 4 is to include:

- (a) residential floor area consisting of no more than 7 120 m<sup>2</sup>, and

- (b) at least 20% of the residential units are to be available for affordable housing.

#### **Area 5**

6.1.5 Area 5 is to include:

- (a) residential floor area consisting of no more than 17 850 m<sup>2</sup>, and
- (b) at least 20% of the residential units are to be available for affordable housing.

#### **Area 1 or Area 3**

6.1.6 A 69 space child care facility is to ~~be~~ be included in Area 1, located in the community centre, or in Area 3.

#### **Objectives of phasing strategy**

6.2 The principal objectives underpinning the phasing strategy are to:

- (a) establish a sense of place and identity for the new community at the earliest opportunity;
- (b) ensure a balance between occupancy of dwelling units and provision of local amenities such as shops, services, community facilities, and parks;
- (c) ensure efficient construction or installation of infrastructure and utilities to support the development;
- (d) minimize disruption from construction to existing and new residents; and
- (e) ensure the economic viability of the project.

#### **Development phasing**

6.3 The anticipated sequence of phasing is to follow Phases A, B, C, D and E as shown on Figure 18, except that:

- (a) the development of Phases B and C may occur in advance of the anticipated sequence; and
- (b) the anticipated sequence is to be subject to review from time to time, always in light of the objectives set out in section 6.2, but taking into account factors such as the considerable length of the development process and market conditions prevailing at the time of the review, and, as a result of any such review, Council may refer a proposed change in sequence to public hearing.